**GARDENER WAIVER AND RELEASE**

1. I desire to participate voluntarily in the gardening and other activities sponsored and coordinated by Augustana Lutheran Church at the community garden site.
2. I understand, accept and assume the risks associated with participation in any and all activities. I also assume the responsibility of conducting myself in a civil manner, which is mutually beneficial to all participants. Unacceptable conduct generally includes, but is not limited to, vegetable theft, tool theft, profanity and any offensive behavior.
3. I assume full responsibility for any injuries which may occur to me, as well as the safety of my family and guests, and do hereby fully forever discharge and release the community garden site landowner, Augustana Lutheran Church, its employees, board members, officers, agents, authorized volunteers, representatives, consultants, insurers and sureties, and their successors and assignees (collectively, the “Released Parties”) from any “Claims.”

“Claims” as used in this document, mean any and all claims, demands, damages, rights of action or causes of action, present or future, whether the same be known, anticipated or unanticipated, resulting from or arising out of my presence or the presence of my family members and guests at the garden, activities at the garden, the use or intended us of the garden.

1. I expressly acknowledge that the participation in the community garden is for my purposes and convenience and not for the purpose and convenience of any one or more of the Released Parties.
2. In the event that a dispute arises between gardeners or between a gardener(s) and the designated garden leadership committee and the resolution of the dispute cannot be reached by these parties, I agree to have designated Augustana representatives act as the arbitrator of the dispute and I further agree to adhere to their decision as final.

**“BY SIGNING THE RELEASE I UNDERSTAND THAT I AM WAIVING ANY RIGHT I MAY HAVE OF BRINGING ANY LEGAL CLAIM IN TORT OR CONTRACT AGAINST THE SITE OWNER, AUGUSTANA LUTHERAN CHURCH. I AM AGREEING TO RELEASE ALL OF MY CLAIMS FOR THE PRIVILEGE TO USE THE FACILITIES AS AGREED.”**

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Participant Signature Date