

**KAYAK STORAGE ON TUDOR BEACH:  
INDEMNITY, WAIVER AND RELEASE OF ALL CLAIMS**

This **INDEMNITY, WAIVER AND RELEASE OF ALL CLAIMS**, signed this \_\_\_\_ day of \_\_\_\_\_ 2017 by \_\_\_\_\_ [print] ("Owner"), relates to Owner's storage of one Kayak on Tudor Beach between May 1, 2016, and no later than November 1, 2017\*. Owner represents that he/she is a resident of the Town of Nahant ("Town") and agrees to the below terms and conditions in exchange for the ability to store the kayak on Tudor Beach.

**I. NO ASSUMPTION OF CARE, CUSTODY OR CONTROL BY THE TOWN**

Owner is storing the kayak at Owner's own risk and understands and agrees that by permitting Owner to store the kayak on Tudor Beach, the Town is not assuming the care, custody or control of the kayak.

**II. INDEMNIFICATION**

To the fullest extent permitted by law, Owner shall protect, indemnify, save, defend and hold harmless the Town, its officers, volunteers, employees and agents, from and against any and all liabilities, obligations, claims, damages, causes of action and expenses which the Town or any of its officers, volunteers, employees or agents may become liable by reason of any bodily injury or property damage suffered by anyone arising from the Owner's storage of the kayak on Tudor Beach

**III. SECURITY AND SUPERVISION**

Owner is solely responsible for all supervision of the kayak and for taking security measures for the safety, security, and protection of the kayak. The Town shall not be responsible for safeguarding Owner's kayak.

**IV. WAIVER AND RELEASE OF ALL CLAIMS AND ASSUMPTION OF RISK**

Owner expressly assumes the risk and legal liability and waives and releases all claims for any bodily injury, property damage or property loss which Owner might sustain arising from the Owner's storage of the kayak on Tudor Beach. Owner acknowledges that there are certain risks of damage to the kayak. Owner voluntarily agrees to assume the full risk of any and all damages or loss, regardless of severity, that Owner may incur arising from the Owner's storage of the kayak on Tudor Beach.

**V. REMOVAL OF KAYAK**

**\* The Town may remove the kayak at any time in order to protect the property and safety of others.**

Owner agrees to remove his/her kayak from Tudor Beach upon notice of a local Tropical storm warning, Hurricane warning or before November 1, 2017. **Kayak storage on Tudor Beach is prohibited between November 1<sup>st</sup> of the current year and April 1<sup>st</sup> of the following year.**

**VI. DESCRIPTION OF KAYAK**

The following is a description of Owner's Kayak (make, color, markings, identifying features, etc.):

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Owner Name: \_\_\_\_\_

Permit Number: \_\_\_\_\_

Address: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Phone: \_\_\_\_\_

Approved by: \_\_\_\_\_

PLEASE DROP OFF OR MAIL TO:

Nahant Town Hall  
334 NAHANT ROAD  
NAHANT, MA 01908  
ATTN: Harbormaster