

**SINCE ALL MOTOR BOATING AND BOAT LAUNCHING IS DANGEROUS AND ESPECIALLY NIGHT MOTOR BOATING, NIGHT BOAT LAUNCHING AND NIGHT FISHING, WE REQUIRE ALL NIGHT BOATERS AND FISHERMEN TO ASSUME ALL RISKS BY SIGNING THIS GENERAL RELEASE.**

**GENERAL RELEASE**

Night boating, boat launching and fishing is dangerous to a greater extent than boating and fishing during daylight hours because of the lack of comparable visibility. Accidents between boaters are possible, as are accidents between boaters and fixed objects such as submerged rocks or other obstructions, etc. All lakes have submerged obstructions which are not visible during the nighttime hours. Also, it is not inconceivable that with the fluctuating level of the lake, new unknown obstructions may become hazardous following the last opportunity to examine the lake.

In addition, certain other hazards become more dangerous during non-daylight hours, such as, the existence of rattlesnakes, poisonous insects and wild animals, etc., both on the land and in and over the water as well as on the shoreline. All shoreline is closed to all night boaters and fishermen except for the purpose of the use of restrooms and for launching and docking boats at the designated ramp. The designated launching and recovery area will be lighted.

For your protection, we have also prohibited the possession or use of **alcohol or drugs** in any form and have drastically limited permissible speed to not more than **5 miles per hour**, or no wake, whichever is less.

Nevertheless, night boating, boat launching and fishing is dangerous.

The Undersigned, for himself or herself and personal representatives, assigns, heirs and next of kin, in consideration of permission granted by the San Diego Council of Bass Clubs and the City of San Diego to engage in boating, boat launching and the night fishing benefit Tournament:

1. Hereby releases, waives, discharges and covenants not to sue or make a claim against the City of San Diego, the San Diego Council of Bass Clubs, its officers, directors, employees, agents and consultants and/or member clubs (hereinafter referred to as "RELEASEES") for all purposes from all liability to the undersigned, his or her personal representatives, assigns, heirs and next of kin for all loss or damages and any claim or demands therefor, on account of injury to the person or property or resulting in death of the undersigned, **WHETHER CAUSED BY THE NEGLIGENCE OF RELEASEES OR OTHERWISE** while the undersigned is in the San Vicente Recreation Area and/or upon the waters of San Vicente or proceeding to the Tournament or returning from the Tournament to some other destination.
2. The undersigned warrants the following statements are true and correct and understands that the RELEASEES have relied on them in entering into the foregoing release and in giving the undersigned permission to participate in the Tournament:
  - a. No oral representations, statements or inducements apart from the foregoing written language have been made.
  - b. The undersigned is fully aware of the risks and hazards inherent in entering upon said premises or in participating in the night boating, boat launching and fishing Tournament to be held the night of Saturday, \_\_\_\_\_ and the morning of Sunday, \_\_\_\_\_, during the nighttime, non-daylight hours thereof, and hereby elects voluntarily to enter upon said premises knowing that said conditions may become hazardous and dangerous and voluntarily assumes all risk of loss, damage, injury or death that may be sustained by him or her while in or on said premises.
  - c. **HE OR SHE HAS READ AND VOLUNTARILY SIGNS THIS RELEASE AND WAIVER OF ALL LIABILITY AGREEMENT.**
  - d. The boat being used is equipped with an engine or engines with horsepower of which at maximum RPM's does not exceed the manufacturer's recommended amount.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

\_\_\_\_\_  
Legible Signature of Boater

\_\_\_\_\_  
Print Name of Boater

\_\_\_\_\_  
Legible Signature of Non-Boater

\_\_\_\_\_  
Print Name of Non-Boater