

**BLUE MOUNTAIN SKI AREA PARENTAL RELEASE OF LIABILITY AND
RENTAL AGREEMENT 2009-2010**

Directions for use: Fill out and sign this release if your child is visiting Blue Mountain and a parent of legal guardian will not be present for their visit. The terms and conditions of the release are below. Send this release with the child to Blue Mountain. It will need to be submitted in the rental shop before equipment is issued.

EQUIPMENT RENTAL RELEASE OF LIABILITY

By signing this release, I authorize Blue Mountain Ski Area to provide my minor child with ski and/or snowboard rental equipment during their visit to Blue Mountain. I understand and agree that my signature on this document is in lieu of my presence and signature on the rental form at Blue Mountain Ski Area. I understand that I may request a copy of my child's completed rental form after their visit. I further agree to defend and indemnify PROVIDERS for any loss or damage, including any that results from claims or lawsuits for personal injury, death, and property loss and damage related in any way to the use of this equipment.

I have accurately represented the below listed information and it is true and correct. I understand that my child will not use any of the equipment to be provided during this transaction until they have received instruction on its use and fully understand its use and function. I understand and agree my child will have the opportunity to verify that the visual indicator settings to be recorded on the rental form for downhill ski equipment agree with the number appearing in the visual indicator windows of the equipment to be listed on the rental form.

I understand and agree that my child accepts for use **AS IS** the rental equipment and accept full financial responsibility for the care of the equipment while it is in their possession. I agree they will be the only person using this equipment during each rental period.

I understand that the binding system cannot guarantee the user's safety. In downhill skiing, the binding system will not release at all times or under all circumstances where release may prevent injury or death, nor is it possible to predict every situation in which it will release. In snowboarding, cross-country skiing, skiboarding, snowshoeing and other sports utilizing equipment with non-release bindings, the binding system will not ordinarily release during use; these bindings are not designed to release as a result of forces generated during ordinary operation.

HELMET RENTAL: I understand that a helmet designed for RECREATIONAL SNOW SPORTS use will help reduce the risk of some types of injuries to the user at slower speeds. I recognize that serious injury or death can result from both low and high energy impacts, even when a helmet is worn.

I AGREE TO RELEASE AND HOLD HARMLESS TUTHILL CORP, DBA BLUE MOUNTAIN SKI AREA, ITS EMPLOYEES, OWNERS, AFFILIATES, AGENTS, OFFICERS, DIRECTORS, AND THE EQUIPMENT MANUFACTURERS AND DISTRIBUTORS AND THEIR SUCCESSORS IN INTEREST (COLLECTIVELY "PROVIDERS"), FROM ANY AND ALL LIABILITY FOR INJURY, DEATH, PROPERTY LOSS AND DAMAGE WHICH RESULTS FROM PARTICIPATION IN RECREATIONAL SNOW SPORTS OR WHICH IS RELATED IN ANY WAY TO THE USE OF THIS EQUIPMENT OR TO THE USE OF ANY OF BLUE MOUNTAIN'S FACILITIES, INCLUDING ALL LIABILITY WHICH ALLEGEDLY RESULTS FROM THE NEGLIGENCE, RECKLESSNESS OR ANY OTHER IMPROPER CONDUCT OF PROVIDERS, OR ANY OTHER PERSON OR CAUSE.

I agree that all disputes arising under this contract and/or from any use of the ski rental agreement shall be litigated exclusively in the Court of Common Pleas of Carbon County, PA, or in the United States District Court for the Middle District of Pennsylvania.

I, THE UNDERSIGNED, HAVE READ AND UNDERSTAND THIS LIABILITY RELEASE & EQUIPMENT RENTAL AGREEMENT AND AM VOLUNTARILY SIGNING BELOW INTENDING TO BE LEGALLY BOUND HEREBY.

PLEASE PRINT LEGIBLY

User's Name: _____ Gender: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

User's Height: _____ User's Weight: _____ Date of Birth: _____

Skier Type: Circle One

Type 1: Cautious skiing at lower visual indicator settings
Type 2: Moderate skiing at average visual indicator settings
Type 3: Aggressive skiing at higher visual indicator settings

Snowboard Stance (Circle):

Regular (Left foot forward) Goofy (Right foot forward)

Group Name (If Applicable): _____

Date of visit: _____

Parent/Guardian: I verify that I am the parent or guardian of the minor, and I have authority to enter into this agreement on behalf of the equipment user and I agree to be bound by the terms and conditions of this agreement.

Parent /Guardian Name (Print): _____

Parent/Guardian Signature: _____ Date: _____

