



## Release of Liability, Assumption of Risk, and Indemnification Agreement

### (Vernon's Texas Statutes and Codes Annotated. Civil Practice and Remedies Code. Title 4. Liability in Tort. Chapter 87. Liability Arising from Farm Animal Activities or Livestock Shows)

**Summary:** Chapter 87 of the Texas Civil Practice and Remedies Code provides that any person, including a farm animal activity sponsor, farm animal professional, farm owner or lessee, livestock producer, livestock show participant, or livestock show sponsor, is not liable for property damage or damages arising from the personal injury or death of a participant in a farm animal activity or livestock show if the property damage, injury, or death results from the dangers or conditions that are an inherent risk of a farm animal, a farm animal activity, the showing of an animal on a competitive basis in a livestock show, or the raising or handling of livestock on a farm, including (1) the propensity of a farm animal or livestock animal to behave in ways that may result in personal injury or death to a person on the animal, handling the animal, or otherwise around the animal; (2) the unpredictability of a farm animal's or livestock animal's reaction to sound, a sudden movement, or an unfamiliar object, person, or other animal; (3) with respect to farm animal activities involving equine animals, certain land conditions and hazards, including surface and subsurface conditions; (4) a collision with another animal or an object; or (5) the potential of a participant to act in a negligent manner that may contribute to injury to the participant or another, including failing to maintain control over a farm animal or livestock animal or not acting within the participant's ability.

#### WARNING

**UNDER TEXAS LAW (CHAPTER 87, CIVIL PRACTICE AND REMEDIES CODE), A FARM ANIMAL PROFESSIONAL OR FARM OWNER OR LESSEE IS NOT LIABLE FOR AN INJURY TO OR THE DEATH OF A PARTICIPANT IN FARM ANIMAL ACTIVITIES, INCLUDING AN EMPLOYEE OR INDEPENDENT CONTRACTOR, RESULTING FROM THE INHERENT RISKS OF FARM ANIMAL ACTIVITIES.**

#### WARNING

**UNDER TEXAS LAW (CHAPTER 87, CIVIL PRACTICE AND REMEDIES CODE), A LIVESTOCK SHOW SPONSOR IS NOT LIABLE FOR AN INJURY TO OR THE DEATH OF A PARTICIPANT IN A LIVESTOCK SHOW RESULTING FROM THE INHERENT RISKS OF LIVESTOCK SHOW ACTIVITIES.**

**Consideration:** In consideration of the permission granted to the Participant named below and/or the parent/guardian on behalf of the Minor Participant named below ("Participant") by Williamson County, Texas ("County") to conduct and participate in farm animal activities and/or livestock show activities on County's property, Participant agrees to the terms contained in this Release of Liability, Assumption of Risk, and Indemnification Agreement ("Release"). Furthermore, Participant acknowledges that such consideration is sufficient to support the terms, covenants and conditions of this Release.

**Assumption of the Risks:** Participant hereby freely assumes the above-mentioned inherent risks of farm animal activities and/or livestock show activities and any harm, injury or loss that may occur to Participant or Participant's property as a result of his/her participation in the farm animal activities and/or livestock show activities. Participant also understands that any equipment that Participant provides or may borrow from County, or any County owned real or personal property used for the farm animal activities and/or livestock show activities is used or borrowed at Participant's own risk and that any such equipment or property is provided without any warranty about its condition or suitability.

**Release of Liability:** Participant hereby releases County, and County's invitees, employees, agents, representatives, partners, officers, and directors (the "Released Parties") FROM ALL LIABILITIES, CAUSES OF ACTION, CLAIMS AND DEMANDS that arise from any injury, death, loss or harm that occur to Participant or to any other person or to any property during the farm animal activities and/or livestock show activities or in any way related to such activities. This release includes claims for the negligence (other than as a result of County's gross negligence) of the Released Parties and claims for strict liability for abnormally dangerous activities. This release does not extend to claims for gross negligence, intentional or reckless misconduct, or any other liabilities that Texas law does not permit to be excluded or limited by agreement. Participant also agrees NOT TO SUE or make a claim against the Released Parties for death, injuries, loss or harm that occur during the farm animal activities and/or livestock show activities.

#### Indemnification Hold Harmless and Defense:

**Indemnification -Personal Injury Claims.** TO THE FULLEST EXTENT PERMITTED BY LAW, PARTICIPANT SHALL INDEMNIFY, DEFEND (WITH COUNSEL OF COUNTY'S CHOOSING), AND HOLD HARMLESS COUNTY, AND COUNTY'S INVITEES, EMPLOYEES, AGENTS, REPRESENTATIVES, PARTNERS, OFFICERS, AND DIRECTORS (COLLECTIVELY, THE "INDEMNITEES") AND SHALL ASSUME ENTIRE RESPONSIBILITY AND LIABILITY (OTHER THAN AS A RESULT OF COUNTY'S GROSS NEGLIGENCE) FOR ANY CLAIM OR ACTION BASED ON OR ARISING OUT OF THE PERSONAL INJURY, OR DEATH OF PARTICIPANT, OR OF ANY OTHER PERSON OR ENTITY FOR WHOSE ACTS THEY MAY BE LIABLE, WHICH OCCURRED OR WAS ALLEGED TO HAVE OCCURRED ON COUNTY'S PROPERTY OR IN CONNECTION WITH PARTICIPATING IN FARM ANIMAL ACTIVITIES AND/OR LIVESTOCK SHOW ACTIVITIES ON COUNTY'S

PROPERTY. PARTICIPANT HEREBY INDEMNIFIES THE INDEMNITEES EVEN TO THE EXTENT THAT SUCH PERSONAL INJURY WAS CAUSED OR ALLEGED TO HAVE BEEN CAUSED BY THE SOLE, COMPARATIVE OR CONCURRENT NEGLIGENCE OF THE STRICT LIABILITY OF ANY INDEMNIFIED PARTY. THIS INDEMNIFICATION SHALL NOT BE LIMITED TO DAMAGES, COMPENSATION, OR BENEFITS PAYABLE UNDER INSURANCE POLICIES, WORKERS COMPENSATION ACTS, DISABILITY BENEFITS ACTS, OR OTHER EMPLOYEES BENEFIT ACTS.

**Indemnification - Other Than Personal Injury Claims.** TO THE FULLEST EXTENT PERMITTED BY LAW, PARTICIPANT SHALL INDEMNIFY, DEFEND (WITH COUNSEL OF COUNTY'S CHOOSING), AND HOLD HARMLESS INDEMNITEES FROM AND AGAINST CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING BUT NOT LIMITED TO ATTORNEYS' FEES, ARISING OUT OF OR ALLEGED TO BE RESULTING FROM THE PERFORMANCE OF THIS RELEASE OR THE FARM ANIMAL ACTIVITIES AND/OR LIVESTOCK SHOW ACTIVITIES DESCRIBED HEREIN, TO THE EXTENT CAUSED BY THE NEGLIGENCE, ACTS, ERRORS, OR OMISSIONS OF PARTICIPANT OR ANYONE EMPLOYED BY PARTICIPANT OR ANYONE FOR WHOSE ACTS THEY MAY BE LIABLE, REGARDLESS OF WHETHER OR NOT SUCH CLAIM, DAMAGE, LOSS OR EXPENSE IS CAUSED IN WHOLE OR IN PART BY A PARTY INDEMNIFIED HEREUNDER.

**I, the undersigned, hereby acknowledges that I have read Chapter 87 of the Texas Civil Practice and Remedies Code and the warnings noted above and I agree this Release shall be effective as to any Farm Animal Activities (including equine activities)**

**Park Location \***

**Effective Period: Beginning on the below date and continuing thereafter for one (1) year. \***

 

## Participant Information

**Is the participant a minor? \***

☐ Yes ☐ No

**Participant Name \***

**Address**

**City \***

**State \***

**Zip \***

**Phone (?) \***

**E-mail \***

**Signature of Participant \***

Sign

**Parent/Guardian Name \***

**Signature of Parent/Guardian of Minor \***

Sign

**Submit Date**

Date will be captured on form submission

Submit