

## **West Metro Senior Softball Association Release of Liability and Assumption of Risk Agreement**

In consideration of being allowed to participate in the West Metro Senior Softball Association's softball games, tournaments, practices, warmups, other activities, and related events (collectively "Softball Activities") I, the undersigned, acknowledge, appreciate, and agree that:

1. There are certain risks and hazards involved in practicing, watching and playing softball that may result in injury or death to me or to others, including but not limited to hazards associated with communicable disease, weather conditions, field conditions, equipment, and other players.
2. The very nature of the game of softball is inherently hazardous and risky, including, but not limited to, the acts of pitching, throwing, fielding and catching the ball, swinging the bat, running, sliding, and collisions with other players and with stationary objects, all of which can cause serious injury or death to me and to other players.
3. The risk of personal injury or property damage to me or other players from participation in the Softball Activities is significant, including but not limited to the potential for temporary or permanent paralysis, disability, or death, and while particular rules, equipment, and personal discipline may reduce this risk, the risk of serious or fatal injury, illness, or property damage, still exists.
4. The directors and officers of the West Metro Senior Softball Association and their agents, (hereafter collectively called the "Directors and Officers") have recommended the use of player safety equipment, such as pitching screens, batting and running helmets, mouth guards, facemasks, shin guards, and other protective equipment, as well as disinfectants, face masks or shields and safe hygiene to help prevent injuries or illness to players. I assume the risk of injury or illness to me or other players resulting from my failure to use safety equipment or practice safe hygiene and/or social distancing.

I acknowledge, agree, and represent that I fully understand the nature and risks of participating in the Softball Activities and that I am in good health and in proper physical condition to participate in such activities. I further acknowledge that the West Metro Senior Softball Association is relying on these representations when granting me the right to participate in its Softball Activities.

I agree to comply with the West Metro Senior Softball Association's stated and customary terms and conditions, safety instructions, and softball rules required for participation in its Softball Activities. I further agree that, if at any time during my presence or participation in the Softball Activities, I believe the conditions are unsafe, I will immediately discontinue further participation and bring such unsafe conditions to the attention of the other players immediately.

By signing this form, and in consideration of being allowed to participate in the West Metro Senior Softball Association's Softball Activities, I knowingly and voluntarily agree to the following:

1. Neither (a) the city of Eden Prairie nor its officers, directors or employees, (b) the Academy of Holy Angels nor its officers, directors, or employees, nor (c) the directors and officers of the West Metro Senior Softball Association assume any responsibility or liability for any personal injury, illness, death or damage to or loss of property sustained by me or any other player when participating in the West Metro Senior Softball Association's Softball Activities.
2. I hereby release, waive, discharge and agree not to sue: (a) the city of Eden Prairie and its directors, officers and employees, (b) the Academy of Holy Angels and its directors, officers and employees, and (c) the West Metro Senior Softball Association and its directors and officers from and for any and all damages, claims, and causes of action for personal injury or illness to me or loss of or damage to my property that may occur when I

am participating in the West Metro Senior Softball Association's Softball Activities, including but not limited to the negligent acts or omissions of the foregoing parties (the "Released Parties"), to the fullest extent permitted by law.

I KNOWINGLY AND VOLUNTARILY ASSUME ALL SUCH RISKS OF PARTICIPATING IN THE WEST METRO SENIOR SOFTBALL ASSOCIATION'S SOFTBALL ACTIVITIES, BOTH KNOWN AND UNKNOWN, EVEN IF ARISING FROM THE NEGLIGENT ACTS OR OMISSIONS OF THE RELEASED PARTIES, AND I ASSUME FULL RESPONSIBILITY FOR MY PARTICIPATION IN SUCH SOFTBALL ACTIVITIES. I agree to indemnify the Released Parties for any claims for damages for personal injuries, illnesses or damage to or loss of property to the extent caused by my negligent acts or omissions when I am participating in the West Metro Senior Softball Association's Softball Activities.

3. I grant to the city of Eden Prairie, the directors and officers of the West Metro Senior Softball Association and their respective successors and assigns, the absolute and unconditional right and release, for as long and as often as they may elect, to copyright or use in any media, my name and/or likeness and/or recorded voice, in whole or in part, for art, advertising, trade or any other lawful purpose. This release covers photographs and/or video and sound recordings that may be made while I participate in the West Metro Senior Softball Association's Softball Activities. I waive any right I may have to inspect and/or approve the finished media or other materials produced in connection with this grant of rights and release.

This Agreement cancels and replaces any and all previous West Metro Senior Softball Association Release of Liability and Assumption of Risk Agreements signed by me.

This agreement will be kept in the files of the West Metro Senior Softball Association and copies may be provided to the city of Eden Prairie and to the Academy of Holy Angels. I may request a copy for my personal files, or ask any questions via email, sent to: [info@mnseniorsoftball.com](mailto:info@mnseniorsoftball.com) or by calling Ron Wenaas at (612) 418-7077.

**I HAVE READ THIS RELEASE OF LIABILITY AND ASSUMPTION OF RISK AGREEMENT, FULLY UNDERSTAND ITS TERMS AND CONDITIONS, FULLY UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, INCLUDING BUT NOT LIMITED TO THE RIGHT OF FINANCIAL RECOVERY FOR PERSONAL INJURY OR ILLNESS, AND SIGN IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT SO THAT I MAY PARTICIPATE IN THE WEST METRO SENIOR SOFTBALL ASSOCIATION'S SOFTBALL ACTIVITIES.**

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**Signature**

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**Type Name**

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**Date –Month/Day/Year**