

**Release, Indemnification, and Assumption of Risk** In consideration of Facility User being permitted to use the Facility, Facility User, its successors in interest, directors, officers, members, managers, employees, agents, representatives, contractors, material suppliers, visitors, guests, invitees and assignees, each of them (collectively, "Facility User") agree as follows:

(a) FACILITY USER HEREBY IRREVOCABLY AND UNCONDITIONALLY RELEASES, FOREVER DISCHARGES AND AGREES NOT TO SUE OR BRING ANY OTHER LEGAL ACTION AGAINST THE TOWN OF CRESTED BUTTE, its successors in interest, insurance carriers, insurance pools, attorneys, elected officials, officers, employees, agents, representatives, vendors, contractors, material suppliers, visitors, guests, invitees, assignees and transferees, each of them (collectively, the "Released Parties") with respect to any and all claims and causes of action of any nature whether currently known or unknown, which the Facility User has or which could be asserted on behalf of Facility User in connection with Facility User's use of the Facility, including, but not limited to claims of negligence, breach of warranty, and/or breach of contract.

(b) Facility User hereby agrees to indemnify, defend and hold harmless the Released Parties from and against any and all liability, cost, expense or damage of any kind or nature whatsoever and from any suits, claims or demands, including legal fees and expenses whether or not in litigation, arising out of, or related to, Facility User's use of the Facility. Such obligation on the part of the Facility User shall survive the period of the Facility User's use of the Facility.

(c) Facility User agrees and understands that there are dangers and risks associated with use of the Facility and that INJURIES AND/OR DEATH may result therefrom, including, but not limited to the acts, omissions, representations, carelessness, and negligence of the Released Parties. By signing this document, Facility User recognizes that property loss, injury and death are all possible. RECOGNIZING THE RISKS AND DANGERS, FACILITY USER UNDERSTANDS AND EXPRESSLY ASSUMES ALL RISKS AND DANGERS IN THE USE OF THE FACILITY, WHETHER OR NOT DESCRIBED ABOVE, KNOWN OR UNKNOWN, INHERENT, OR OTHERWISE.