

# EXHIBIT A



## Pool Rules and Information for Use of the Pool

This publication sets forth the policies and rules for use of the pool and related facilities. HOA Dues must be current to be approved.

**OPERATING PERIOD:** Memorial Day through Labor Day, subject to adjustment by the Board of Directors.

HOURS:       Monday – Friday  
                  Saturday-Sunday  
                  Holidays

### **POOL RULES:**

**Owners and their guests use the pool facilities at their own risk. Swim at your own risk, there will not be Lifeguards. The Association assumes no responsibility for any accident or injury in connection with such use or for any loss or damage to personal property. PLEASE NOTE: The amenity center (Clubhouse, Pool, Recreation, Open Space, Parking, etc.) is monitored with security at all times.**

1. ***All*** residents and guests must sign in and present photo identification or Martinsburg Station pool bands.
2. Proof of residence will be required for all occupants who are not on the deed or their minor children. Examples of proof would be a driver's license or passport with a Martinsburg Station address or a letter received with a Martinsburg Station address.
3. No more than 5 guests may be admitted at one time per residence per visit.
4. Guest(s) ***must*** be accompanied by a resident at all times.
5. Homeowners are responsible for their guests at all times. Running and rough play around the pool is strictly forbidden.
6. No person is permitted in the Swimming Pool Area/Pool Facility unless it is officially open with a pool attendant.
7. Parents are responsible for their children at all times.
8. Resident children or guest under 16 must be accompanied by a parent or adult supervisor (18 years of age minimum).
9. Swim lanes must be available for persons wanting to swim laps.
10. The Berkeley County Health Department requires that children not toilet trained wear a swim diaper covered by tight – fitting waterproof pants in either pool. ***This will be strictly enforced.***
11. **Attendants do not monitor the wading pool or big pool. Parents must be present at all times and are responsible for their children.**
12. Food may be consumed in designated areas. ***Area must be clean before leaving!***
13. No eating or drinking in the pool.

## **EXHIBIT A (continued)**

14. Pets are prohibited from the clubhouse and swimming pool area, with the exception of service animals.
15. Tobacco products are prohibited in the clubhouse and the swimming pool area.
16. Battery operated Radios and CD players may be played only with earphones, at a volume that does not disturb others.
17. All flotation devices used must be US Coast Guard certified and are to be used at the sole discretion of the pool management company.
18. No diving is permitted.
19. Chairs may not be reserved for persons who leave the pool area or who are expected to arrive later. They are available on a first come, first serve basis.
20. Proper respect and cooperation is due to the attendants, who are to provide for the safe and orderly operation of the pool.
21. Pool hours will be posted at the pool. The pool may be closed at any time due to weather (rain, thunder, lightning, etc.), breakdown of equipment, operational defects or other unavoidable causes.
22. Residents with open lesions or sores are not permitted to use the pool.
23. Patrons must shower before entering the pool area.
24. The attendants may demand any patron leave the pool area if the rules are not being followed and/or pool/Clubhouse privileges may be revoked.
25. Pool Rules and/or hours of operation are subject to modification and/or change by the Board of Directors.

### **DISCLAIMER OF LIABILITY:**

All persons making use of the Pool and Clubhouse facilities, and using any of the Community Area recreational facilities, agree to abide by the rules and regulations for use of the facilities. Use of facilities is at the user's sole risk and responsibility.

The Association and the Declarant do not assume responsibility for any occurrence, accident or injury in connection with such use. No Owner shall make any claim against the Declarant and the Board of Directors, the Association, their servants, agents, or employees, for or on account of any loss or damage to life, limb or property sustained as a result or in connection with any such use of any of the recreational or common facilities. Each Owner shall hold the Declarant, the Board of Directors, the Association and Managing Agent harmless from any and all liabilities and any action of any nature by any tenants, guests, invitees or licensee of such Owner growing out of the use of the recreational or common facilities, except where such loss, injury or damage can clearly be proved to have resulted from and been proximately caused by the direct negligence of the Board, the Association or their agents, servants or employees in the operation, care or maintenance of such facilities.

Any damage to the building, recreational facilities, or other Community Areas or equipment caused by an Owner or such Owner's guests shall be repaired at the expense of the Owner.