

EUCALYPTUS GROVE HOMEOWNERS ASSOCIATION
COVID-19 Recreational Pool Use: Liability Release of Claims

6/2/20

Effective immediately upon execution, I, the undersigned individual along with the rest of my household, do hereby release and forever discharge the Eucalyptus Grove Homeowners Association (hereafter referred to as the Grove), their agents, employees, successors and assigns, and their respective heirs, personal representatives, affiliates, successors and assigns, and any and all persons, firms or corporations liable or who might be claimed to be liable, whether or not herein named, none of whom admit any liability to the undersigned, but all expressly denying liability, from any and all claims, demands, damages, actions, causes of action or suits of any kind or nature whatsoever, which I now have or may hereafter have, arising out of or in any way relating to any and all injuries and damages of any and every kind, to both person and property, and also any and all injuries and damages that may develop in the future, as a result of or in any way relating to my household's use of the pool and spa recreational area within the Grove complex during the COVID-19 pandemic.

In addition to releasing the HOA from any and all claims as described above, by submitting this waiver and gaining access to the recreational facility, I agree to:

- Abide by all existing rules and safety regulations which are already in place with the HOA, and can be found in posted signage and/or governing documents. This includes the requirement that all fees must be current in order to access the facilities.
- Use the facilities ONLY with individuals who reside in my unit (no guests) at any given time; continue social distancing as much as possible, and follow any new government orders. For 1-bedroom units, the maximum number of people is two; for 2-bedroom units, the maximum number is four; and 3-bedroom units can have up to 5 people at any one time.
- Sign up for a time slot using the agreed scheduling method, and to limit usage to the recommended amounts in respect of and consideration for other residents.
- Assume responsibility for the household's health and wellbeing.
 - Individuals at high health risk for COVID-19 should think carefully about whether they choose to use the facility and speak with their healthcare provider about the possible risks of using a shared recreational space.
 - Facilities are cleaned weekly by a professional cleaning service, which is paid for by the HOA. However, Residents should continue to practice social distancing and bring their own cleaning supplies to wipe down all touch surfaces including gate, latch, pool handrails, etc.
- Refrain from using the facility if experiencing ANY symptoms of illness.
- Acknowledge that abuse of any rules described here or behavior which endangers the health of other residents will result in a revocation of pool use privileges, certainly for the responsible household, but potentially for ALL residents.

Furthermore, this Release shall be binding upon the undersigned, the other members of his household, and his respective heirs, executors, administrators, personal representatives, successors and assigns. This Release shall be subject to and governed by the laws of the State of California. This Release has been carefully read and fully understood by the undersigned. The terms have been explained to me and I am freely, knowingly and voluntarily entering into this Release.

Date: _____ **Signed:** _____

Unit #: _____ **Print Name:** _____

Phone #: _____ **Email address:** _____

Eucalyptus Grove HOA: 3944 State St #200, Santa Barbara, CA 93105 or JamesN@Bartlein.com