



NW Tune-Up Accident Waiver and Release of Liability Form

This Accident Waiver and Release of Liability Form (“Release”) is entered this ___ day of June, 2020, between the undersigned participant and Tune-Up Events, LLC. (“NW Tune-Up”) in relationship to any and all events sponsored, led, or organized by, or in any way involving the NW TUNE-UP, including, but not limited to any bike race, bike ride, brewery & music festival days (“Event”).

I HEREBY ASSUME ALL OF THE RISKS OF PARTICIPATING AND/OR VOLUNTEERING IN THE EVENT, including by way of example and not limitation, any risks that may arise from negligence or carelessness on the part of the NW TUNE-UP or other persons being released, from dangerous or defective equipment or property owned, maintained, or controlled by them, or because of their possible liability without fault, and for any acts of any other participant in the Event.

I acknowledge that this Accident Waiver and Release of Liability Form will be used and relied upon by the Event holders, sponsors, and organizers, including NW TUNE-UP, of the activity or Event in which I may participate, and that it will govern my actions and responsibilities at the Event.

In consideration of my application and permitting me to participate in this Event, I hereby take action for myself, my executors, administrators, heirs, next of kin, successors, and assigns as follows:

(A) I WAIVE, RELEASE, AND DISCHARGE NW TUNE-UP, and/or its directors, officers, employees, volunteers, representatives, and agents, the activity or Event holders, sponsors, Event volunteers, TUNE UP EVENTS, LLC., WHATCOM MOUNTAIN BIKE COALITION, GALBRAITH TREE FARM, LLC, the CITY OF BELLINGHAM, PORT OF BELLINGHAM, POLYGON FINANCIAL O5, LLC, WA DEPARTMENT OF NATURAL RESOURCES, LARRABEE STATE PARK and WHATCOM COUNTY, from any and all liability, including but not limited to, liability arising from the negligence or fault of the entities or persons released, for my death, disability, personal injury, property damage, property theft, or actions of any kind which may hereafter occur to me including my traveling to and from this Event;

(B) I WILL INDEMNIFY, HOLD HARMLESS, DEFEND, AND PROMISE NOT TO SUE NW TUNE-UP, and/or its directors, officers, employees, volunteers, representatives, and agents, the Event holders, Event sponsors, TUNE UP EVENTS, LLC, WHATCOM MOUNTAIN BIKE COALITION, GALBRAITH TREE FARM, LLC, the CITY OF BELLINGHAM, PORT OF BELLINGHAM, POLYGON FINANCIAL O5, LLC, WA DEPARTMENT OF NATURAL RESOURCES, LARRABEE STATE PARK and WHATCOM COUNTY. Event volunteers from any and all actions, suits, liabilities, damages, injuries or claims arising out of the Event and/or my participation in this Event, whether caused by the negligence of release or otherwise.

I acknowledge that this Event may involve a test of a person’s physical and mental limits and may carry with it the potential for death, serious injury, and property loss. The risks may include, but are not limited to, those caused by terrain, facilities, temperature, weather, condition of participants, equipment, vehicular traffic, actions of other people including, but not limited to, participants, volunteers, spectators, and/or producers of the Event. These risks are not only inherent to participants, but are also present for volunteers.

(C) I hereby authorize NW TUNE-UP to use my name, and images of me or my likeness, including, but not limited to films, videos, photographs and otherwise on any medium, including, but not limited to, Facebook, websites, blogs, brochures, newsletters, that were taken or prepared during the Event.

I hereby consent to receive medical treatment which may be deemed advisable in case of injury, accident, and/or illness during the Event.

The accident waiver and release of liability shall be construed broadly to provide a release and waiver to the maximum extent permissible under applicable law.

I CERTIFY THAT I HAVE READ THIS DOCUMENT, AND I FULLY UNDERSTAND ITS CONTENT. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT AND I SIGN IT OF MY OWN FREE WILL.

Print Participant's Name

Signature of Participant

Date of Birth of Participant

E-mail Address: _____

Date: _____

EMERGENCY CONTACT INFORMATION:

NAME OF CONTACT: _____

TELEPHONE NUMBER: _____

PARENT / GUARDIAN WAIVER FOR MINORS (Under 18 years old)

As consideration for allowing the minor to participate in the Event, the parent of the minor must sign and agree to the following. The undersigned parent and natural guardian does hereby represent that he/she is, in fact, acting in such capacity, has consented to his/her child or ward's participation in the Event, and has agreed individually to the terms of the accident waiver and release of liability set forth above, and shall be bound to the terms and conditions. The undersigned parent or guardian further agrees that he/she will defend, hold harmless and indemnify NW TUNE-UP, and/or its directors, officers, employees, volunteers, representatives, and agents, insurers, TUNE UP EVENTS, LLC, WHATCOM MOUNTAIN BIKE COALITION, GALBRAITH TREE FARM, LLC, the CITY OF BELLINGHAM, PORT OF BELLINGHAM POLYGON FINANCIAL O5, LLC, WA DEPARTMENT OF NATURAL RESOURCES, LARRABEE STATE PARK and WHATCOM COUNTY, Event holders, Event sponsors, and Event volunteers from all suits, liabilities, damages, injuries or claims suffered by or brought by the Minor, or arising out of any injury or death to the Minor, and/or the above Minor's participation in this Event, whether caused by the negligence of a released party or otherwise. Such duty to defend, indemnify and hold harmless shall extend to any claim, demand, suit or judgment arising from the use of the Minor's name, and images of Minor or his/her likeness, including, but not limited to in films, videos, photographs and otherwise on any medium, including, but not limited to, Facebook, websites, blogs, brochures, newsletters, that were taken or prepared during the Event

Print Participant's Name

Signature of Parent or Guardian

Date _____