

**Two Creeks Recreation Club**  
**2009 NOTICE OF WAIVER AND LIABILITY**

This agreement is made between Two Creeks Recreation Club, Inc., (referred to as the "Recreation Club"), and \_\_\_\_\_ and \_\_\_\_\_ (to be referred to as the "Member"), who are the **owner of record** of the following real property located in The Bluffs, The Crossing or The Park at Two Creeks Homeowners Association:(Address):\_\_\_\_\_, for and in consideration of the permission of the Association to use the Recreation Club's property, namely the Recreation Club's recreation center, for the purposes of swimming and general recreation, hereby agrees to hold the Association harmless for any acts and/or omissions of any person with regard to the Association's property arising from or relating to the use of said recreation center for swimming and general recreation or for any other purpose. Member, on behalf of themselves and all minor children, acknowledges the adequacy of consideration of this Release.

Member acknowledges by the signing of this agreement that **LIFEGUARDS** are employed for safety. Lifeguards are **NOT** employed to supervise Member or Member's immediate family and lifeguards are **NOT** employed to maintain the pool area. Member uses the above described pool and its surrounding areas at his or her own risk.

**MEMBER BEING DEFINED AS OWNERS OF RECORD. IMMEDIATE FAMILY BEING DEFINED AS LIVING IN TWO CREEKS AT THE STATED ADDRESS, AND THEIR GUEST(S).**

Members and member's immediate family agree to abide by the following rules and any others which may be established from time to time:

1. **Only ONE ACCESS CARD is issued to a family. \*NOTE\* Access cards are only issued to members whose accounts are current. If the access card is lost, there is a \$50.00 charge for a replacement. Additional cards are also \$50.00.**
2. No one in the member's immediate family under the age of 18 may use the pool when lifeguards are not present. Children under the age of 12 may not use the pool at any time unless accompanied by a family member age 18 or older, to include when lifeguards are present.
3. Pool hours are 6:00 a.m. to 10:00 p.m. from March 17, 2009 to November 1, 2009. (Subject to change by the Board of Directors). **The pool is closed on Mondays for Maintenance**
4. The gate will remain locked at all times.
5. The Board of Directors shall reserve the right to suspend, terminate, and/or revoke, without notice, any and all pool privileges related to non-supervised swimming if there is a violation of the rules.
6. Please refer to the current year Recreation Area Rules for complete coverage of rules and guidelines.

This agreement constitutes a waiver by Member and all minor children of any claim(s) he/she may have against the Association for acts and/or omissions of any person with regard to the Association's property for the purpose of use of said recreation center, which may result in an injury to Member or Member's immediate family, including all minor children.

\_\_\_\_\_  
Member Date

Card # Issued: \_\_\_\_\_

\_\_\_\_\_  
Representative Date