

DISCLOSURE AND RELEASE OF ALL CLAIMS

Background

The Michigan Maritime Museum offers to its members/guests the opportunity to experience work, life and sailing aboard the replica sloop *Friends Good Will*. As a precondition to involvement in any of those activities referenced above, the member/guest must read, consider and sign the Disclosure and Release of All Claims, each year as his/her membership is awarded in the Ship's Company before working or sailing on the vessel.

Inherent Risks

Sailing, living aboard or even working dockside upon a historic replica ship is fraught with safety and health risks, so inherent to such activities that despite efforts to work, live and sail safely, not all of the risks can be removed and numerous serious risks must be recognized by the member of the Ship's Company as ever present.

These risks include, but are not limited to, capsize, collision, fire, falling overboard, falling from aloft, tripping, falling, heaving, hauling, lifting objects or lines under load such that any occurrence can cause death, broken or crushed limbs and other serious injuries.

Tall ships with historic rigs are not as stable, and are generally more prone to capsize than most vessels of a modern design and/or rig. *Friends Good Will* has the ability to right itself only to an angle of heel of approximately 110°. If conditions are encountered causing the vessel to heel beyond these approximate parameters, the vessel is thereupon incapable of righting herself. The risk of capsize must be weighed in light of this information.

The risks referenced above are real, serious and unavoidable. Please take every precaution, conduct yourself with care at all times and avoid all situations with which you

may be uncomfortable. Still, merely working upon, living and/or sailing aboard these vessels will involve you undertaking risks which may in large part be out of any person's control. You will be working with non-professionals and novices whose response and actions may not always be safe and prudent. Please consider these risks, before any accident or occurrence causes injury. If you desire to participate in the Ship's Company, execute the Disclosure and Release of All Claims set forth below.

Disclosure and Release of All Claims

In consideration of and as a precondition to the Michigan Maritime Museum permitting the active involvement of the undersigned in its Ship's Company, **the undersigned** together with their successors, assigns, agents, heirs and representatives, **RELEASES AND FOREVER DISCHARGES the Michigan Maritime Museum**, together with all of its officers, directors, members, successors, agents and subsidiaries, from any and all claims, counterclaims, causes of action, suits, damages or demands of any kind or nature whatsoever that the undersigned may have, known or unknown, foreseen or unexpected, whether having already occurred or as yet not having occurred, including negligence on the part of the Michigan Maritime Museum or any of its members, arising out of or connected with, directly or indirectly, working dockside, living aboard or sailing upon *Friends Good Will*, together with all claimed damages and injuries, both direct and consequential.

It is understood and agreed that a fair and reasonable disclosure of inherent risks was made and that the undersigned understood the disclosure of risks before signing this DISCLOSURE AND RELEASE OF ALL CLAIMS.

The undersigned acknowledges that this DISCLOSURE AND RELEASE OF ALL CLAIMS is executed only after full opportunity to consult with legal counsel and that the undersigned is executing this DISCLOSURE AND RELEASE OF ALL CLAIMS knowingly and voluntarily, with full intent to bind themselves.

IN WITNESS WHEREOF, the undersigned executes this DISCLOSURE AND
RELEASE OF ALL CLAIMS on the date and year set forth below.

WITNESSES:

MEMBER OF THE SHIP'S COMPANY

Signature: _____

Printed Name: _____

Date: _____, 200__

PARENTAL/LEGAL GUARDIAN CONSENT

The undersigned is a minor. The signature below is that of a parent of the minor, or the legal guardian of the minor. The parent/legal guardian has carefully read and understands the two (2) page Disclosure and Release of All Claims and has discussed the inherent risks therein disclosed and described with the minor.

The minor and his/her parent/legal guardian have after full disclosure and careful consideration together determined to permit the minor to actively participate in those activities described in the Disclosure and Release of All Claims, and desire the document to have the full legal effect set forth within.

IN WITNESS WHEREOF, the undersigned executes this PARENTAL/LEGAL GUARDIAN CONSENT on the date and year set forth below.

WITNESSES:

PARENT OR LEGAL GUARDIAN

Signature: _____

Printed Name: _____

Name of Minor:

Date: _____, 200__