

DYSON BAUDO RECREATION CENTER
CLIMBING WALL RELEASE OF LIABILITY

In consideration of my being permitted by the Dyson Baudo Recreation Center at Marietta College to climb on its "Climbing Wall" and participate in its program offerings, I agree to the following waiver and release and I make the following representations:

I HEREBY ACKNOWLEDGE THE INHERENT EXTREME RISKS IN ROCK CLIMBING, including climbing on artificial surfaces. I realize that those risks include, but are not limited to: falls from or contact with walls and equipment, bad decision-making, inattention of belayers or actions of other climbers, misuse or failure of equipment, holds which may have become loose or damaged, and occurrences which are unforeseen. I acknowledge that the above list is not inclusive of all possible risks associated with the use of the facilities, and/or the sport of climbing and I agree that said list in no way limits the extent or reach of this release. I VOLUNTARILY ASSUME ALL RISKS WITH KNOWLEDGE AND APPRECIATION OF THE DANGERS AND RISK INVOLVED. _____ (initial)

I voluntarily agree to assume all risk of personal injury, including paralysis and death that may occur while I am climbing or participating in the climbing wall program, whether not under the supervision of Dyson Baudo Recreation personnel. I hereby waive, release, and agree to indemnify, hold harmless and defend Marietta College, its trustees, employees, volunteers, successors, assigns, officers, wall designers and builders, hold manufacturers, lessors, and agents from all liability for any such damage, injury, paralysis, or death which may result from my use of the Climbing Wall or any associated items. THIS RELEASE SHALL BE EFFECTIVE EVEN THOUGH SAID LOSS, DAMAGE OR INJURY RESULTS OR HAS RESULTED FROM THE NEGLIGENCE, WRONGFUL ACTS, OMISSIONS, BREACH OF WARRANTY OR STRICT TORT LIABILITY OF MARIETTA COLLEGE OR OTHER PARTIES RELEASED. _____ (initial)

I am in good health and have no physical limitations which would affect my safe use of the facilities. I agree to pay attention to the condition or state of any ropes, anchors and other equipment I may use, and to advise staff members if I notice any damage or if any damage results from my use of the Climbing Wall or any associated items. I certify that I have read and understand the posted rules, and I agree to abide by these rules and any future rules. If any member of the Marietta College staff makes a specific request of or instruction to me pertaining to the use of the Climbing Wall or any associated item, I agree to comply. I understand that indoor climbing is not the same as outdoor climbing, and I agree to seek qualified instruction before attempting to climb. _____ (initial)

I am at least 18 years of age and otherwise legally competent to sign this release. This release shall be effective and binding upon me and upon my assigns, heirs, representatives, executors and administrators. If under the age of 18, this release must be signed by both parents/guardians of the minor, and I agree to indemnify and hold harmless Marietta College and other released parties in the event a minor member of my family sues all or any of them. _____ (initial)

I understand that I have the option of wearing a helmet when climbing and that a helmet will be provided if I so request. I may still climb without wearing a helmet. _____ (Initial)

I understand that this release is a contract. I expressly state that I have read, understand and am familiar with all it's provisions and that I sign it of my own free will. _____ (initial)

Signature _____ Printed Name _____

Date _____ Phone _____ Date of Birth _____

Address _____ City, State, Zip Code _____

Accepted By (Marietta College representative): _____

TO BE READ AND SIGNED BY BOTH PARENTS/GUARDIANS OF MINOR (UNDER 18)

I hereby state that I am the parent or guardian of the minor whose signature appears above. I am familiar with and consent and agree to the terms and provisions set forth in this Release.

Signature of Parent/Guardian #1 _____ Date _____

Signature of Parent/Guardian #2 _____ Date _____

Approved 22Jan03