

WAIVER AND RELEASE OF LIABILITY FORM

Release of Liability, Waiver of Claims, Assumption of Risk, and Indemnity Agreement

PLEASE READ CAREFULLY. BY SIGNING THIS DOCUMENT, YOU CHOOSE TO WAIVE CERTAIN LEGAL RIGHTS, INCLUDING THE RIGHT TO SUE.

This Waiver and Release is executed between _____ (“Guests”) and the owners (“Owners”) of the residents known as the Mountain View Mansion in Orem, Utah (the “Property”). There are a number of recreational facilities located on the Property. These include a pool, jacuzzi, sauna, indoor sport court, outdoor sport court, full playground with a play structure, three slides, swings, and an in-ground trampoline. These facilities shall collectively be referred to as the “Facilities.” Guests wish to use the Facilities while staying at the Property. Guests covenant and agree as follows:

1. Facilities Waiver:

- a. Pool, Jacuzzi, and Sauna Safety.** Guests acknowledge that there is no lifeguard on duty at any time. All individuals under the age of 18 must be monitored by an adult. Diving in the shallow end of the pool is strictly prohibited. Running on the pool deck is prohibited. Guests acknowledge that cameras are in pool room for monitoring safety and misuse. Guests shall not use the jacuzzi or sauna while consuming alcoholic drinks. Guests with communicable diseases shall not use the pool, jacuzzi, or sauna. Pregnant women and small children should not use the sauna or jacuzzi. Adults should not use the jacuzzi or sauna in the event they feel disoriented, dizzy, or faint. Children under the age of 3 years, or children who are not toilet trained, must wear a swim diaper and plastic liner at all times. Safety equipment, lifeguard poles, rings, pool skimmers and nets, and pool covers must be used appropriately. Young children and individuals unable to swim must utilize a U.S. Coast Guard-approved personal flotation device at all times. An adult must be present at all times to monitor any individuals under the age of 18 years. Pool Hours are from 9am to 10pm due to Orem City Noise regulations, amplified music and excessive noise are not allowed. The neighbors are immediately adjacent to the pool house so care must be taken. 7am-9am the pool house is closed for maintenance and utilized by the owners. Guests have reviewed the welcome book to fully understand the Facilities and their use. Guests have been shown how to use pool equipment and covers, and misuse or damage may result in the assessment of additional fees. Use of the pool, jacuzzi, and sauna may result in injury, slip and falls, drowning, or other accidents related to the ordinary use of these amenities.
- b. Sports Courts, Playgrounds, and Trampolines.** Guests must supervise children and ensure proper use of the sports courts, playground, and trampoline. Guests should only use the indoor and outdoor sports courts, playgrounds, and trampolines for activities consistent with their use. Guests should not participate in using the sports courts, playground, and trampolines if such facilities are unfit for physical activity. Use of the sports courts, playground, and trampoline for purposes not consistent with their use is strictly prohibited. Noise ordinance enforced after 10pm due to Orem City Noise regulations. An elevator is available for Guests with disabilities. Guests agree that no person shall utilize the elevator for non-essential purposes. Guests prohibit any individual from misusing or play with the elevator. Guests waive and release Owner from injury or harm related to unauthorized use.
- c. Waiver and Release.** Guests’ use of the Facilities involves certain risks, including the risk of injury, death, drowning, and disability. Injury can result from possible misuse of equipment, including misuse of the indoor and outdoor sports courts, trampoline, playground, pool, jacuzzi, and sauna. **GUESTS WAIVE AND RELEASE OWNER FROM ANY CLAIM, CAUSE OF ACTION, DAMAGES, OR OTHER LIABILITY ASSOCIATED WITH THEIR USE OF THE FACILITIES. GUESTS RELEASE THE OWNER FROM ANY PERSONAL LIABILITY ASSOCIATED WITH USE OF THE FACILITIES.** Proper use of the facilities includes swimming, basketball, tennis, volleyball, climbing and running on or around playground equipment, and jumping on the trampoline. Improper use might include using the Facilities in a manner

