

**Warning** Under Missouri law, an outfitter is not liable for an injury to or the death of a participant in a paddlesport activities resulting from the inherent risks of paddlesport activities pursuant to the Revised Statutes of Missouri, Chapter 537 RSMO revised to 537.327

## **WAIVER AND RELEASE AGREEMENT**

Please read carefully before signing.

This is a release of liability and waiver of certain legal rights.

In consideration for my being permitted to participate in the activities of Woodlane Rentals, LLC DBA: Piney Beach Cabins, I agree to the following Waiver and Release:

I acknowledge that water activities have inherent risks, hazards, and dangers for anyone that cannot be eliminated, particularly in a wilderness environment . I UNDERSTAND THAT THE RISKS, HAZARDS AND DANGERS INCLUDE WITHOUT LIMITATION:

1. The services of provider may include renting equipment and providing trips by raft, tube, canoe, or kayak, related activities, and / or travel to and from the activities, or temperature extremes.

2. The hazards and risks together referred to as " risks" of the use of the watercraft include the following: Entering, exiting and operating the watercraft; dangerous water conditions; entrapment; injury from slips and falls; and drowning, Further, activities may take place in remote places, significantly delaying emergency medical care.

3. Participant, and the parent or guardian of a minor Participant, acknowledge and understand that the description of activities and risks above is not complete and that all activities, whether or not described, may be: dangerous and may include risks which are inherent and cannot be responsibly avoided without changing the nature of the activity.

4. Provider has made no effort to determine, and accepts no responsibility for, medical, physical or other qualifications or the suitability of Participant for the activities. Participant and the parent or guardian of a minor Participant, accepts full responsibility for determining Participant's suitability for participating in the activities.

5. Consumption of even small quantities of alcohol will and other substances many, impair judgment and reduce a participant's ability to effectively manage the risks of water travel, camping and land activities.

Participants should always wear a fastened personal floatation device; participants should wear footwear which will provide protection from sharp objects, and which minimize the risk of foot entrapment.

I, for myself , my heirs, successors, executors, and subrogees, hereby

KNOWINGLY AND INTENTIONALLY WAIVE AND RELEASE, INDEMNIFY AND HOLD HARMLESS WOODLANE RENTALS, LLC DBA: PINEY BEACH CABINS, their directors, officers, agents, employees, and volunteers from and against any and all claims, actions, causes of action, liabilities, suits, expenses( including reasonable attorney's fees) which are related to,

arise out of , or are in any way connected with my participation in this activity including, but not limited to, NEGLIGENCE of any kind or nature, whether foreseen or unforeseen, arising directly or indirectly out any damage, loss, injury , paralysis, or death to me or my property as a result of my engaging in these activities or the use of these services, or equipment whether such damage loss, injury, paralysis, or death results from negligence of Woodlane Rentals, LLC DBA: Piney Beach Cabins or from some other cause. I, for my heirs, successors, my executors, subrogees, and myself further agree not to sue Woodlane Rentals, LLC DBA: Piney Beach Cabins as a result of any injury, paralysis, or death suffered in connection and my use and participation in the activities of Woodlane Rentals, LLC DBA Piney Beach Cabins.

I HAVE CAREFULLY READ, CLEARLY UNDERSTAND, AND VOLUNTARILY SIGN THIS WAIVER AND RELEASE AGREEMENT.

Date \_\_\_\_\_

\_\_\_\_\_

Signature

\_\_\_\_\_

Print Name

\_\_\_\_\_

Mailing Address

\_\_\_\_\_

City

State

Zip

Phone

Number (    ) \_\_\_\_\_

If under eighteen (18) years of age, parent, guardian, or custodian must sign page 2 indemnification.

If any part of this agreement is found by a Court or other appropriate authority to be invalid, the remainder of the agreement nevertheless shall be in full force and effect.

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**INDEMNIFICATION**

In consideration for the above minor being permitted by Woodlane Rentals, LLC DBA: Piney Beach Cabins to participate in water activities which include, without limitation the use of its services and equipment , I agree to the following waiver, release, and indemnification.

The undersigned parent, guardian, or custodian of the above minor, for himself / herself and on behalf of said minor, hereby joins in the forgoing Waiver and Release and hereby stipulates and agrees to save and hold harmless, indemnify, and forever defend Woodlane Rentals, LLC DBA: Piney Beach Cabins, their directors, officers, agents, employees, and volunteers from and against any claims, actions, demands, expenses, liabilities ( including reasonable attorney's fees) , and NEGLIGENCE made or bought by said minor or by anyone on behalf of said minor, as a result of said minor's participation in the activities of Woodlane Rentals, LLC DBA: Piney Beach Cabins and his or her use of the property, animals, if any, and facilities of Woodlane Rentals, LLC DBA Piney Beach Cabins. I , myself and on behalf of said minor, further agree not to sue Woodlane Rentals, LLC DBA Piney Beach Cabins as a result of any injury, paralysis or death that said minor suffers in connection with his / her participation in the activities of Woodlane Rentals, LLC DBA: Piney Beach Cabins.

Date\_\_\_\_\_

\_\_\_\_\_  
Signature of Parent, Guardian or Custodian of Minor

\_\_\_\_\_  
Print name of Minor

Date\_\_\_\_\_

\_\_\_\_\_  
Witness

If any part of this agreement is found by a Court or other appropriate authority to be invalid, the remainder of the agreement nevertheless shall be in full force and effect.