ASSUMPTION OF RISK AND WAIVER OF LIABILITY

In consideration of being permitted to (1) use the parks and recreational facilities ("Facilities") of Essex County, Virginia (the "County"), or (2) participate in recreational activities or programs ("Activities") provided or sponsored by the County, the undersigned participant or, if the participant is a minor, the participant's legal parent, custodian, or guardian (in either context, the "Participant) agrees to the following assumption of risk, waiver of liability, and indemnification provisions. The Participant acknowledges the following:

* ﻿﻿The Participant is in generally good health, is not adversely affected by exercise, and can engage in the Activities or using the Facilities. In the event a change in health or condition should occur, the Participant will refrain from engaging in potentially hazardous activities.
* ﻿﻿Use of the Facilities and participation in the Activities has inherent risks and dangers that cannot be eliminated without affecting the unique character and enjoyment of the Facilities and the Activities. Some of these risks and dangers include, but are not limited to:
* ﻿﻿Environmental and weather conditions that are unpredictable and dangerous, including rocks, trees, precipitation, and lightning.
* ﻿﻿Interactions with wildlife such as fish, turtles, snakes, insects, and other wild animals.
* ﻿﻿Interactions with other people using the Facilities or participating in the Activities; o Over exertion from physical activity and participating in an activity beyond the Participant's  
  mental and physical capability.
* ﻿﻿Using equipment that may fail, malfunction, or break without prior notice.
* ﻿﻿The unavailability of immediate and qualified medical attention.
* ﻿﻿The Participant understands and assumes all risks and dangers associated with use of the Facilities and participation in the Activities, any of which can cause property damage, accidental or other physical injury, emotional injury, permanent disability, or even death to the Participant.

In consideration for using the Facilities or participating in the Activities, the Participant does hereby waive, release and hold harmless the County and its officials, employees, and agents (the "Released Parties") from any and all liability, actions, causes of action, claims, and demands of every kind and nature whatsoever which the Participant now has or which may arise of or in connection with participation in the Activities or use of the Facilities, or the Released Parties. The terms hereof shall serve as a release and assumption of risk for the Participant's heirs, executors, and administrators for all members of the Participant's family, including any minors. Participant further agrees to indemnify and hold harmless the Released Parties from any and all claims arising from the Participant's participation in the Activities which Participant may make, or which may be made on Participant's behalf by others or which may be made against Participant or which may be made against the Released Parties due to acts or omissions of the Participant. In the event any portion of this Assumption of Risk and Waiver of Liability shall be declared invalid, unenforceable, or void by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect. By allowing the Participant to participate in the Activities or use the Facilities requiring the execution of this Assumption of Risk and Waiver of Liability or maintaining insurance relating to the Activities or the Facilities, the Released Parties do not waive any sovereign, qualified, or statutory immunities from claims, including, but not limited to, the immunity provided under Virginia Code §§ 15.2-1809, 15.2-1809.1.

I HAVE CAREFULLY READ, UNDERSTAND, AND VOLUNTARILY SIGN THIS ASSUMPTION OF RISK AND WAIVER OF LIABILITY. I ACKNOWLEDGE, UNDERSTAND, AND ASSUME THE RISKS AND DANGERS. I HEREBY ACKNOWLEDGE AND REPRESENT THAT ALL OF THE BELOW INFORMATION IS TRUE AND CORRECT, AND THAT I HAVE THE AUTHORITY TO EXECUTE THIS ASSUMPTION OF RISK AND WAIVER OF LIABILITY