

# **ACKNOWLEDGMENT, RELEASE AND WAIVER OF LIABILITY**

## **Last Chance Riders Association**

In consideration of being permitted to participate in or attend any event, race or other activity promoted, offered or conducted by Last Chance Riders Association, a Montana nonprofit corporation ("Association"), including but not limited to being permitted to enter or use any of the Association's property and facilities located at 4592 York Road, Helena, Montana ("Facilities"), the undersigned, for himself/herself (or if a minor, for such minor), and for his/her (or such minor's) personal representatives, heirs, successors and assigns, hereby acknowledges and agrees that:

**THE ASSOCIATION'S EVENTS**, races and other activities, including but not limited to all motocross, motorcycle and other off-road racing, training, riding and other activities conducted at the Association's Facilities ("Activities") are a "sport or recreational opportunity," as defined in the Montana Recreation Responsibility Act, Sections 27-1-751 through 27-1-754, Montana Code Annotated;

**THE ACTIVITIES**, including but not limited to motocross, motorcycle and other off-road racing, training, riding and related activities are inherently dangerous activities and involve the risk of serious injury, death and property damage. Such risks may include, but are not limited to, those caused by terrain, surface or subsurface conditions, crevices, ravines, slopes, poor visibility, natural hazards, temperature, weather, equipment, facilities, vehicular traffic, motorized machines, mechanical failure, speed, collision, lack of hydration, physical and mental limits, conditions and actions of the undersigned and others, including but not limited to participants, volunteers, spectators, coaches, event officials and monitors, and event promoters;

**THE UNDERSIGNED ASSUMES** the inherent risks in the Activities, including but not limited to all motocross, motorcycle and other off-road racing, training, riding and other activities, whether known or unknown, and is legally responsible for all injury and death to the undersigned person and for all damage to the undersigned person's property that result from such inherent risks. The Association is not required to eliminate, alter or control such inherent risks;

**THE UNDERSIGNED HEREBY WAIVES AND RELEASES** the Association, its directors, officers, employees, volunteers, event holders, sponsors, officials and organizers, agents, representatives, successors and assigns from any and all liability and responsibility for damages or injuries resulting from conduct that constitutes ordinary negligence or for risks that are inherent in the Activities;

**THE ASSOCIATION** expressly disclaims any express or implied warranties of safety, fitness for purpose intended, or otherwise relating to the Activities or the Association's property;

***[Continued on Next Page]***

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**THE UNDERSIGNED** will indemnify and hold the Association harmless for any loss, liability, damage, expense or cost incurred arising out of or relating in any manner to attendance at or participation in the Activities;

**THE UNDERSIGNED** has been informed of and is responsible to comply with all Association safety rules, requirements and instructions.

**THIS WAIVER AND RELEASE** of liability shall be construed broadly to provide a release and waiver to the maximum extent permissible under applicable law.

**THE UNDERSIGNED** has read and agrees to all of the foregoing statements and understands that attendance at and participation in Association Activities is subject to all of the foregoing acknowledgments and agreements.

**CAUTION: BY SIGNING THIS DOCUMENT YOU MAY BE WAIVING YOUR LEGAL RIGHT TO A JURY TRIAL TO HOLD THE RELEASED PARTIES LEGALLY RESPONSIBLE FOR ANY INJURIES OR DAMAGES RESULTING FROM RISKS INHERENT IN THE SPORT OR RECREATIONAL OPPORTUNITY OR FOR ANY INJURIES OR DAMAGES YOU MAY SUFFER DUE TO THE RELEASED PARTIES' ORDINARY NEGLIGENCE THAT ARE THE RESULT OF THE RELEASED PARTIES' FAILURE TO EXERCISE REASONABLE CARE.**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Name: \_\_\_\_\_  
(Please Print)

Address: \_\_\_\_\_

City/St. Zip: \_\_\_\_\_

Signature: \_\_\_\_\_  
(If under 18, signed by parent or legal guardian)

Board Member Signature: \_\_\_\_\_