

# FALL FESTIVAL TRAIN RIDE LOADING/UNLOADING & PARKING MAP SATURDAY, OCTOBER 21ST, 2023



# DISCLAIMER

I HAVE PURCHASED A TICKET TO RIDE A PASSENGER TRAIN OWNED AND OPERATED BY IOWA INTERSTATE RAILROAD, LLC ("IAIS") ON REAL PROPERTY OWNED AND OPERATED BY THE IAIS (the "Activity"). I AM AWARE AND UNDERSTAND THAT THIS ACTIVITY IS POTENTIALLY DANGEROUS, INVOLVING THE RISK OF SERIOUS INJURY, DISABILITY, DEATH, AND/OR PROPERTY DAMAGE. I ACKNOWLEDGE THAT ANY INJURIES THAT I SUSTAIN MAY RESULT FROM OR BE COMPOUNDED BY THE ACTIONS, OMISSIONS, OR NEGLIGENCE OF IAIS. NOTWITHSTANDING THE RISK, I ACKNOWLEDGE THAT I AM VOLUNTARILY PARTICIPATING IN THE ACTIVITY WITH KNOWLEDGE OF THE DANGER INVOLVED AND HEREBY AGREE TO ACCEPT AND ASSUME ANY AND ALL RISKS OF INJURY, DISABILITY, DEATH, AND/OR PROPERTY DAMAGE ARISING FROM MY PARTICIPATION IN THE ACTIVITY, WHETHER CAUSED BY THE NEGLIGENCE OF IAIS OR OTHERWISE.

To the extent permitted under Iowa law, and in consideration of my participation in the Activity, I waive and release IAIS, its officers, managers, members, employees, and agents ("RELEASEES"), from or against any and all claims, now known or hereafter known, against the RELEASEES on account of injury, disability, death, or property damage arising out of, related to, or attributable to my participation in the Activity, whether arising out of the negligence of IAIS or any Releasees or otherwise. I covenant not to make or bring any such claim against the IAIS or any other Releasee, and forever release and discharge the IAIS and all other Releasees from liability under such claims. I agree not to sue or otherwise bring a claim against IAIS or other RELEASEES on any basis including but not limited to claims of negligence, negligence per se, premises liability, or breach of warranty. I understand that this Release includes a release of all claims even if they involve statutory violations or the negligent action or omissions of IAIS.

As further consideration, I shall defend, indemnify, and hold harmless Releasees against any and all losses, damages, liabilities, deficiencies, claims, actions, judgments, settlements, interest, awards, penalties, fines, costs, or expenses of whatever kind, including reasonable attorney fees, fees, the costs of enforcing any right to indemnification under this Release, and the cost of pursuing any insurance providers arising out or resulting from any claim of a third party related to my participation in the Activity, including any claim related to my own negligence or that of the Company.