Name of Participant :\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Jansal Saddlebreds LLC**

**Assumption of Risk and Responsibilities and Release of Liability**

**NORTH CAROLINA HORSE COUNCIL WARNING: UNDER NORTH CAROLINA LAW AN EQUINE ACTIVITY SPONSOR OR EQUINE PROFESSIONAL IS NOT LIABLE FOR AN INJURY TO, OR THE DEATH OF, A PARTICIPANT IN EQUINE ACTIVITIES RESULTING EXCLUSIVELY FROM THE INHERENT RISK OF EQUINE ACTIVITIES – CHAPTER 99E, NORTH CAROLINA GENERAL STATUTES**

There are significant elements of risk in any adventure, sport or activity associated with riding or driving saddled or harnessed animals (including but not limited to horses).

**ACKNOWLEDGEMENT OF RISKS**: I recognize that there is an inherent danger in the use of any saddle/harness animal and that travel with or upon a saddled/harnessed animal may involve hazards including but not limited to, uneven or unstable ground or road surfaces , trees, branches, rocks, stones, gravel, mud, water and/or vehicles, other horses and riders, equipment failure, my ability to control or direct an animal, and that the speed at which I proceed can pose a direct risk to my safety, that movement, noise, and contact with objects may cause an animal to move unpredictably and with force, that I may suffer accidents or illness in remote places where there is no available medical facilities, and that no warranty of any kind, expressed or implied, is being made as the habits, disposition, stability, nature, or physical condition of any animal. I realize that personal property may be lost or damaged, that certain forseeable and unforeseeable events can contribute to the unpredictability of the risk, dangers and hazards of the activity, that wearing a helmet while riding a horse is a basic precaution, and that I should ask about other potential risk, dangers and hazards and recommended precautions and procedures.

**EXPRESS ASSUMPTION OF RISK AND RESPONSIBILITY:** In recognition of the inherent risk of the activity, which I and my minor children, for which I am responsible, will engage in, including approaching, handling, mounting, riding, driving, dismounting a saddled animal or driving an animal while it is hitched to a cart, wagon, or buggy. I confirm that I am (we are) physically and mentally capable of participating in the activity and using the equipment. That I/we participate willingly and voluntarily and I assume full responsibility for the personal injury, accidents, or illness including a death. I assume all responsibility for damage or loss of personal property as a result of any accident that may occur. I assume the risk(s) of personal injury, accidents, and/or illness, including, but not limited to, sprains, torn muscles or ligaments, fractures or broken bones, eye damage, cuts, wounds, scrapes, abrasions and/or injuries, animal bite or attack, insect bites, allergic reaction, shock, paralysis and/or death and acknowledge if, during the activity, I/we fatigue, chill, and/or become dizzy, my/our reaction time may be diminished and the risk of any accident increased.

**COVENANT OF GOOD FAITH:** I recognize that Jansal Saddlebreds LLC, Janelle D’Amato, Kathleen Melious, and their agents and assigns as a provider of goods and services, will operate under a covenant of good faith and fair dealing, but may find it necessary to terminate an activity due to force of nature, medical necessities, or other problems, and/or refuse or terminate that participation of any person judged incapable of meeting the rigors or requirements of participating in the activity. I/we accept your right to take such actions on behalf of myself and/or other participants.

**THE NATURE AND PHYSICAL CHARACTERISTICS OF THE HORSE**

**ALL DOMESTICATED, WELL TRAINED HORSES ARE USUALLY OBEDIENT, DOCILE AND AFFECTIONATE, IT IS IMPORTANT TO UNDERSTAND THAT THEIR SURVIVAL INSTINCTS ARE WHAT HAS ALLOWED THE HORSE TO SURVIVE FROM PREHISTORIC TIMES TO THE PRESENT DAY.**

1. I/We am aware that horses are unpredictable by nature, with minds of their own, as are all animals both domestic and wild. The horse is often somewhat high strung or nervous by nature. Horses are extremely strong and powerful, physically. Horses are extremely heavy weighing from 600 to 1,300 pounds on the average. These characteristics deserve a human beings utmost respect.
2. I/we am aware that when a horse is frightened, angry, under stress or feels threatened, it has its instinct to jump forward, backwards or sideways, to run away from danger at a trot or gallop of speeds up to 35 mph.
3. I/we am aware that if a horse is frightened or feels threatened from behind, it may kick straight back, sideways and other directiosn or even forwards with either of its hind legs with tremendous force.
4. I/we am aware that if a horse is frightened or feels threatened from above or on his back, it may hunch its back and buck in a way that could throw a rider to the ground with tremendous force. A fall from a horse will usually be from a height of 3 to 6 feet.
5. I/we am aware that if a horse is frightened or feels threatened from the front, it may naturally react by rearing up with its front legs, striking with one or both front legs, bite with its teeth, throw its head up, or from side to side, or run directly over what it fears in front of it.
6. I/we am aware that a human must always approach a horse calmly and quietly and cautiously, preferably from near its shoulder or lower neck, talking smoothly to it.
7. I/we am advised that loud and/or sudden unexpected movements, dropping of objects near a horse, approaching vehicles or animals or people, ill-fitting equipment or physical pain can provoke a domesticated horse to react according to his natural protective instincts.
8. I/we am aware that the first sights of anger or fear in a horse are the sudden tensing of the muscles of the body, possible laying its ears flat back against its head, or quickly tossing or raising its head, or sudden snorting through the nostrils accompanying at least one other warning sign.
9. I/we am aware that a horse can see independently with each eye, actually looking in one direction with one eye, and another direction with the other eye, or it can focus both eyes on one object somewhere in front of it; that usually the direction the ear is pointing will tell an observer where the eye is looking on the same side, and consequently on what the horse is likely concentrating at the moment.
10. I/we am aware that a horse has two blind areas around it in which it cannot see. It cannot see directly behind it or front of it, or possibly what it is eating. This is the reason it is best to approach a horse close to the shoulder, and never to surprise a horse from the rear, or to reach first for the horses head or mouth first.
11. I/we am aware that while a horse is very sure- footed by nature, it may accidentally step on an object such as unstable ground or slippery grass or footing, it could fall down injuring a rider or handler.

**PLEASE WRITE OUT THE FOLLOWING STATEMENT ON THE LINE BELOW:**

**“ I HAVE READ AND DO UNDERSTAND THE ABOVE WARNING REGARDING THE NATURE AND PHYSICAL CHARACTER OF THE HORSE, AND THE DANGER THIS CHARACTER CAN INFLICT ON, OR PRESENT TO, A HUMAN BEING.”**

**Write out the statement here: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Name of Participant (Please print) Parent or Guardian Signature Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signature of Rider (If of legal age and not under guardianship) Date**

**Jansal Saddlebreds LLC**

**ASSUMPTION OF RISK AND RESPONSIBILITIES AND RELEASE OF LIABILITY**

**AUTHORIZATION:** I hereby authorize any medical treatment deemed necessary in the event of any injury while participating in this activity. I either have appropriate insurance or in its’ absence agree to pay all costs of rescue and/or medical services as may be incurred on my/our behalf.

**INDEMNIFICATION:** In consideration of services or property provided, I/we, for myself and my minor children for which I am a parent or legal guardian or otherwise responsible, any heirs, personal representatives or assigns, do hereby indemnify, safe and hold harmless, Jansal Saddlebreds LLC, Janelle D’Amato, Kathy Melious, and their agents or assigns, from any claim, demand, damages or cause of action, count cost, attorney fees, and/or other matter whatsoever arise out of the fullness range of activities contemplated under the assumption of risk and responsibilities and release of liability.

**I HAVE READ THE ATTACHED DOCUMENT ENTITLED NATURE AND PHYSICAL CHARACTERISTICS OF HORSES AND UNDERSTAND THAT INTERACTION WITH HORSES IS POTENTIALLY DANGEROUS. I HAVE READ THE FOREGOING ACKNOWLEDGEMENT OF RISK, ASSUMPTION OF RISK AND RESPONSIBILITY, AND RELEASE OF LIABLITLTY. I UNDERSTAND THAT BY SIGNING THIS DOCUMENT I MAY BE WAIVING VALUABLE LEGAL RIGHTS.**

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 **Date Name of Paticipant (please print) Signature of Parent or Legal Guardian**