

SPONSORED GARDEN MEMBER LIABILITY RELEASE

In consideration for my participation as a member at a community garden sponsored by Austin Parks Foundation (APF), I expressly agree and contract, on behalf of myself, my heirs, executors, administrators, successors and assigns, that APF and its insurers, employees, administrators, officers, directors, instructors, volunteers, and associates, shall not be liable for damages, expenses, personal injury or death, which may arise in the future, related to, connected with, or growing out of participation in APF's programs, regardless of whether such injuries result, in whole or in part, from the negligence or gross negligence of APF.

I understand and acknowledge that participation as a gardener or member at an APF-sponsored community garden may involve risk of serious injury, including permanent disability and death.

I understand that while I am participating at an APF-sponsored community garden, I may have the opportunity or may be called upon to operate gardening tools including but not limited to tractors, chipper-shredders, push mowers, weed eaters, shovels, picks, and rakes.

I agree that if at any time I feel that any activity in which I am participating is unsafe, I will cease such activity. I agree that if I feel that I am not fully qualified to use any equipment I will seek further training or will refrain from using such equipment.

By the execution of this agreement, I accept and assume full responsibility for any and all injuries, damages (both economic and non-economic), and losses of any type, which may occur to me, and I hereby fully and forever release and discharge APF, its insurers, employees, officers, directors, instructors, volunteer instructors, and associates, from any and all claims, demands, damages, rights of action, or causes of action, present or future, whether the same be known or unknown, anticipated, or unanticipated, resulting from or arising out of my participation as a gardener or volunteer at an APF-sponsored community garden.

I expressly agree to indemnify and hold APF harmless against any and all claims, demands, damages, rights of action, or causes of action, of any person or entity, that may arise from injuries or damages sustained by me.

I HAVE READ THE FOREGOING WAIVER AND RELEASE OF LIABILITY AND VOLUNTARILY EXECUTED THIS DOCUMENT WITH FULL KNOWLEDGE OF ITS CONTENT AND INTENDING TO BE LEGALLY BOUND.

Signature

Date

Print Name

Garden