



## **The Falls of the Ohio Foundation, Inc. Waiver of Liability**

### **WARNING – WAIVER OF LIABILITY**

Participant (collectively with any accompanying minor, an “Accompanying Party”) acknowledges and assumes all risks and dangers associated with the event for which Participant is purchasing a ticket(s) (the “Event”) or any other promotions/activities before, during or after the Event (“Event Activities”), acknowledges that attendance is voluntary, and further agrees that the Falls of the Ohio Foundation (the “Falls”), and all related entities and affiliates, together with their respective owners, officers, directors, employees, agents, licensees, sponsors, and vendors (collectively, the “Released Parties”), will not be responsible for any personal injury (including death), illness, property damage, or other loss suffered in connection with the Event/Event Activities, the negligence of any of the Released Parties or any other incidents caused by crowds of people. By attending the Event/Event Activities, Participant is deemed to have given a full release of liability to the Released Parties to the fullest extent permitted by law from any and all claims which Participant, and/or any Accompanying Party, has or may have for causes of action arising out of attendance at, observation of and/or participation in the Event/Event Activities. If Participant does not wish to or is not authorized to grant such rights, releases and waivers on behalf of an Accompanying Party, Participant should immediately leave the Event with each Accompanying Party. Participant further understands that injuries can occur and will not hold the Falls or the Released Parties responsible for injury or medical expenses incurred while participating in the Event or Event Activities and that the Participant and any Accompanying Party is physically fit to participate in Event Activities.

### **ACKNOWLEDGMENT AND ASSUMPTION OF RISK.**

Participant understands and acknowledges that the Event Activities that will take place on the Falls of the Ohio grounds (the “Property”) involve inherent risks and are dangerous, and that he or she may sustain serious bodily injury, including temporary or permanent disability, paralysis and death, as well as property damage. Such risks may include, but are not limited to, walking and climbing on natural rock beds which could be slippery, steep or unstable; unfettered access to the Ohio River; and interaction with insects or wildlife, including bites and infestations by mosquitoes, ticks, chiggers, fleas or other insects that may be present; and injury or infection by wild animals that may be present in the Property, including but not limited to skunks, opossum, raccoons, snakes, lizards, frogs, badgers, moles, squirrels, stray dogs and/or stray cats. Such risks and dangers may be caused by the Participant's own actions or inactions, the actions or inactions of other partakers in the Event, the condition of the Property, adverse weather conditions, or the negligence of the Released Parties. Participant also acknowledges that any injuries he or she may sustain may be compounded or increased by negligent or delayed rescue operations or procedures of the Released Parties. Participant further acknowledges there may be other risks and economic losses, which may be known to the Participant or may be unforeseeable, that are presented by participation in the Event. **PARTICIPANT VOLUNTARILY AND FREELY ASSUMES ALL RISKS AND DANGERS THAT MAY OCCUR PURSUANT TO ENTRY ONTO THE PROPERTY AND PARTICIPATION IN THE EVENT ACTIVITIES ON THE PROPERTY, INCLUDING THE RISK OF INJURY, DEATH, OR PROPERTY DAMAGE.**

### **NO DUTY TO SUPERVISE.**

Participant acknowledges and agrees that he or she is aware that the Released Parties have no duty to supervise the activities of any participant or spectator at the Event, or any other person within the Property. The Released Parties assume no responsibility or liability for the acts or omissions of any such persons. Participant understands that there may be no on-site supervision by the State of Indiana at the Falls of the Ohio park at any time. Participant further understands that the State of Indiana does not assume any liability for loss, damage or any kind of injury sustained by any human while using the park. Participant expressly assumes all risks associated with using the park, as well as all fixtures and equipment located therein.