

BACCHINI'S FRUIT TREE

RELEASE, EXPRESS ASSUMPTION OF RISK, AND INDEMNITY AGREEMENT

In consideration of the right to enter the premises, orchard, or field to pick any crop, or use any equipment provided to do so. The undersigned for himself or herself, representatives, relatives, or heirs, and for my minor children, acknowledge the risks inherent being in a field or orchard, using agricultural equipment, or disregarding rules established to minimize the risk of injury while doing so.

THEREFORE THE UNDERSIGNED EXPRESSLY AGREES TO THE FOLLOWING:

1. I will use care when walking in the field recognizing that there may be debris or uneven surfaces. I expressly assume the risk of injury arising out of a condition of the soil, the trees, or the crops growing from it, and release any person or entity that is otherwise responsible for these conditions.
2. I have read and understand the general safety instructions and the instructions provided for the safe use of ladders. I will inspect any ladder before I use it. If I have any doubt or question, I will seek assistance from a farm employee before using it. By using it, I accept it as free from defects and expressly assume all risk of injury, however caused, arising out of its use. Including but not limited to, injury from tipping or falling, caused by a condition of the ladder, caused by a condition of the soil on which it is placed, caused by how the ladder is positioned or placed, either by myself or others, or caused by act or conduct of mine while on or using the ladder.
3. THE UNDERSIGNED UNDERSTANDS that this agreement is intended to be as broad and inclusive as the law of the State of California permits and that if any portion is invalid, it is agreed that the balance shall continue in full force and effect.
4. **THE UNDERSIGNED FOR HIMSELF OR HERSELF, REPRESENTATIVES, RELATIVES, OR HEIRS, AND FOR MY MINOR CHILDREN, HEREBY ASSUMES THE RISK OF USE OF THE PREMISES AND EQUIPMENT PROVIDED, COVENANTS NOT TO SUE, AND AGREES TO INDEMNIFY AND HOLD HARMLESS THE OWNERS, MANAGERS, THEIR AGENTS AND EMPLOYEES, EVEN IF ACTIVELY NEGLIGENT, FROM ANY LOSS, LIABILITY, DAMAGE OR COST INCURRED BY THEM.**

I HAVE READ AND UNDERSTAND THE ABOVE AND AGREE TO IT FOR MYSELF AND MY MINOR CHILDREN.

Signature: _____ Date: _____

(Print) Name: _____

Address: _____

City, State, Zip: _____

e-mail address: _____

The U-Pick experience is unique to our area. Please respect us and the fact that we make a living by the sale of our produce. The Bacchini family recommends that you follow our simple tips to ensure a pleasurable visit.

❖ **U-Pick Guidelines**

- No climbing or damaging trees.
- Children are not allowed on ladders.
- You must buy what you pick.
- Check produce for ripeness before picking it.
- Do not throw fruit.
- Please do not litter. Be prepared to take your garbage when you leave
- Do not sit or stand on buckets. (they are plastic and you could be injured if they break)

❖ **Traffic Awareness & Safety**

- Watch for traffic and pedestrians when pulling into and out of farms.
- If you are unsure of your destination:
 - Pull completely off the road and re-check your map.
 - Use your cell phone to call 925-634-3645, if necessary.
 - Stop into any of the growers' stands and simply ask for directions.
- Do not make illegal U-turns.
- Be cautious of approaching traffic that may be exceeding the speed limit! (This does happen, unfortunately)
- Remember that all traffic laws are strictly enforced by the California Highway Patrol and the City of Brentwood Police Department.

❖ **Comfort & Enjoyment**

- Carpooling saves time and gas.
- Check for availability of produce by calling us before leaving home. 925-634-3645
- Come in the morning—it's cooler.
- Wear comfortable clothing and sensible shoes.
- Bring a box or container to take your produce home.
- Don't forget to wear sunscreen or some form of skin protection.
- Buy enough produce to share with friends & neighbors.

Thank You,

The Bacchini Family