

www.costaricabirdingjourneys.org

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## **General Release and Indemnity Agreement**

I, \_\_\_\_\_, understand that there are many risks involved traveling to or within a foreign country.

(print first and last name above)

Therefore, I agree not to hold Costa Rica Birding Journeys or its owners and staff responsible for any accidents, misfortune, theft/loss of belongs, weather conditions, natural disasters, civil disturbances, or political unrest that may occur on this trip or that may interfere with the set itinerary and/or loss of time and money, delays in travel arriving and departing Costa Rica, delays in ground or air travel within the country, loss of reservations due to travel delays or other uncontrollable circumstances, hotel or transportation disputes, snake or insect bites or other such injury, personal injury, or even death that may occur while I am traveling in Costa Rica or any other destination/activity set up by their travel company. Nor do I hold them responsible for any of the above conditions while on a tour with one of their guides or any contract service provider they may have hired out.

I understand that it is my responsibility to research the current health and travel advisory available on the CDC web site or by contacting my family physician prior to travel. I understand that Costa Rica Birding Journeys is not responsible for any claims or investigations relating to health insurance. I hereby fully and irrevocably release Costa Rica Birding Journeys and its principal, Randall Ortega Chaves from any and all claims of any type whatsoever, including negligence claims resulting from the actions of any contract service provider hired by Costa Rica Birding Journeys (tour guides, transportation, hotels, others), that may arise due to injury or illness to myself or my property while traveling on a vacation arranged by Costa Rica Birding Journeys, except as to injury or loss caused by the intentional wrong doing Costa Rica Birding Journeys.

I further agree to indemnify and hold harmless Costa Rica Birding Journeys and its principals, from any claims of any type whatsoever, including negligence claims resulting from the actions of any contract service provider hired by Costa Rica Birding Journeys (tour guides, transportation, hotels, others), which may be brought by anyone with regard to any injury to my person or property in any way related to my travel and participation in any other activities booked by Costa Rica Birding Journeys. Costa Rica Birding Journeys reserves the right to withdraw or substitute trip items or modify itineraries at any time without previous notice. Costa Rica Birding Journeys further reserves the right to cancel or reschedule any tour departure in accordance with operating requirements. Costa Rica Birding Journeys acts as a broker between the provider of the services and the traveler, thus it will not be held liable for any personal injury, any damage, any loss or delay in the services and accommodations during the course of the trip. No refunds or allowances will be made for absence during the tour, or activities missed, even if beyond the control of the participants.

This agreement to indemnify shall include the obligation to pay any attorneys' fees incurred by Costa Rica Birding Journeys or its principals in defense of any such claim. In the event of any dispute with Costa Rica Birding Journeys or its principals pursuant to terms of this contract. I agree that the sole venue to resolve such dispute shall be the courts of Jaco-Garabito of the Province of Puntarenas, Costa Rica and that this contract will be governed by Costa Rica Law. The prevailing party in any such dispute shall be entitled to an award of reasonable costs and attorney's fees; including expert witness fees. Any payment not made to Costa Rica Birding Journeys when due shall accrue interest of the rate of 1.5 % per month (18% per annum).

I have read the above release and indemnity agreement and agree to all the terms presented within it.

X \_\_\_\_\_ Date: \_\_\_\_\_

X \_\_\_\_\_ Date: \_\_\_\_\_

Costa Rica Birding Journeys

By \_\_\_\_\_ Randall Ortega Chaves  
& or Alejandra Berning Managing Member