

Sky High Adventure Park
ASSUMPTION OF RISK AGREEMENT
PLEASE READ CAREFULLY
THIS MAY AFFECT YOUR LEGAL RIGHTS

1. Express Assumption of Risk.

I understand that participation in the Adventure Park activities involves significant risks of serious injury or death from, including but not limited to, falling or slipping, impacting man made or natural objects or being impacted by such objects, equipment malfunction, adverse weather conditions, natural elements, including, but not limited to trees, rocks, stumps and uneven terrain, dizziness, fatigue, encounter with insects or animals, contact with other participants, physical exertion, and falls. I acknowledge that I have sufficient skills and am in adequate physical condition to participate in these activities.

2. Participation of Minor.

I am the parent or guardian of the minor on whose behalf I have signed this agreement. I have explained the risks inherent in the Adventure Park activities to my child in an age appropriate manner and he/she has acknowledged that he/she understands and accepts those risks.

3. Right of Privacy Release.

I agree to the photographing, filming or videotaping of my appearance while visiting Holiday Valley and the reproduction of such materials by Win-Sum Ski Corp. and its corporate affiliates ("Holiday Valley") for Holiday Valley's marketing materials ("Materials").

I agree that Holiday Valley is, and will be, the sole owner of all rights in and to the Materials and the reproductions thereof. Holiday Valley shall have the right, among other things, to reproduce the Materials one or more times for any and all lawful purposes, including the promotion of Holiday Valley's business. Holiday Valley shall also have the right to use my name, portrait, picture and biographical material for such purposes.

I agree to hold Holiday Valley and any third parties harmless against any liability, loss or damage, including reasonable attorneys' fees caused by, or arising from, the photographing and reproduction of my appearance for the Materials.

4. Effect on Legal Rights

I have read this agreement carefully and understand its contents. I have read this agreement to my child and he/she has acknowledged that he/she understands its contents. I am aware that the agreement includes an express assumption of risk. I understand that this agreement may affect legal claims for damages in the event of death or any injury to me or my child. I acknowledge that any questions I or my child have about this agreement or the risks inherent in participating in the Adventure Park activities have been answered to my and my child's satisfaction. I have signed this document of my own free will.

5. Controlling Law/Venue.

I agree that the terms of this agreement are binding on me and my child and shall be governed by the Laws of the State of New York. I also agree that any legal action relating to my or my child's participation in the Adventure Park will be brought in the New York State Supreme Court, County of Cattaraugus or the United States District Court for the Western District of New York.

Participant Required Information (if participant is 18 years of age or older):

				Yes / No
Last Name	First Name	Age	Date of Birth	Over 265 lbs?
Phone #	Email			
Street Address	City	State	Zip Code	

Participant Signature

Date

Additional minors can be added on the back side of the form

Required Minor Information (if participant is under 18 years of age):

				Yes / No
Last Name	First Name	Age	Date of Birth	Over 265 lbs?
				Yes / No
Last Name	First Name	Age	Date of Birth	Over 265 lbs?
				Yes / No
Last Name	First Name	Age	Date of Birth	Over 265 lbs?
				Yes / No
Last Name	First Name	Age	Date of Birth	Over 265 lbs?
				Yes / No
Parent/Guardian Signature				Date