**MCC APIARY RELEASE OF ALL CLAIMS, WAIVER, INDEMNITY AND**

Attachment #1

**COVENANT NOT TO SUE AGREEMENT**

Read this Agreement carefully.  It affects your legal rights.  Taking, receiving or participating in a beekeeping, apiculture or honey bee colony course, lesson, demonstration, or workshop or clinic offered, conducted or sponsored by Macomb Community College will be deemed to constitute your explicit agreement to the terms of this binding legal contract.

I understand that honey bees are venomous insects and that I or anyone accompanying me may be stung by one or more honey bees anytime I am nearby or participating in opening, examining or otherwise manipulating a honey bee colony or hive, regardless of protective clothing I may wear or other precautions I may take. I also understand that though less likely, it is still possible that I may be stung inadvertently and randomly during casual or unexpected encounters with honey bees anywhere, and that this risk is greater in close proximity to or when deliberately manipulating or opening a colony or honey bee hive.

I further understand that there may be serious medical and health consequences caused in whole or part by honey bee stings, or exposure to other honey bee allergens, including wax, propolis, or other honey bee associated proteins, including, but not limited to chitin and various pollens, as well as exposure to other organisms that may be present in or near honey bee hives (hereafter collectively, “honey bees and their associated risks”).  I agree to subject myself to and assume the various medical and health risks of exposure to honey bees and their associated risks.  I expressly understand that these risks include but are not limited to: anaphylactic shock (if I am acutely allergic to bee stings); and, massive envenomation with toxic quantities of honey bee venom if I am victim of a mass stinging event.  I understand that honey bee stings and exposure to honey bee allergens can cause these conditions, and that honey bees and their associated risks can cause me serious emotional and/or physical injury, including death.

I hereby release, indemnify and hold harmless, covenant not to sue, and waive my rights to assert any and all claims or causes of action for damages and costs (including attorneys’ fees) for injury or death against Macomb Community College, and its agents, employees, and trustees (individually and collectively, the “College”) arising in any way from or out of my participation in Apiary activities occurring in connection any course, lesson, instruction, demonstration, workshop or clinic offered, conducted or sponsored by Macomb Community College*.* For purposes of this Agreement, “Apiary activities” include, but are not limited to, observing bee activity from a distance; removing bee covers and examining bees; removing honey and or brood frames; adding and removing bee hive boxes; observing brood frames close up (examining life cycles); equipment maintenance; adding and/or removing entrance reducers and adjustments to seasonal ventilation/covers; removing honey frames or honey supers that can weigh up to 40lbs for honey extraction; using a bee smoker, which is a device that uses a small bit of grass or brush to burn and create smoke in a container which is then manually blown onto the bees to sedate them; honey extraction using an uncapping knife, honey extractor, filtering equipment, bottling and labeling equipment, and equipment wintering of beehives- tar paper wrapping of hives, and unwrapping the hives in the spring.

   I understand that Michigan law will govern this agreement and that if any provision of this Agreement is deemed unenforceable for any reason, then this Agreement will be interpreted as if that provision was not part of this agreement, but consistent with the unenforceable provision to the extent legally permissible.

**By signing this Agreement, I represent and warrant that: I have read this Agreement and understand its terms; I intend to legally bind myself, my heirs, my assigns, my executor and any other legal representative I or my estate may have; I am 18 years of age or older; I am mentally competent to execute this agreement, and I have received a copy of *Welcome to the Macomb Community College Apiary* that contains general and important rules of beekeeping.**

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Thank You to Our Sponsors:**

McCaulley Heating & Cooling – Queen Bee Level