
McCracken's Gymnastics & Swim School

15515 S. Keeler St ♦ Olathe, KS 66062 ♦ (913) 782-8555

www.mcgymswim.com

RELEASE OF LIABILITY, WAIVER, DISCHARGE AND COVENANT NOT TO SUE

This is a legally-binding UNCONDITIONAL AND FULL TO GENERAL RELEASE OF LIABILITY, WAIVER, DISCHARGE AND COVENANT NOT TO SUE made by me, _____, on behalf of myself and my minor child(ren) as set forth below (hereinafter referred to as CUSTOMER) with McCracken's Gymnastics & Dance Inc., DBA McCracken's Gymnastics and Swim School, (hereinafter collectively referred to as MGSS). For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, including but not limited to the mutual promises, understandings, and covenants herein, Customer does hereby acknowledge: I FULLY RECOGNIZE THAT THERE ARE INHERENT DANGERS AND RISKS TO WHICH I AND OTHERS MAY BE EXPOSED BY ENTERING on the MGSS premises at 15515 S. Keeler St. Olathe, KS 66062. THE FOLLOWING IS A NON-EXCLUSIVE LIST OF SIGNIFICANT DANGERS AND RISKS ASSOCIATED WITH THIS ACTIVITY: INJURY TO MYSELF OR OTHERS, CONTRACTING OF COVID-19, DAMAGE TO MY PROPERTY OR THAT OF OTHERS, DEATH OF MYSELF OR OTHERS. IN NO EVENT SHALL MGSS BE LIABLE FOR DIRECT, INDIRECT, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES, WHETHER ARISING IN TORT, CONTRACT OR ANY OTHER LEGAL THEORY, IN CONNECTION WITH OR ARISING OUT OF CUSTOMER'S ENTERING ON THE MGSS PREMISES AT 15515 S. Keeler St. THE CUSTOMER, AS OF THE DATE BELOW, SHALL HERINAFTER SAVE, HOLD HARMLESS, AND INDEMNIFY MGSS, ITS OWNERS, EMPLOYEES, AND AGENTS, AGAINST ANY AND ALL LIABILITY, CLAIMS, INCLUDING THOSE MADE BY THIRD PARTIES, CAUSES OF ACTION INCLUDING, BUT NOT LIMITED TO, NEGLIGENCE, MISTAKE, AND FAILURE TO ENFORCE, SUPERVISE, OR MAINTAIN, CLAIMS, CAUSES OF ACTION, AND COSTS OF WHATSOEVER KIND AND NATURE INCLUDING BUT NOT LIMITED TO DEATH, RESULTING FROM, ARISING OUT OF, OR OCCURRING IN CONNECTION WITH MY OR MY MINOR CHILD'S ENTERING THE MGSS. CUSTOMER understands and acknowledges that MGSS is using all reasonable efforts to prevent harm or injury within its facility pursuant to Executive Orders issued by the Governor of the State of Kansas, Proclamations issued by the Mayor of the City of Olathe, recommendations of USA Gymnastics, and recommendations of the Center for Disease and Control, and that in accordance with those orders and guidelines, MGSS is permitting willing individuals to enter the premises. Despite all reasonable efforts being employed to prevent the spread of this virus, CUSTOMER acknowledges that he/she/they might still contract this virus at MGSS and understand that he/she/they enter MGSS at their own risk and peril. CUSTOMER acknowledges and agrees to assume all the risks and responsibilities in any way associated with my entry onto the premises of MGSS and that the fact that MGSS is permitting CUSTOMER to enter the premises does not in any way, shape, form, or manner indicate that it is safe to do so. CUSTOMER assures MGSS that there are no health-related reasons or problems which preclude or restrict or otherwise advise against CUSTOMER'S presence at MGSS and agree to notify MGSS should such health conditions develop that could put CUSTOMER or others at MGSS at risk of injury or illness. CUSTOMER shall be liable for all attorney fees, Court costs, and all other costs incurred by MGSS, in enforcing or defending any such claim or any portion of this Release. CUSTOMER understands that this release is binding on CUSTOMER, as well as the heirs, executors, administrators, and assigns of CUSTOMER. CUSTOMER further understands that if he/she is executing this release on behalf of a minor child, then he/she shall hold MGSS harmless against the claims of any other parent or legal guardian of said child who has not signed this release.

I HAVE READ THIS ENTIRE RELEASE, I FULLY UNDERSTAND IT, AND AGREE TO BE LEGALLY BOUND BY IT.

CUSTOMER'S Signature

Date

In addition to Customer, Customer is executing this Release on behalf of the following minor child(ren):

Authorized Agent of McCracken's Gymnastics and Swim School.

Date