

Sail Surprise, Inc.
Master Captain Corky Clark
1st Mate Susan Clark
East Coast N.A. – Bahamas
(203) 431-6032 H (203) 240-1832 C
www.sailsurprise.com



WAIVER and RELEASE OF LIABILITY
And Photo Release

Release executed on the ____ day of _____, _____.

In consideration of being a passenger permitted to participate in a sailboat charter with Sail Surprise, Inc, Master Captain Corky Clark and/or Susan Clark, the undersigned guest(s), individuals, and on behalf of all members of the guest's family, including minor children, acknowledges and assumes responsibility for all risk for injuries or damages which occur while aboard, and while getting on and off the boat (s), including injury or death caused by any weather related event, including lightning.

The undersigned expressly waives, releases, acquits, satisfies, and forever discharges and shall indemnify, defend and hold harmless, Sail Surprise, Inc., Captain George "Corky" Clark, Susan Clark, it's affiliates, and their heirs, executors, administrators, legal representatives, the vessel(s), and assigns from all liability, claims, counterclaims, actions, cause of actions, lawsuits, cost, expenses, losses or damages whatsoever on account of injury to persons or property, even injury resulting in death arising from or in connection with the undersigned being a passenger aboard Surprise or Surprise's tender or other vessel, or snorkeling, swimming, windsurfing or kayaking; even if caused by negligence or gross negligence of crew and captain or a third party.

In the event that the undersigned guest (or his/her estate or heirs) should later renege on the pledge to not sue, then the guest shall agree to reimburse Sail Surprise, Inc. Captain Corky Clark, Susan Clark or other defendants sued, for reasonable attorney's fees and expenses incurred in defending any such suit, and shall agree to pay Sail Surprise, Inc., Captain Corky Clark, Susan Clark or other associated defendants in any such suit an amount of money equal to any judgment found against Sail Surprise, Inc. et. al.

The undersigned guest hereby acknowledges that being a passenger aboard Surprise, or Surprise's tender, or taking part in any off the boat activity including snorkeling, swimming, windsurfing and kayaking shall be at the sole risk of the guest and that no representation of warrant has been made by Sail Surprise, Inc.

I hereby assume all risk involved and release forever from liability for or by reason of any damage, loss or injury to person or property even injury resulting in death which has been or may be sustained in consequence of the guest's participation on or about the vessel, Surprise, or in company with Captain Corky Clark and/or Susan Clark. The undersigned also releases the use of photographs made which may later be used in advertisements and promotion including the internet, brochures and video/audio media of all kinds.

PRINT NAME

SIGNATURE

DATE
