

FITNESS CENTER

WAIVER & RELEASE

IMPORTANT INFORMATION

Albert Lea Youth Baseball Association ("ALYB") requires that all participants follow safety rules and instructions that are designed to protect the participant's safety. However, participants must recognize that there is an inherent risk of injury when choosing to participate in fitness center activities.

You will be working with custom equipment made just for this facility and training purposes. We understand normal wear and tear of the facility may happen, and accidents do happen that can cause damages to the property. If you purposely break equipment, you will be held liable for such damage. If equipment breaks or is damaged, please bring it to the supervisor's attention immediately.

You are solely responsible for determining if you are physically fit and/or adequately skilled for fitness center activities including but not limited to using the fitness machines, free weights, attending any classes or using any of the equipment that is provided in this facility. It is always advisable, especially if the participant is pregnant, suffers from an underlining medical condition, takes medication, smokes cigarettes, has a family history of coronary disease, or has recently suffered an illness, injury or impairment, to consult a physician before undertaking any fitness center activity.

WARNING OF RISK

Aerobic and other fitness activities such as passive or resistive weight training, use of machines, jogging, free weights, and other training devices and training rooms in the facility are intended to challenge and engage the physical, mental and emotional resources of the participant. Despite careful and proper preparation, instruction, medical advice, and conditioning, there is still a risk of serious injury. All hazard and dangers cannot be foreseen. Depending on the particular activity, certain risks, dangers and injuries due to overexertion, improper technique, ignoring safety precautions, failing to follow instructions, slips and falls, unfamiliarity with the equipment and/or exercise, equipment failure, failure in supervision/instruction, premises defects and other risks inherent to the particular activity exist.

Depending upon a person's physical condition, age and/or skill level, fitness center activities can involve a substantial risk of the following types of injuries. This list is by no means complete, but includes some of the more common ones: (i) heart attack, stroke and circulatory problems, (ii) bone and joint injuries, (iii) back and neck injuries, (iv) shin splints, (v) muscle strain and other muscle injuries, and (vi) foot problems.

MEDICAL EXAMINATION: All participants are strongly encouraged to have a complete physical examination by a medical doctor prior to beginning any activity. If a participant has a history of heart disease, he/she should consult a physician before participating in any fitness center activity.

AUTHORIZATION

In the event of any emergency, I authorize ALYB to secure from any accredited hospital and/or physician any treatment deemed necessary for my immediate care and agree that I will be responsible for payment for any and all medical services rendered.

WAIVER AND GENERAL RELEASE OF ALL CLAIMS AND ASSUMPTION OF RISK

Please read this form carefully and be aware that in signing up and participating in any fitness center activity, you will be expressly assuming the risk and legal liability and waiving and generally releasing all claims for injuries, damages

or loss which you might sustain as a result of participating in any and all activities connected with and associated with any fitness center activities.

I recognize and acknowledge that there are certain risks of physical injury to participants in any fitness center activities, and I voluntarily agree to assume the full risk of any and all injuries, damages or loss, regardless of severity, that I may sustain as a result of said participation.

I waive any right and release all claims and liability against Albert Lea Port Authority and/or Albert Lea Economic Development Agency. This includes any accidents that may take place at the facility and on the premises.

As a material inducement for ALYB to permit me to use the center, its facilities, and equipment, I hereby waive and hold ALYB and its' Parties harmless for any and all claims and damages (including legal fees) present or future, foreseen or unforeseen, anticipated or unanticipated (collectively "Claims"), I may have (or accrue to me) against ALYB, including its shareholders, directors, agents, employees, volunteers, and affiliated companies and partnerships including and generally release ALYB and Albert Lea Port Authority and/or Albert Lea Economic Development Agency from any and all Claims, including but not limited to those involving: (i) participating in any supervised or unsupervised fitness center activities, (ii) use of any fitness center equipment, (iii) any loss or theft of personal property, and (iv) accidental injuries, such as "slip and fall" injuries within the fitness center.

I have read and fully understand the above important information, warning of risk, authorization, assumption of risk, and waiver and generally release of all claims and understand that by my signature I am aware that this is a waiver and a release of liability and I voluntarily agree to its terms.

Participant's Name (Please Print): _____

Participant's Signature: _____ Date: _____

Participant's Cell Phone: _____ Email: _____

In case of emergency, contact: _____

Phone: _____

(Parent's signature if under 18 years of age)

I represent that I have legal capacity and authorize to act on behalf of the minor named herein.

Parent/Guardian Name: _____

Parent/Guardian Phone Number: _____ Email: _____

Signature: _____

Date: _____