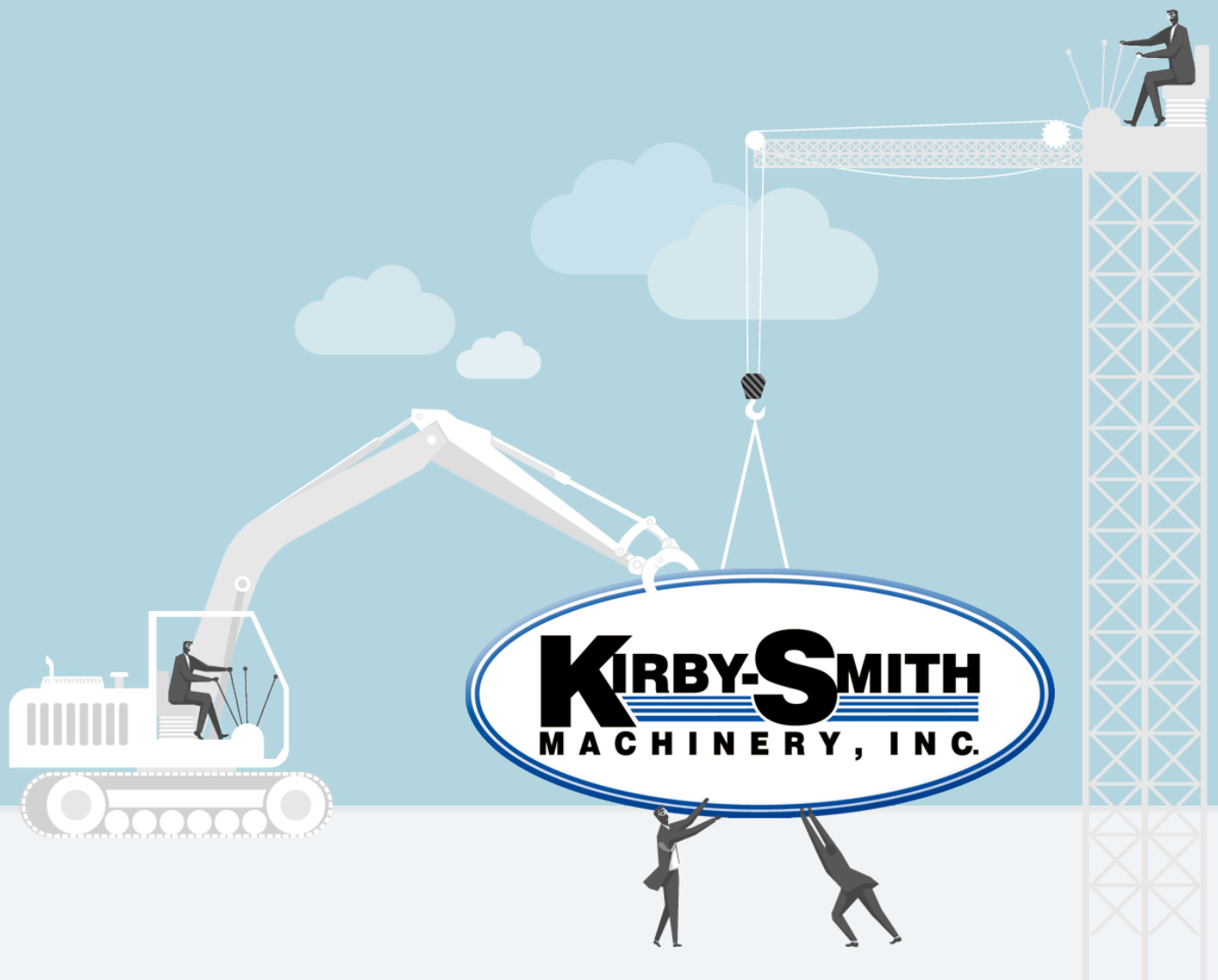


RENTAL EQUIPMENT

Physical Damage Waiver



KIRBY-SMITH MACHINERY, INC.

6715 W. Reno, Oklahoma City, Oklahoma 73127 (405) 495-7820 (405) 787-5973

Rental Equipment Physical Damage Waiver

Your current property insurance policy may not cover you for loss of, or damage to, the rented equipment itself while in your possession. In order to reduce your financial exposure we can include a physical damage waiver. A physical waiver **IS NOT** to be construed as an insurance coverage, but only a waiver of certain claims relative to the physical damage of the machine. Purchasing a physical damage waiver **does not excuse you** from obtaining the required general liability, workers compensation and automobile liability coverage.

- Charges for this waiver will be **14% of the TOTAL RENTAL RATE**.
- This waiver applies to all risks of direct physical loss, or damage to, the rented property from external cause except those itemized in the waiver.

Exclusions of the Waiver

- Wear and tear
- Mechanical or electrical breakdown and/or failure
- Fraudulent or dishonest acts by any authorized representative of the Lessee or by others to whom the property is entrusted
- Abuse, neglect and carelessness
- Use of machine beyond its rated capacity (overload)
- Mysterious disappearance
- Loss or damage resulting from improper maintenance
- Damage caused by overturn or tipping
- Physical damage waiver **IS NOT** available for crane rentals

Deductible Amount

Rent paid in-full, plus 1 month's rent at book rate

Notice to Authorities

All accidents shall be reported to immediately Kirby-Smith Machinery, Inc. and lessee shall immediately report to the appropriate law enforcement officials and Kirby-Smith Machinery, Inc. any and all losses and damages caused by, or resulting from, theft, vandalism or malicious activity. The machine shall be kept in secure environments, keys removed, doors locked, vandalism covers installed and clustered with other machines. Failure to comply shall render the waiver null and void.

Disclaimer

This certificate does not contain all the terms, conditions and exclusions of this waiver. This waiver is subject to endorsement, alteration, transfer, assignment and/or cancellation without notification to certificate holder. This summary confers no rights to the holder.