

LIABILITY RELEASE AND ASSUMPTION OF RISK

Sun Prairie Athletic Club, Inc., doing business as Prairie Athletic Club (hereinafter sometimes referred to as the "Club"), is a recreational fitness facility and athletic center consisting of Dolphins Cove Waterpark, fitness facilities, indoor and outdoor athletic facilities, aquatic facilities, entertainment and relaxation facilities, and fitness and athletic equipment and resources (together, "the Facilities"). I acknowledge that all aquatic, fitness, athletic, recreational, and entertainment activities (together, the "Activities") **CAN BE POTENTIALLY HAZARDOUS ACTIVITIES**. I understand the mental and physical requirements necessary for such Activities and state that I have no medical condition or disability that prevents me from safely participating in such Activities. I understand that the risks associated with these activities include, without limitation, theft of personal property, falls, body contact, collisions with objects and/or individuals, contact with equipment, physical exhaustion, sun exposure, skin and eye irritation, exposure to aquatic chemicals, and drowning that may result in property damage, injury, and/or death. I agree to: (i) adhere to all rules posted or otherwise published by the Club and to instructions and warnings issued by any personnel of the Club for or with respect to my participation in any Activity or the use of the Facilities or any portion thereof; (ii) act within the limits of my ability and/or physical condition; (iii) maintain control of myself, my guests and/or minor children and the equipment which any of us may be using in connection with any Activity; and (iv) at all times refrain from conduct which may cause or contribute to the injury or death of myself or other persons and/or to the damage or loss of any personal property.

In consideration of the opportunity to use the Facilities and to participate in the Activities., **I AGREE TO AND HEREBY DO ASSUME ALL ABOVE DESCRIBED RISKS**. On behalf of myself, my heirs, personal representatives, assigns, agents and attorneys, I further agree to and hereby **RELEASE AND** agree to **HOLD HARMLESS** Sun Prairie Athletic Club, Inc., its officers, agents, representatives, employees, subcontractors, successors and assigns, from all claims, liabilities, damages, actions, and causes of action arising from or in relation to the use of the **FACILITIES** and/or participation in Activities, except to the extent **CAUSED BY THE NEGLIGENCE OR WILLFUL MISCONDUCT OF SUN PRAIRIE ATHLETIC CLUB, INC., ITS OFFICERS, AGENTS, REPRESENTATIVES, EMPLOYEES, SUBCONTRACTORS, SUCCESSORS, AND ASSIGNS**.

This Liability Release and Assumption of Risk (the "Release") applies to my use of the Facilities and participation in Activities during the term of my membership, if I am a member of Sun Prairie Athletic Club, Inc., or during the period of my guest pass/ticket if I am a guest of Sun Prairie Athletic Club, Inc.

In the event I am signing this Release on behalf of a Minor, an individual under the age of 18, **I AGREE, TO THE FULLEST EXTENT PERMITTED BY LAW, TO ASSUME ALL ABOVE DESCRIBED RISKS ON BEHALF OF THE MINOR AND FURTHER AGREE TO RELEASE AND HOLD HARMLESS** Sun Prairie Athletic Club, Inc., its officers, agents, representatives, employees, subcontractors, successors, and assigns from all claims, liabilities, damages, actions, and causes of action arising from or in relation to the Minor's use of the Facilities and/or participation in any of the Activities, except to the extent **CAUSED BY THE NEGLIGENCE OR WILLFUL MISCONDUCT OF SUN PRAIRIE ATHLETIC CLUB, INC., ITS OFFICERS, AGENTS, REPRESENTATIVES, EMPLOYEES, SUBCONTRACTORS, SUCCESSORS, AND ASSIGNS**. I state that I am the Parent/Guardian of the Minor and have full authority, except as limited by law, to enter into this Release.

I STATE THAT I HAVE CAREFULLY READ AND FULLY UNDERSTAND THE CONTENTS OF THIS RELEASE. I WAS GIVEN THE OPPORTUNITY TO DISCUSS THIS RELEASE WITH SUN PRAIRIE ATHLETIC CLUB, INC. I EXECUTED THIS RELEASE OF MY OWN ACCORD AND FREE WILL.

Participant's Name: _____ **Age:** _____

Can the participant swim in water over their head? _____

Parent's Name: _____ **Phone #:** _____

Street Address: _____

City: _____ **State** _____ **Zip Code** _____

Name of Group: _____ **Date of Outing:** _____

I agree to abide by the rules and regulations of Prairie Athletic Club and Dolphins Cove.

I understand that I am participating at my own risk and Prairie Athletic Club will be held harmless in the event of any personal injury, damage, or theft.

SIGNATURE: _____ **DATE:** _____