

Agreement to Use Association Vehicle Gate(s) and/or Amenities
Release of Liability

Applicant hereunder represents to be the property owner and by his/her signature below acknowledge and accept the terms and conditions contained herein. After Applicant has signed this Application and Agreement, Applicant should make a copy for his/her personal files. Should a copy of this agreement be required at a later time please contact Goodwin Management, Inc., (512) 502-7515 or email AmenityAccess@Goodwintx.com to request a copy.

In consideration of being provided access to any of the Association's vehicle gate(s) and/or amenities including, but not limited to, swimming pools, basketball courts, tennis courts, volleyball areas, playscapes, play features, clubhouse, amenity center, bathhouse, boat docks, piers, parks, trails, greenbelts, parking areas, parking garages, etc.. Applicant hereby agrees that the use of vehicle gate(s) and/or amenities is at the sole risk of Applicant, Applicant's family, Applicant's guests, Applicant's tenants, Applicant's invitees, or anyone for whom Applicant facilitates access. Applicant acknowledges that amenities may be unsupervised (no lifeguard) and that accident, injury, or death may occur as a result of use.

APPLICANT, ON BEHALF OF HIMSELF, HIS EMPLOYEES, REPRESENTATIVES, HEIRS AND ASSIGNS, AND ON BEHALF OF ANY PERSON UTILIZING THE ACCESS GRANTED TO APPLICANT HEREUNDER, HEREBY AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE ASSOCIATION, GOODWIN & COMPANY, THE ASSOCIATION'S AGENTS, EMPLOYEES, AND CONTRACTORS, FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION, AND/OR LIABILITIES, INCLUDING WITHOUT LIMITATION CLAIMS OF NEGLIGENCE, GROSS NEGLIGENCE, AND PREMISES LIABILITY, ASSOCIATED WITH THE USE OF THE ASSOCIATION'S AMENITIES BY APPLICANT, APPLICANT'S FAMILY, APPLICANT'S GUESTS, APPLICANT'S TENANTS AND THEIR GUESTS, APPLICANT'S INVITEES, OR ANYONE FOR WHOM APPLICANT FACILITATES ACCESS TO SAID AMENITIES. FURTHER, APPLICANT REPRESENTS S/HE HAS THE AUTHORITY TO PROVIDE THIS RELEASE ON BEHALF OF ALL PERSONS INDICATED HEREIN AND UNDERSTANDS THAT THE ASSOCIATION AND GOODWIN & COMPANY ARE RELYING ON THIS REPRESENTATION IN PROVIDING THE ACCESS INDICATED HEREIN.

For purposes of this paragraph, the term "Applicant" shall be deemed to be Applicant, Applicant's family, Applicant's guests, Applicant's tenants and their guests, Applicant's invitees, and anyone for whom Applicant facilitates access to the amenities. Applicant agrees to abide by all published and/or posted rules and regulations associated with the amenities and to obey the instructions of any person or entity that may be present at such amenities for the purpose of monitoring or controlling amenity use on behalf of the Association. (For example, pool monitor instructions must be obeyed.) Applicant agrees to use amenities in a reasonable and typical manner during the time frames allowed by the Association, to not make excessive noise so as to disrupt or disturb others, and to limit guests to the number allowed by the Association's rules/regulations as same may be determined from time to time. Unless additional rules/regulations are more restrictive, Applicant agrees that all parties and groups of more than 4 people require special permission from the Association. Applicant agrees to provide a copy of this Application and Agreement (including any attached additional rules/regulations) to any tenant of Applicant and to have tenant agree to abide by all provisions required of Applicant.

Blanco Vista Pool Rules

4040 Trail Ridge Pass
San Marcos, TX 78666

Emergency Phone located on Main Building in foyer.

WARNING: NO LIFEGUARDS ON DUTY, SWIM AT YOUR OWN RISK

The gates are to remain locked at all times. The pool can be accessed with a pool key card and under no circumstances should the gates be propped open. DO NOT OPEN THE POOL GATE FOR ANYONE OTHER THAN YOUR FAMILY OR YOUR GUESTS. The fence and gate that surround the pool area are for resident protection.

PLEASE NOTE: Key-cards will ONLY be activated for members in good standing with the Association. To be in good standing, you must:

- 1. Be current on homeowner assessments**
- 2. You must have a current key card waiver form on file with Goodwin Management.**
- 3. You may have no unresolved Deed Restriction Violations.**

Lost key cards will be replaced for a fee of \$30 and the lost key card will be deactivated.

Identification

- Swimmers must have a pool key card with them to enter the pool area. The pool is for the use of Blanco Vista members and their invited guest(s)/appointed guardian(s) only. It is recommended that you write your name on your key card, as to not confuse it with others at the pool.
- Parents must provide authorization naming a specific guardian to attend to their children 17 years of age and under while at the pool. An authorized guardian must be 18 years of age or older.
- Those entering the pool area will be required to sign in with the Monitor, when Monitors are present.

Community Requirements & Conduct

UNDER NO CIRCUMSTANCES WILL ALCOHOL, TOBACCO, FIREARMS OR DRUGS BE PERMITTED IN ANY AMENITY CENTER FACILITIES OR SURROUNDING AREAS. ANYONE SEEN ENGAGING IN THE USE WILL BE SUBJECT TO LOSS OF PRIVILEGES FOR A PERIOD OF TIME TO BE DETERMINED BY THE ASSOCIATION BOARD, AND OTHER LEGAL ACTIONS MAY BE TAKEN IN CONJUNCTION WITH THE LOCAL LAW ENFORCEMENT AGENCY. A violation of any of the following rules may result in the suspension of privileges for a period of time to be determined by the Board of Directors.

A POOL MONITOR, IF PRESENT, HAS THE AUTHORITY TO ASK ANY INDIVIDUAL IN VIOLATION OF ANY OF THESE RULES, TO CORRECT/CEASE THEIR ACTION OR TO LEAVE THE POOL AREA.

General Requirements and Conduct

Any individual(s) reported or found in violation of any of the following pool rules will be reported to the Blanco Vista Board and possibly the local law enforcement agency (as applicable). The nature of the situation will be considered and action(s) toward resolution will be at the Board's discretion.

USE OF EQUIPMENT PROVIDED IN THE AMENITY CENTER FACILITIES IS AT YOUR DISCRETION. PLEASE USE CAUTION. SWIM AT YOUR OWN RISK.

1. Children age 17 and under must be accompanied by an adult age 18 or older that is a Blanco Vista member or authorized guardian.

2. Lap swimmers in the lap pool have priority, please respect members swimming laps and move to other areas of the pool while the pool is being used for lap swimming.
3. Unauthorized use of the pool (such as entering after hours, unscheduled parties etc)
4. Parents must check swim diapers AT LEAST 3 times per hour. **Children under the age of 3 are not allowed in the pools without a swim diaper.**
5. The splash pool is reserved for children ages twelve (12) and under. Adult supervision is required at all times for children in the splash pool.
6. Proper swim attire is required. No "cut-offs" are allowed. Please respect all cultural differences with family friendly attire.
7. Conduct by any person deemed to be dangerous, intoxicated, unreasonable, or offensive (including "horseplay") is not allowed and should be reported to Goodwin Management at (512) 502-7509 with specifics as to the name and address of the violator. Any individual disciplined repeatedly or for serious infractions will lose all pool privileges for the rest of the season.
8. Running, hopping, skipping, or speed walking within the pool area is prohibited.
9. Under no circumstances, shall pets, bicycles, skateboards, scooters, or motorized cycles be permitted within the fenced pool area. Roller skates and/or Rollerblades may be carried into the pool area and stored with personal belongings but may not be worn within the fenced pool area.
10. Diving from the side of the pool is not permitted.
11. Climbing or sliding on any hand railing is not permitted.
12. No glass containers of any type are allowed in the pool area.
13. Food shall only be consumed in areas a minimum of six feet away from the pool. No chewing gum is allowed in the pool area.
14. All trash generated by anyone in the fenced pool area must be placed in garbage containers or otherwise properly disposed.
15. Swimmers are encouraged to shower before entering the pool. Persons with open sores, wounds, and bandages or communicable diseases are encouraged to refrain from swimming in the pool. **DO NOT USE THE POOL IF YOU OR YOUR CHILD HAS HAD DIARRHEA IN THE PREVIOUS TWO WEEKS.**
IF A FECAL ACCIDENT OCCURS: All swimmers must exit the pool immediately, and the pool will be closed for a minimum of two (2) hours from the time the pool has been chemically treated. The pool will be cleaned, disinfected, tested, and proven free from contamination before the pool will reopen. If your child is found to be responsible for a closure due to fecal matter, all costs to clean and reopen the pool may be assigned to your family. Incidents should be reported to Goodwin Management at (512) 502-7509 immediately. Swim diapers are required for all small children.
16. Floatation devices are permitted, as long as less than 15 people are in the pool. All air-inflatable crafts must be a maximum 2-person carrier. Exceptions are arm-floaties and toddler carriers/life preservers.
17. Any lost items are your responsibility. If the loss or find is of great value, please contact Goodwin Management at (512) 502-7509.
18. Swim safely and treat others as you would like to be treated. Do not throw items when others are nearby. Parents/Guardians are responsible for the behavior of their children.
19. In the event of inclement weather, swimmers are to clear the pool during the storm and remain out of the pool for a minimum of thirty (30) minutes after lightning and/or thunder has ceased. Patrons are welcome to stay in the pool area during this time but are cautioned to stay a safe distance from the water.

Loss of Pool Privileges

Again, PLEASE NOTE: Key cards will ONLY be activated for residents in good standing with the Association

- **Be current on homeowner assessments**
- **You must have a current key card waiver form on file with Goodwin Management.**
- **You may have no unresolved Deed Restriction Violations.**
- **Not in Violation of the Rules**

Any individual(s) using the pool after hours (see pool rules), could lose all pool privileges for the season. See pool hours for times. The Board will consider individual events.

Any individual(s) committing acts of vandalism to the pool, pool house, equipment, and/or surrounding area will be held responsible for cleaning and/or repair of damaged items and may lose all pool privileges for a period of time to be determined by the Association Board. In the event the individual(s) are juveniles, the parents shall assume full responsibility for their child's actions. The Board will consider individual events.

Miscellaneous

Guest Policies

A Blanco Vista member must accompany a guest. Guests are limited to four per family. If you need to entertain more than four guests, please call Goodwin Management at (512) 502-7509 to make arrangements. Members are allowed to authorize a guardian for their needs as applicable (baby sitters, relatives, family friends, and neighbors are allowable). Parents must provide authorization naming a specific guardian to attend to their children 17 years of age and under while at the pool. Individuals who may have been involved in misconduct or vandalism to the pool area found on the premises may be asked to leave immediately, regardless of guest status, if the Board has given previous approval of such action. Individual(s) on the premises without permission or under the appointed age should be/can be asked to leave by any Blanco Vista member or authorized guardian, who is an adult and on the premises. If the individual(s) will not leave, please contact the police from the emergency phone located at the pool and then, contact Goodwin Management.

Restrooms

The restroom fixtures are sanitized and cleaned by a private janitorial service on a weekly basis. The designated maintenance person(s) are responsible for cleaning mirrors, counters, stocking hand towels, emptying trash, and hosing down the floors. However, please be mindful of the other Association members by cleaning up after yourself when using the restrooms.

Emergency Phone

The phone has the capability of connecting to emergency services **only** by pressing the button.

Pool Access

Pool cards will be issued to adults (age 18 years and older) after an Acknowledgment & Waiver form is signed. If your key card is lost or stolen, you will be provided with a replacement key card AT A COST OF \$30.00 TO YOU and your old key card(s) will be deactivated. To obtain key cards, please log in to goodwintx.com, select the community and complete the application or contact Amenityaccess@goodwintx.com, sign (execute) the current Acknowledgment & Waiver form and send it to Goodwin Management. Upon receipt of the signed key card waiver and pending assessment evaluation that the resident is in good standing, the key card will be activated and mailed. By signing the Acknowledgment and Waiver Form, members agree not to distribute key cards to anyone outside their immediate family.

Pool Parties

Please email the management company (marilyn.childress@goodwintx.com), Goodwin Management, to schedule your party or call (512) 502-7509. All pool parties must be scheduled through Goodwin Management so that parties are not double-booked and all necessary paperwork can be completed. **There shall be not more than twenty (20) guests per party and parties are limited to no longer than two and one-half hours. Parties may only be held MONDAY-FRIDAY between the hours of 11:00 a.m. and 6:00 p.m. and may be no longer than 2 ½ hours.** Informal and non-private means you may not turn away other members and their guests, as long as they meet the "guest policy", from entering the pool area during a scheduled party. Parties may only be scheduled by a Blanco Vista member, in good standing, over the age of eighteen (18). **The party must be scheduled a minimum of two weeks in advance.** There must be a one to three adult to child ratio for children ages three (3) and under; a one (1) to five (5) adult to child ratio for children ages seven (7) to twelve (12). In all events, one adult, age 18 or older must be present at all times. The sponsoring member will be responsible for any damages caused by party patrons and a Recreational Use Agreement may be requested at the discretion of the Board, Goodwin Management, or Pool Committee member(s). A Deposit may be required which would be used in the event of littering damage. You must police the area, taking all event trash with you and clean up any litter before departing the event. Any charge for failure to clean up after a party will be charged to the owner.

For parties in excess of 8 guests, 2 Life Guards are required. Cruzin Aquatics can provide this service and can be contacted at cruzin.aquatics@ymail.com or 512/535-8067 for cost and arrangements. Should Life Guard arrangements not be made when the number of guests exceeds 8 your party will not be permitted to enter the facility and pool privileges may be suspended.

**ADDITIONAL RULES WHICH MAY BE POSTED
AT SWIMMING POOL WILL ALSO APPLY**

BLANCO VISTA POOL HOURS

- **WARNING: SWIM AT YOUR OWN RISK – No Lifeguard on Duty!**
- **The pool may be CLOSED when chemicals are being adjusted.**
- **The pool is CLOSED from 10:00 PM until 5:00 AM.**
- **IN THE EVENT AN EMERGENCY ARISES, DIAL 911.**

Schedule of operation

Open Swimming (Adult supervision required – access with pool key-fob)			
April through October (weather permitting)	5:00 a.m. – 10:00 p.m.	Open to members, their families and accompanied guests	The pool may be CLOSED for maintenance and chemical treatment.

The swimming pool is CLOSED November through March.

Annual Pool Opening Dates are determined by your Board of Directors.