

# Mountain Biking at 2795 Fairfield Road, Gettysburg, Pennsylvania Release of Liability & Assumption of Risk Agreement

**Stephani J. Maitland** takes no responsibility for the safety of mountain bikers using the property located at 2795 Fairfield Road Gettysburg, Pennsylvania, 17325. **This is a complete and total release of any and all claims against Stephani J. Maitland, its owners, agents, family, and employees arising out of the use of its property.** By signing this release, I waive any and all rights and claims that I may have, either past present or future against the property. This release must be signed prior to using any part of the property.

## Notice of Risk

I understand that Mountain Biking is an inherently dangerous sport with risk of physical injury. These dangers and risks include, but are not limited to falls and collisions resulting from or due to, variations in pitch and terrain, hidden and obvious obstacles such as ditches, culverts, bumps, stumps, logs, forest debris and other forms of natural and man-made conditions and obstacles on and/or off designated trails, as well as injuries caused by my own negligence, inexperience or the negligence or inexperience of others. I acknowledge that trail conditions vary constantly as a result of weather and use.

## Assumption of Risk

I further acknowledge, accept and assume for myself and/or my minor child all of the inherent and other risks involved.

## Release of Liability

**IN CONSIDERATION OF THE PROMISES HEREIN AND THE USE OF THE FACILITY, I AGREE NOT TO SUE AND TO RELEASE Stephani J. Maitland, ITS OWNERS, AGENTS, FAMILY, AND EMPLOYEES, FROM ANY CLAIM, PAST PRESENT OR FUTURE WHICH MAY ARISE AS A RESULT OF THE USE OF THE PROPERTY, REGARDLESS OF ANY NEGLIGENCE, GROSS NEGLIGENCE OR IMPROPER CONDUCT ON THE PART OF THE RESORT. I FURTHER AGREE TO INDEMNIFY AND DEFEND Stephani J. Maitland, ITS OWNERS, AGENTS, FAMILY, AND EMPLOYEES FROM ANY CLAIM RELATED TO MY OR MY CHILD'S USE OF THE FACILITIES, REGARDLESS OF ANY NEGLIGENCE ON THE PART OF THE PROPERTY.**

I agree that I or my minor child will obey all posted signs, directions and trespass laws. I acknowledge that the property may reasonably rely upon my promise to abide by the terms and conditions set forth in this release.

I agree that all disputes arising under this release and/or from my or my minor child's use of the facilities shall be litigated exclusively in the Court of Common Pleas of Adams County, PA or in the United States District Court for the Middle District of Pennsylvania. If any provision of this agreement is determined to be unenforceable, all other provisions shall be given full force and effect.

Name: \_\_\_\_\_

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

Phone: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(The signature of one parent/guardian, binds both, in reference to this agreement)