

WAIVER AND RELEASE AGREEMENT

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

In consideration for my being permitted to participate in the activities of the West Tennessee Delta Heritage Center and the Hatchie Bird Fest (HBF), I agree to the following Waiver and Release:

I acknowledge that birding and nature tours have inherent risks, hazards, and dangers that cannot be eliminated, in an outdoor environment. I UNDERSTAND THAT THESE RISKS, HAZARDS, AND DANGERS INCLUDE WITHOUT LIMITATION:

1. Inclement weather and forces of nature;
2. Injuries that may be associated with walking and working in uneven rugged terrain;
3. Exposure to plants, animals, insects, and effluent in the river bed;
4. Use of tools, construction activities;
5. Traveling by automobile/bus to and from the site(s);
6. Concession foods and all other activities associated with the Hatchie BirdFest.

I understand that these activities may require good physical condition. I believe I have good enough physical condition to engage in these activities safely. I understand that I have responsibilities. My participation in this activity is purely voluntary. Therefore I, waive and hold harmless the West Tennessee Delta Heritage Center, Hatchie Bird Fest, City of Brownsville Tennessee, County of Haywood Tennessee, directors, officers, sponsors and volunteers from and against all claims related to my participation in this activity including use of these services, autos or equipment. I voluntarily assume all risk of property damage, personal injury, or death sustained by me or any minor children during the event.

PARTICIPANT SIGNATURE / NAME OF MINOR

DATE

INDEMNIFICATION

If under eighteen years of age, parent, guardian, or custodian must sign the following indemnification:

In consideration for the above named minor being permitted by the West Tennessee Delta Heritage Center to participate in the activities of the Hatchie BirdFest which include, without limitation, the use of its services, autos 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 foregoing Waiver and Release and hereby stipulates and agrees to save and hold harmless, indemnify, and forever defend, West Tennessee Delta Heritage Center, City of Brownsville, County of Haywood, their directors, officers, and volunteers from and against any claims, 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 the West Tennessee Delta Heritage Center's Hatchie BirdFest and his or her use of the property, equipment, if any, for myself and on behalf of said minor, further agree not to sue West Tennessee Delta Heritage Center, City of Brownsville, County of Haywood, its sponsors, directors, agents and volunteers as a result of any injury, that said minor suffers in connection with his/her participation in the activities of the Hatchie Bird Fest.

PARENT OR GUARDIAN SIGNATURE

DATE