

JACKSON STABLES, INC.
YMCA OF THE ROCKIES LIVERY
FULL AND GENERAL RELEASE OF LIABILITY - HORSEBACK AND PONY RIDES

Jackson Stables, Inc., a Colorado corporation operates a livery (horseback riding) business at the Estes Park Center, YMCA of the Rockies, near Estes Park, Colorado. Although Jackson Stables, Inc. has taken reasonable steps to provide you with appropriate equipment and skilled guides so you can enjoy an activity for which you may not be skilled, we wish to remind you this activity is not without risk. Certain risks cannot be eliminated without destroying the unique character of this activity. The same elements that contribute to the unique character of the activity can be causes of loss or damage to your equipment, or accidental injury, illness, or in extreme cases, permanent trauma or death. Jackson Stables, Inc. does not want to frighten you or reduce your enthusiasm for this activity, but we do believe it is important for you to know in advance what to expect and to be informed of the inherent risks. The following describes some, but not all of those risks.

Horseback riding is classified as a RUGGED ADVENTURE RECREATIONAL SPORT ACTIVITY and there are numerous obvious and non-obvious inherent risks always present in such activity despite all safety precautions. Horses are 2 to 10 times larger, 10-40 times more powerful, and 3 to 4 times faster than a human. If a rider falls from a horse to the ground, it will generally be at a distance from 3 1/2 to 5 1/2 feet, and the impact may result in injury to the rider. If a horse is frightened or provoked, it may divert from its training and act according to its natural survival instincts which may include, but are not limited to: stopping short; changing directions or speed at will; shifting its weight; bucking, rearing, kicking, biting, or running from danger.

Elements within Rocky Mountain National Park, and Estes Park Center, YMCA of the Rockies, can scare a horse, causing it to fall or react in some potentially hazardous way. Some examples are: hikers, bicyclists, vehicles, thunder, lightning, rain, wind, water, wild and domestic animals, insects, reptiles, and irregular footing on out-of-door groomed or wild land which is subject to constant change in condition according to weather, temperature, and natural and man-made landscape. Wearing a helmet while riding a horse is a basic precaution and certain risks of injury or death cannot be avoided if one is not used.

The undersigned desires to horseback ride.

The undersigned understands the potential dangers that he or she could incur in mounting or dismounting a horse and in riding a horse. Understanding those risks, the undersigned hereby fully and forever discharges and releases said Jackson Stables, Inc., its officers, directors, shareholders, employees, agents and volunteers, from all liability, claims, demands and causes of action, if any, in the event of any injury and damage to the undersigned or to the property of the undersigned (including perhaps even death). This release shall be in effect whether such liability, claim, demand, or cause of action is based upon negligence, gross negligence, recklessness, willful and wanton conduct, breach of contract (express or implied) or upon any other legal theory of any nature whatsoever; and shall be effective regardless of the riding ability of the undersigned.

In addition, a Colorado statute mandates that the following warning be included herein:

WARNING: Under Colorado Law an equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to Section 13-21-119, Colorado Revised Statutes.

This release shall be binding upon the undersigned, together with his or her heirs, devisees, beneficiaries, personal representatives and agents.

If the undersigned is signing this Release for a person who is under the age of eighteen years, then he or she is doing so as a representative of said minor, and will have to designate the representative capacity by circling one of the choices on the signature line; and by so doing verifies and acknowledges that he or she has that authority. The Colorado statutes (Sections 13-22-107 and 19-1-103) define these representative capacities, for this purpose, as follows:

“**Parent**” means natural parent or a parent by adoption of the minor.

“**Guardian**” means the duty and authority vested by court action to make major decisions affecting the minor.

“**Legal Custody**” means the right to the care, custody and control of the minor including the duty to provide medical care and discipline for therefore.

“**Legal Representative**” means a person designated by a court to act on behalf of a person regarding contact with that person and regarding obtaining certain records concerning that person.

“**Physical Custodian**” means a guardian, whether or not appointed by a court, with whom the minor is residing.

“**Responsible Person**” means a person who is responsible for the child’s health and welfare.

The undersigned, for himself, herself, or in the representative capacity for a person under the age of eighteen years, hereby agrees to indemnify and hold harmless Jackson Stables, Inc., its officers, directors, shareholders, employees, agents and volunteers, from all liability, claims, demands and causes of action in the event of injury (including death) including costs and reasonable attorney fees, to the undersigned and his or her property, or to the minor, and his or her property for whom the undersigned is signing this Release.

The undersigned acknowledges that he or she has read this full release; that he or she understands the same and it is not ambiguous; and that he or she voluntarily, knowingly and intentionally has signed this full release.

| PARTICIPANT'S NAME (Please Print) | AGE | TOTAL EXPERIENCE PLEASE CHECK | | | Does the rider have any physical or mental conditions which may affect his/her ability to ride a horse? (If yes, please explain) | SIGNATURE (Adults must sign for themselves, and if participant is under 18, must be signed by a representative) | CIRCLE ONE (This section MUST be completed) |
|--------------------------------------|-----|----------------------------------|--------------|----------|--|--|---|
| | | Beginner | Intermediate | Advanced | | | |
| | | | | | | | Adult Participant; or Parent; or Guardian; or Legal Custodian; or Legal Representative; or Physical Custodian; or Responsible Person |

DATE _____

TAKE TIME TO READ THIS CAREFULLY