

L&C TOWER

ATHLETIC FACILITY RULES AND REGULATIONS

The following rules and regulations are intended to make the L&C Tower fitness room as safe, enjoyable, and pleasant as possible for all users. These rules are applicable to all users and may be changed from time to time by the management office in order to provide for the safe, orderly, and enjoyable use of the facility and equipment.

1. **Use.** Only those individuals who have themselves executed a Waiver of Liability may use the facility; no guests are permitted. Users shall use the facilities and related equipment solely for aerobics, fitness, gymnastic, weight training, or other athletic use. For the safety of users, a person should generally avoid use of the facilities or equipment unless at least one other person is present.
2. **Hours of Operation.** The facilities may be used from 6am to 8pm on weekdays except during periods of repair, cleaning or emergency.
3. **Clothing.** The minimum attire at the facility shall be gym shorts, tee shirts, and tennis shoes. Any conventional exercise attire is permissible including tights, warm-up suits, etc. Sneakers, tennis shoes, dance slippers, or similar footwear must be worn at all times. Users of the facility must wear clean and appropriate attire when in transit to and from the facility, which may include, but is not limited to, warm-up suits and sweat suits.
4. **Use of Equipment:** When others are waiting to utilize equipment in use, please limit the use of said equipment to thirty (30) minutes. For your safety, do not use any equipment that is broken or marked, "Out of Order."
5. **Conduct.** Any conduct which unreasonably interferes with the use or enjoyment of the facility or the equipment by other persons, or disrupts or interferes with the normal, safe, orderly, and efficient operation of the facility or the equipment, is strictly prohibited. Personal phones, music, or other similar equipment should not be used without headphones.
6. **Use of Tobacco Products.** Smoking of any kind or any other consumption of tobacco products is strictly prohibited.
7. **Solicitations and Petitions.** Solicitations for the sale of any product, service or charitable contributions, and petitions of any kind are strictly prohibited.
8. **Identification.** Users must present their access cardkeys upon request by property management employees for identification purposes.
9. **Food and Beverages.** Water and sport drinks are permitted. No sodas please. Please properly dispose drinking containers after use in the refuse containers provided. Food is prohibited.
10. **Notices, Complaints, or Suggestions.** Users must immediately notify property management in the event they discover any unsafe or hazardous defect or condition relating to the facility or the equipment, or any serious breakage, sickness, or disorder at the facility. Concerns or suggestions as to the operation, maintenance, or equipment at the facility are welcome.

11. **Other Facilities.** All rules and regulations also apply to the shower facilities. Lockers are provided for your use while using the facility. Locks may be used on the lockers. Any empty lockers left locked, will be unlocked. All lockers should be empty by the end of the day when the facility closes.
12. **Violation of Rules.** Failure or refusal to comply with these rules and regulations may result in the loss of individual privileges upon notice from property management.
13. **Classes and Group Activities.** CIM and property management expressly reserves the right from time to time, and in its sole discretion, to initiate, permit, change, cancel, or discontinue classes or group activities. Whenever possible, CIM and property management will attempt to give adequate notice to users if classes or group activities are scheduled, changed, canceled, or discontinued.
14. **Maintenance.** No user shall leave any litter, trash, debris, or articles of clothing at the facility. Please be courteous and clean up after using the equipment and restrooms/showers.

EXHIBIT A WAIYER OF LIABILITY

In order to use the exercise (and weight training) facilities and equipment located at 401 Church Street (hereinafter referred to as "Athletic Facility", I hereby certify as follows:

I am in good physical condition and able to use the facilities and equipment and to participate in exercise and fitness activities available there. I will do all exercises and participate in all activities at my own risk.

1 I understand that in participating in one or more exercises or fitness activities at the facility or in use of the equipment, there is a possibility of accidental or other physical injury. **I AGREE TO ASSUME THE RISK OF SUCH INJURY AND INDEMNIFY AND HOLD HARMLESS 401 CHURCH STREET PROPERTY OWNER, LLC, CIM GROUP, 511 GROUP, INC AND ANY OFFICERS, DIRECTORS, SHAREHOLDERS, PARTNERS, EMPLOYEES, PERSONNEL, OR AGENTS THEREOF, FROM LIABILITY FOR ANY AND ALL INJURY, ILLNESS, HARM, OR DAMAGE RESULTING FROM MY USE OF THE FACILITY OR THE EQUIPMENT, EXCEPT TO THE EXTENT SUCH AN INJURY, ILLNESS, HARM, OR DAMAGE IS CAUSED BY THE TORTIOUS ACT OR GROSS NEGLIGENCE OF SUCH PARTIES.**

2 I understand that there are no personnel, surveillance, or security provided in the Athletic Facility to protect me from third parties or other harm, and I enter and use the Athletic Facility at my own risk.

3 I acknowledge that I have received and read a copy of the Rules and Regulations attached hereto governing use of the Athletic Facility, equipment and courts, and I agree that I will fully comply with these Rules and Regulations as they are amended from time to time.

Company or Agency Name: _____

Witness/Attest: _____

Participant Signature: _____

Print or Type Name: _____

Male ____ Female ____

Suite # or Office Location: _____

Telephone # & Email Address: _____

Access Card #: _____

Date: _____