

**RELEASE AND WAIVER OF LIABILITY AGREEMENT**

I, \_\_\_\_\_ (“Participant), acknowledge that I have voluntarily applied to participate in a water sport recreational activity and will be renting and using kayaks, personal flotation devices, and paddling equipment owned by SandBar and Grill, LLC.

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**I AM AWARE THAT THESE ACTIVITIES COULD CAUSE SERIOUS INJURY OR DEATH. I AM VOLUNTARILY PARTICIPATING IN THESE ACTIVITIES WITH KNOWLEDGE OF THE DANGER INVOLVED, AND ACCEPT ANY AND ALL RISKS OF BODILY INJURY, DEATH, OR PROPERTY DAMAGE, WHETHER THOSE RISKS ARE KNOWN OR UNKNOWN.**

I verify this statement by placing my initials here: \_\_\_\_\_

Parent or Guardian’s initials (if under 18): \_\_\_\_\_

**Wis. Stat § 895.525 Participation in recreational activities; restrictions on civil liability, assumption of risk.**

(b) “Recreational activity” means any activity undertaken for the purpose of exercise, relaxation or pleasure, including practice or instruction in any such activity. “Recreational activity”...includes participation in water sports..., and any other sport, game or educational activity.

(3) APPRECIATION OF RISK. A participant in a recreational activity engaged in on premises owned or leased by a person who offers facilities to the general public for participation in recreational activities accepts the risks inherent in the recreational activity of which the ordinary prudent person is or should be aware. In a negligence action for recovery of damages for death, personal injury or property damage, conduct by a participant who accepts the risks under this subsection is contributory negligence, to which the comparative negligence provisions of s. 895.045 shall apply.

(4) RESPONSIBILITIES OF PARTICIPANTS.

(a) A participant in a recreational activity engaged in on premises owned or leased by a person who offers facilities to the general public for participation in recreational activities is responsible to do all of the following:

1. Act within the limits of his or her ability.
2. Heed all warnings regarding participation in the recreational activity.
3. Maintain control of his or her person and the equipment, devices or animals the person is using while participating in the recreational activity.
4. Refrain from acting in any manner that may cause or contribute to the death or injury to himself or herself or to other persons while participating in the recreational activity.

(b) A violation of this subsection constitutes negligence. The comparative negligence provisions of s. 895.045 apply to negligence under this subsection.

**I HAVE CAREFULLY READ THIS AGREEMENT AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT**

**BETWEEN MYSELF AND SANDBAR AND GRILL, LLC, AND SIGN IT OF MY OWN FREE WILL.**

If signed by Parent or Guardian: I verify that the dangers of the activities and the significance of this Release and Waiver were explained to the Participant and that the Participant understood them.

**Date Executed:** \_\_\_\_\_

**Participant Signature:** \_\_\_\_\_

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

**Parent or Guardian Signature (if under 18):** \_\_\_\_\_

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