

# EVENT RELEASE OF LIABILITY HOLD HARMLESS AGREEMENT

Event: Trail Trial and Poker Ride June 23, 2007

I acknowledge that horseback riding is a sport that carries inherent risks of injury and damage to myself, my horse and property. I knowingly assume all risks, whether known or unknown, of horseback riding. I hereby release **SAN MARTIN HORSEMEN'S ASSOCIATION** hereinafter referred to as "SMHA" and the **COUNTY OF SANTA CLARA PARKS AND RECREATION DEPARTMENT** hereinafter referred to as "BEAR RANCH" from all liability for any act of negligence or want of ordinary care on the part of SMHA, BEAR RANCH, or any of its agents.

In consideration of my participation in events or activities organized or sponsored by SMHA, I waive, release and discharge SMHA, BEAR RANCH and their directors, officers, agents and members, their representatives, heirs, executors and all other persons and organization in any way connected with the SMHA or BEAR RANCH events from any and all claims of liability for injury or damage to myself, my animals or my property arising out of my participation.

This agreement is binding upon my executors, heirs and assigns.

I expressly waive any rights I may have under California Civil Code 1542, which states "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him might have materially affected his settlement with the debtor."

I agree that I will indemnify and hold harmless SMHA, BEAR RANCH and their officers, directors, members and agents against all claims, demand, and cause of action, including court costs and actual attorney fees, arising from any proceeding or lawsuits brought by or prosecuted for my benefit, in which this release is upheld.

SMHA and BEAR RANCH, its agents or employees shall not be liable for any damage which may accrue from any cause or as a result of fire, theft, mining away, state of health, injury to person, horse or property.

**I ACKNOWLEDGE THAT I HAVE READ THIS RELEASE OF LIABILITY AND KNOW AND UNDERSTAND ITS CONTENTS. (each participant MUST SIGN this part)**

Signature / Date \_\_\_\_\_

Signature / Date \_\_\_\_\_

**\*\*\*Parent or Legal Guardian must complete the following section\*\*\* *Minors do not sign on below line***

I, the undersigned parent or guardian of the above minors in consideration of my minor's participation in San Martin Horsemen's Association activities, agree that the terms and conditions of this Release of Liability shall be binding as to damage or injury to my minor, his/her animals, and property arising out of his/her participation in events. We further warrant that we have health and accident insurance on said minor(s).

**I ACKNOWLEDGE THAT I HAVE READ THIS RELEASE OF LIABILITY AND KNOW AND UNDERSTAND ITS CONTENTS.**

Parent/Guardian / Date \_\_\_\_\_