

Release and Covenant Not to Sue

WHEREAS, the Township of Clark has constructed a Senior Citizens Fitness Center in the Clark Township Municipal Building located in the Brewer School Complex for the use and enjoyment of the senior citizens of the Township of Clark and

WHEREAS, a pre-conditioned to the use of the Senior Citizens Fitness Center and the equipment located therein requires the user in question to provide a doctor's authorization certifying as to the user's health and physical ability to undertake the use of the said equipment; and

WHEREAS, the Township of Clark in providing this service does not intend to assume any liability; to the user of the facility but rather requires the user to release, remise, discharge and covenant not to sue or claim against the Township in the event the user is injured as a consequence of the user's use and enjoyment of the facility referenced hereinabove; and

WHEREAS, the foregoing is a consideration of the use of the premises which the Township and the user acknowledge is sufficient consideration for the enforcement
Of the covenant;

NOW, THEREFORE, the undersigned agrees;

To release, remise and forever discharge said Township from any and all actions, causes of actions, claims and demands for, upon, or by reason of any damage, loss or injury, which heretofore has been or which hereafter may be sustained as a consequence of the use and enjoyment of any equipment located at the Senior Citizen Fitness Center and I further covenant that I will not file any claim nor institute any legal action against the Township in connection with any of the foregoing.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____.

(NAME)

Signed, Sealed and Delivered

In the Presence of: _____

NOTICE

The Township of Clark has established a Senior Citizens Center in a portion of the Brewer School which also houses the Township municipal offices. The Senior Citizens Fitness Center is available to and intended for use by all seniors residing in the Township of Clark without cost or other charge.

The Senior Citizens Center provides exercise equipment such as treadmills, bicycles and free weights for the use and enjoyment of the parties interested in availing themselves of this equipment.

The Township does not provide training, training regimen, oversight, instruction or any other service or personnel incidental to the use of this equipment and all persons using this equipment do so at their own risk.

The Township of Clark requires that prior to any senior citizen being permitted access to the Senior Citizen fitness Center that the person provide the Township Business Administrator with written documentation from his/her family physician that the person has no physical or mental impairment or impediment which would preclude the use of the Center or increase the user's risk of injury, illness or disability. The Township does not prescribe a particular form of documentation but the unequivocal certification of the physician to the foregoing is a condition of the use of the premises.

Additionally, all senior citizens intending to make use of the Center and its equipment shall be required on an annual basis to sign the attached Release and covenant not to sue in favor of the Township of Clark. This document absolves the Township of Clark from any liability for injury to any person arising out their use and enjoyment of the Senior Citizens Center or any of the equipment located therein.

Please complete the bottom portion of this document, sign and return it to the Business Administrator's office.

John Laezza
Business Administrator

Birth Date: _____

Name of Participant: _____

Address: _____

Age: _____

Physician's Certificate Received: _____

Release and Covenant Received: _____

Signature: _____