TBK BANK SPORTS COMPLEX WAIVER AND RELEASE FORM

This Waiver and Release Form is made as of the date written below by the individual(s) signing this form ("Participant") and provided to The BettPlex, LLC, a Minnesota limited liability company ("BettPlex"). The entire sports complex is owned by BettPlex and is known as *TBK Bank Sports Complex* (the "Facilities"). BettPlex also owns the family entertainment center which operates under the name of *High 5 Lanes & Games*

I hereby assume all of the risks of participating in all activities at any of these facilities, including by way of example but not limited to any risks that may arise from: negligence or carelessness on the part of the persons or entities being released, dangerous or defective equipment or property owned, maintained or controlled by them, or their possible liability without fault. I certify that I am physically fit, have sufficiently prepared or trained for participation in this activity and have not been advised to not participate by a qualified medical professional. I certify that there are no health-related reasons or problems which could affect my participation in this activity.

I acknowledge that this Waiver and Release of Liability will be used by the event holders, sponsors and organizers of the activity in which I may participate and that it will govern my actions and responsibilities at said activity. In consideration of my use of facilities or services provided at *TBK BANK SPORTS COMPLEX*, I hereby take action for myself, my executors, administrators, heirs, next of kin, successors and assigns as follows:

(A) I WAIVE, RELEASE, AND DISCHARGE 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 activity, THE FOLLOWING ENTITIES OR PERSONS: The BettPlex, LLC (known as *TBK BANK SPORTS COMPLEX*)(including High 5 Lanes & Games) and its directors, officers, employees, volunteers, representatives, agents and activity holders, sponsors, and volunteers;

(B) INDEMNIFY, HOLD HARMLESS, AND PROMISE NOT TO SUE the entities or persons mentioned in this paragraph from any and all liabilities or claims made as a result of my use of these facilities, whether caused by the negligence of Releases or otherwise.

I acknowledge that *TBK BANK SPORTS COMPLEX* and its members, managers, employees, agents and contractors ("Releasees") are NOT responsible for the errors, omissions, acts or failures to act of any person or entity conducting a specific activity.

I acknowledge that this activity may involve a test of physical and mental limits and carries with it the potential for death, serious injury and property loss. The risks include, but are not limited to, those caused by facilities, temperature, weather, condition of participants, equipment, lack of hydration and actions of other people including, but not limited to, participants, volunteers, coaches, parents, officials, umpires, referees, monitors, spectators and sponsors of any activity. These risks are not only inherent to participants, but are also present for volunteers and parents.

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

I understand while participating in this activity, I may be photographed. I agree to allow my photo or video of my likeness to be used for any legitimate purpose by *TBK Bank Sports Complex* its employees, agents and assigns.

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.

_____ _____ _____ _____

Participant's Signature Date Participant's Printed Name (Please print legibly) Age

Address_____ City_____ State _____ Email _____ Phone _____

PARENTAL CONSENT: I am the minor's parent or guardian named above, and I understand the nature of the above-referenced activities. I believe the minor is qualified to participate in activities at *TBK BANK SPORTS COMPLEX (*including *High 5 Lanes & Games)* and verify that the minor has the appropriate experience and capabilities to participate in any activities. I hereby release, discharge, covenant not to sue and agree to defend and indemnify, save and hold harmless each of the Releasees from all liability, claims, demands, losses or damages on the minor's account caused or alleged to have been caused in whole or in part by the negligence of the Releasees or otherwise as provided above. Further, I agree that if, despite the release, I, the minor, or anyone on the minor's behalf makes a claim against any of the Releasees, I will defend, indemnify, save and hold harmless each of the Releasees from any litigation expenses, attorney fees, loss liability, damage or cost any Releasee may incur as the result of such claim.

_____ _____ _____

Parent/Guardian Signature Date Printed Name

(If under 18 years old, Parent or Guardian must sign)

Address_____ City_____ State _____ Email _____ Phone _____