



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

This **INDEMNITY, WAIVER AND RELEASE OF ALL CLAIMS**, signed this ____ day of _____ 20__ by _____ [print] (“Owner”), relates to Owner's storage of one Kayak on Tudor Beach between May 1st and no later than November 1st *. 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 1st. Kayak storage on Tudor Beach is prohibited between November 1st of the current year and April 1st of the following year.

VI. DESCRIPTION OF KAYAK

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

Owners 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