

ACKNOWLEDGEMENT & ASSUMPTION OF RISK

We care about your health and well-being, so the Association of unit Owners of Highland Condos (Highlands) has made its **best efforts to take the precautions recommended by the Oregon Health Authority** for outdoor recreation during the COVID-19 crisis. This includes those recommendations set forth in the OHA's *Sector Guidance – Outdoor Recreation and Outdoor Fitness Establishments*. We are also making our best efforts to comply with relevant OSHA workplace safety and hygiene rules. **However, it is also known that individuals without symptoms may still be capable of infecting others with COVID-19 and, despite precautions, the virus may still be present and capable of infecting individuals.**

In light of the ongoing spread of COVID-19, individuals who fall within any of the categories below should not use the Highlands Condo Recreation Center (including all Facilities). By using the Highlands Condo Recreation Center, you certify that you do not fall into any of the following categories:

1. Individuals who currently or within the past fourteen (14) days have experienced any symptoms associated with COVID-19, which include fever, cough, and shortness of breath, among others;
2. Individuals who have traveled at any point in the past fourteen (14) days either internationally or to a community in the U.S. that has experienced or is experiencing sustained community spread of COVID-19; or
3. Individuals who believe that they may have been exposed to a confirmed or suspected case of COVID-19 or have been diagnosed with COVID-19 and are not yet cleared as non-contagious by state or local public health authorities or the health care team responsible for their treatment.

DUTY TO SELF-MONITOR:

Residents or Guests who use the Highlands Condo Recreation Center agree to self-monitor for signs and symptoms of COVID-19 (symptoms typically include fever, cough, and shortness of breath) and to contact the Association of Unit Owners of Highlands Condominium at highlands97405@gmail.com if he/she experiences symptoms of COVID-19 within 14 days after using the Highlands Condo Recreation Center.

The Recreation Center is cleaned and sanitized once a day throughout the weekdays and not cleaned on the weekend.

Knowing this information, **I voluntarily elect to enter the Highlands Condo Recreation Center (including all Facilities) and I hereby agree to accept and assume any and all risks of personal injury or death associated with the COVID-19 Pandemic.**

WAIVER OF LIABILITY AND INDEMNIFICATION

In consideration for utilizing the Highlands Condo Recreation Center and facilities, on behalf of myself, my personal representatives, heirs, next of kin, successor and assigns, I forever:

1. (a) **waive, release and discharge Highlands**, its agencies, officers, and employees for any and all negligence and liability for my personal injury, disability, death, or claims of any nature which may hereafter accrue to me and my estate, as a direct or indirect result of using the Highlands Rec Center; and
2. (b) **defend, indemnify, and hold harmless Highlands**, its agencies, officers, and employees from any and all claims of any nature, including all costs, expenses, and attorney's fees, which may in any manner result from or arise out of this Agreement, except for claims resulting from or arising out of Highland's willful or intentional negligence.

This release, indemnification and waiver shall be construed broadly to provide a release, indemnification, and waiver to the maximum extent permissible under applicable law.

I, the undersigned, affirm that I am at least 18 years of age and am freely signing this agreement or that I am signing this agreement on behalf of a minor child that I have the legal authority to sign such agreements on behalf of. **I have read this form and fully understand that by signing this form I am giving up legal rights** and/or remedies which may otherwise be available to me regarding any losses I may sustain as a result of accessing the Highlands Rec Center. I agree that if any portion of this Agreement is held invalid, the remainder will continue in full legal force and effect.

READ BEFORE SIGNING

Signature

Printed Name of Signer

Today's Date

List Below any dependents (Under 18) who will also be covered by this waiver.

Printed name of dependent (age)

Printed name of dependent (age)

Printed name of dependent (age)

Printed name of dependent (age)

Printed name of dependent (age)

Printed name of dependent (age)