

ACKNOWLEDGEMENT OF RISK AND WAIVER OF LIABILITY

Although Mountain Sky Guest Ranch and West Creek Ranch (individually and collectively, the “Property”) strive to provide participants with appropriate equipment and guidance so that they may safely enjoy activities, such as but not limited to a ropes course, hiking, horseback riding, (the “Activities”) for which they may not be skilled, these Activities are not without risk. Certain inherent risks contribute to the unique character of the Activities and the Property. These inherent risks and the same elements that contribute to the unique character of the Activities and the Property can be the cause of loss or damage to your equipment, bodily injury, illness or, in extreme cases, permanent disability or death. We do not want to frighten you or reduce your enthusiasm for these Activities and the Property, but we do think it is important for you to know in advance that there are risks inherent in the Activities and on the Property. The inherent risks in these Activities and the Property include damages and injuries resulting from (i) trail and road conditions, (ii) equipment failures, (iii) falls from heights, (iv) collisions with other persons or stationary objects, (v) changing and adverse weather conditions, (vi) exposure to water and the elements, (vii) unsafe acts by other participants, (viii) interactions with wild animals and insects, (ix) panic or anxiety and (x) other known or unknown risks inherent to outdoor settings and recreational activities.

In consideration of my minor child and/or me being allowed to participate in the Activities and access the Property, of which I voluntarily request the right of participation and/or access, I, the undersigned, on behalf of myself, or the participant minor set forth below, and my personal representatives, heirs, next of kin, executors, representatives, assigns and administrators (hereinafter, collectively, “I,” “me”, “my”, or “you”), hereby state and acknowledge the following:

1. I am aware that the Activities and the Property entail RISK OF BODILY INJURY, DEATH AND/OR DAMAGE TO OR LOSS OF PROPERTY, and I understand the description of these risks is not complete and that other unknown or unanticipated risks may occur.
2. Even with such understanding and appreciation of the risk, I still voluntarily desire for my minor child and/or me to participate, and I do hereby fully and irrevocably release and waive and forever discharge Mountain Sky Guest Ranch, LLC, AMB West, LLC, The Arthur M. Blank Family Foundation and their officers, employees, agents, and direct and indirect owners and affiliated entities (the “Released Parties”) from any and all claims, actions, losses and/or legal liability of any kind or nature or description resulting from damages or injuries (including death) sustained by me and/or my minor children in participating in such Activities and/or accessing the Property.
3. I do hereby personally assume all risks which may be associated with such Activities and/or my presence on the Property. I understand and acknowledge that (a) this is a legal and binding instrument and by signing it do acknowledge that I have read and fully understand the waivers and releases contained herein and (b) my minor children and I are being allowed to access the Property and/or participate in the Activities only as a result of agreeing to the terms of this document.

By signing this document you may be waiving your legal right to a jury trial to hold the Released Parties legally responsible for any injuries or damages resulting from risks inherent in the Activities and/or the Property or for any injuries or damages or death you or your minor children may suffer due to the Released Parties’ ordinary negligence that are the result of the Released Parties’ failures to exercise reasonable care.

ALL PARTICIPANTS MUST COMPLETE:

Name _____ Signature _____ Date _____

PARENTS/GUARDIANS NEED TO COMPLETE FOR ANY PARTICPANTS UNDER THE AGE OF 18:

Name _____ Signature _____ Date _____
(Parent/Guardian) (Parent/Guardian)

Minor Children and Ages _____

Organization Associated with _____