

I AM AWARE THAT WATER SPORTS, SUCH AS, KAYAKING, PADDLE BOARDING AND FLOATING ISLANDS, ARE DANGEROUS IN NATURE. I AM AWARE OF THE DANGERS INHERENT TO WATER SPORTS, SUCH AS, KAYAKING/PADDLE BOARDING. THESE DANGERS INCLUDE, BUT ARE NOT LIMITED TO, TRANSPORTING EQUIPMENT ON VEHICLES AND TRAILERS. I UNDERSTAND THAT **OUTDOOR XCAPE RENTALS** IS IN NO WAY RESPONSIBLE FOR MY SAFETY OR THE SAFETY OF THE EQUIPMENT I AM RENTING. Accordingly, I, hereby, agree that by renting this raft(s), SUP(s), float island(s), kayak(s), or other equipment from Outdoor Xcape Rentals. I accept and assume all liability for any damages or injury that may occur to me, and/or to others, as a result of the equipment, while the equipment is in my possession—regardless of its condition. By the same token, by signing this agreement, I understand that I am waiving my right to bring a court action to recover compensation or to obtain any other remedy for any injury to myself, my property, or my death, however caused, arising out of my use of any equipment from Outdoor Xcape Rentals. I equally agree that I will be solely responsible for proper use of safety and other equipment and procedures. It is my responsibility to inspect all equipment. I, the undersigned user—or guardian of user—HEREBY RELEASE, discharge, hold harmless, defend and indemnify Outdoor Xcape Rentals and its owners and employees from any and all claims, actions or losses for bodily injury, property damage, wrongful death, loss of services or otherwise which may arise out of Renter's use of Outdoor Xcape Rentals equipment, and Renter's participation in kayaking, and/or any other paddle sports activities. I also agree that if I damage, lose, or misplace any items I rent from Outdoor Xcape Rentals, that I will pay for these losses or damages immediately. Lost or abandoned equipment will be billed \$30 per day for recovery time. Furthermore, I agree that if Outdoor Xcape Rentals incurs any costs associated with recovery of payment for damages or losses (such as court costs) that I will reimburse or pay Outdoor Xcape Rentals for these costs as well as the cost of the damaged or lost items. Bent paddles, damaged kayaks, and damaged stand-up paddle boards (SUPs), float tubes, rafts or other equipment will be charged for replacement. It is solely the discretion of Outdoor Xcape Rentals to determine if damaged equipment will be repaired or replaced at the renter's expense. I (renter) am responsible for securing all kayaks, rafts, paddles, life jackets and other equipment to trailers or vehicles. I will double-check all straps prior to driving. Renter represents that he/she is capable of safely operating and handling the Equipment and finds it in good working order, condition and repair. Renter represents that he/she has adequate skills, knowledge and experience to safely complete the planned activity and those adequate preparations have been made to ensure safe completion of trip. — Renter shall bear all risk and responsibility of and for any and all damage, loss or theft of the rental kayaks and/or Equipment, or any portions thereof, including, but not limited to vandalism or theft, and shall pay the Lessor (Outdoor Xcape Rentals) the full cost of repair or replacement. — Renter shall return kayaks and equipment in the condition in which it was received. Minimum charges for repairs, labor and cleaning will be applied in the event rental boats or equipment require repair or excessive cleaning. Renter agrees to use all equipment for its designed purpose only. I understand that the terms of this agreement are legally binding and I certify that I am signing this agreement, after having carefully read it, of my own free will. This agreement constitutes the entire agreement between Lessor and Renter and no term may be waived or modified (including provision against oral modification) except in writing signed by both parties. There are no warranties, expressed or implied, by Lessor to Renter, except as contained herein, and Lessor shall not be liable for any loss or injury to Renter nor to anyone else, of any kind or however caused.