

OHHA COMMUNITY GARDEN ASSUMPTION OF RISK AND RELEASE OF LIABILITY
Version: 4/16/2016

I hereby acknowledge that I voluntarily have applied to participate in and use a plot in the Oak Hills Community Garden (OHCG). I understand that the act of gardening and being physically present at the OHCG necessarily involves risks of injury to me and other people, which risks are entirely my responsibility. I expressly assume these risks. Additional risks include, but are not limited to: injuries caused by terrain, facilities, soil conditions, temperature, physical exertion, insect/rodent exposure, chemical exposure, and actions of other people. I understand and expressly assume all additional risks.

I understand that use of the OHCG is self-directed and that no agent or employee of Oak Hills Homeowners Association or the Oak Hills Community Garden Group will supervise the OHCG at any time. I further understand that neither the Oak Hills Homeowners Association nor the Oak Hills Community Garden Group assumes liability for loss, damage, or any kind of injury sustained while using the OHCG. I, therefore, expressly assume all reasonable risks associated with using the OHCG, as well as fixtures and equipment located therein, in an unsupervised manner.

EXCEPT FOR GROSS NEGLIGENCE ON ANY OF THEIR PARTS, I HEREBY RELEASE THE OAK HILLS HOMEOWNERS ASSOCIATION AND THE OHCG GROUP, ITS OFFICERS, EMPLOYEES AND AGENTS FROM ANY AND ALL RESPONSIBILITY OR LIABILITY FOR INJURIES OR DAMAGES TO MYSELF, OR MY GUESTS OR MEMBERS OF MY FAMILY, DUE TO MY USE OF, OR PARTICIPATION IN ACTIVITIES AT OHCG. I ALSO AGREE TO INDEMNIFY AND HOLD HARMLESS THE OAK HILLS HOMEOWNERS ASSOCIATION AND THE OHCG GROUP, ITS OFFICERS, EMPLOYEES AND AGENTS FROM AND AGAINST ALL LOSS, COST, DAMAGES, EXPENSE AND LIABILITY INCLUDING DEATH, PERSONAL INJURY OR DISEASE AND DAMAGE TO REAL OR PERSONAL PROPERTY RESULTING FROM (1) MY NEGLIGENT ACTS; (2) THE NEGLIGENT ACTS OR BEHAVIOR OF MY GUEST(S) OR FAMILY MEMBER(S), AND (3) INJURY THAT MAY OCCUR TO ME OR MY GUESTS OR FAMILY MEMBERS OR MY PROPERTY AS A RESULT OF THE ACTS, CONDUCT OR BEHAVIOR OF OTHER USERS OF THE OHCG. I FURTHER AGREE TO INDEMNIFY AND HOLD HARMLESS THE OAK HILLS HOMEOWNERS ASSOCIATION AND THE OHCG GROUP FROM ANY AND ALL CLAIMS BY ANY MEMBERS OF MY FAMILY OR ANY OTHER PERSONS ACCOMPANYING ME TO THE OHCG, OR WHILE ON THE GROUNDS OR THE SURROUNDING AREA THERETO AS A RESULT OF ANY OTHER PERSON. I FURTHER UNDERSTAND AND AGREE THAT THE OAK HILLS HOMEOWNERS ASSOCIATION AND THE OHCG GROUP DOES NOT PROVIDE INSURANCE PROTECTION FOR PARTICIPANTS IN COMMUNITY GARDEN ACTIVITIES.

By submitting this application I represent and warrant that the information provided is accurate and truthful. I realize that providing false information or breaching any of the conditions or rules

of use may result in revocation of community garden privileges. I also have reviewed a copy of the OHCG Rules and Regulations and agree to abide by these rules. I realize noncompliance with community garden rules may result in revocation of community garden use privileges and forfeiture of all fees paid.

I have carefully read this Assumption of Risk and Release of Liability and understand and fully agree with its contents.

Date: _____

Signature: _____

Print Name: _____

Lot No. _____

Address: _____

Phone: Home: _____ Mobile: _____

Email: _____