

**HILLCREST HOMEOWNERS ASSOCIATION, INC WAIVER,
RELEASE AND INDEMNIFICATION**

Instructions: Please return completed form to:

- Email: info@psprop.net Fax: 512-251-3470
- Mail: PO Box 7079, Round Rock, TX 78683

Card-Key(s): _____
(Issued by Amenity Dept)

This **Waiver, Release and Indemnification** is made and executed as of the date below, by the undersigned Owner(s). Owner is a member of **HILLCREST HOMEOWNERS ASSOCIATION, INC** ("Association"). As a condition imposed by the Board of Directors of the Association prior to permitting Owner access to, and one (1) card-key for entry to, the and Swimming Pool, and in consideration thereof, Owner agrees and acknowledges:

Owner is at least 18 years of age and the Owner of the residence ("Residence") listed below. The residence is located in **HILLCREST HOMEOWNERS ASSOCIATION, INC**, Austin, Travis County, Texas. ("Subdivision").

THERE IS NO LIFEGUARD ON DUTY AT THE SWIMMING POOL. OWNER, OWNER'S FAMILY (INCLUDING CHILDREN) AND OWNER'S GUESTS AND TENANTS ARE SWIMMING AT THEIR OWN RISK.

Owner, Owner's family (including children) and Owner's guests and tenants will not tamper with any lock, prop open any gate, or take any other action which would allow free access to the Swimming Pool by any person. Owner will not cause Owner's key to be duplicated by any person, including, but not limited to Owner, Owner's family (including children), and Owner's guests and tenants.

Owner, on behalf of Owner, Owner's family (including children) and Owner's guests and tenants, **HEREBY KNOWINGLY AND INTENTIONALLY WAIVES, RELEASES AND INDEMNIFIES AND HOLDS HARMLESS THE ASSOCIATION, ITS DIRECTORS, OFFICERS, AGENTS, EMPLOYEES, MANAGERS AND ATTORNEYS, THE DECLARANT UNDER THE DEED RESTRICTIONS ("DECLARANT"), PS PROPERTY MGMT, ITS SUBSIDIARIES, ASSIGNS AND/OR RELATED COMPANIES ("MANAGERS"), AND ANY OTHER LOT OWNER IN THE SUBDIVISION (ALL ABOVE MENTIONED PARTIES COLLECTIVELY DEFINED AS "ASSOCIATION PARTIES")**, from and against any claims for any injury to, or death of, any person, or any damages to any property, or other damages (including attorney's fees and court costs) in, upon or concerning the Swimming Pool arising at any time and from any cause, except for any claims against any Association Party for any such damage, injury or death which arises out of gross negligence or willful misconduct of that Association Party. No Association Party shall be liable to Owner, Owner's family (including children) or Owner's guests or tenants, for any injury to, or death of, any person, or any damage to any property, or other damages (including attorney's fees and court costs), in, on or upon the Swimming Pool except to the extent, and only to the extent, that any such death, injury or damage is caused by the gross negligence or willful misconduct of that Association Party.

OWNER HAS CAREFULLY READ THIS WAIVER, RELEASE AND INDEMNIFICATION, KNOWS AND UNDERSTANDS ITS CONTENT, AND SIGNS IT AS HIS/HER FREE AND VOLUNTARY ACT.

Date: _____

Signature (Owner 1)

Signature (Owner 2)

Printed Name

Printed Name

Address of Residence: _____

Mailing Address (if different than Residence): _____

Please list the names of all family members (and the year of birth if the family member is 18 or under) who will be using the Swimming Pool:

IF RESIDENCE WILL BE LEASED: Please list all tenants to receive card-keys. Tenants signing below also agree to the foregoing Waiver, Release and Indemnification:

Date: _____

Signature (Tenant 1)

Signature (Tenant 2)

Printed Name

Printed Name

Card-Key No.(s) Issued: _____

Hillcrest Homeowners Association

c/o PS Property Management info@psprop.net

Pool Schedule

SWIM AT YOUR OWN RISK

Open **March 8th** through **October 31st** (Dates and Times subject to change)

The pool will be open during the following hours, weather permitting*: **Daily 6 a.m.- 10 p.m.**

*The pool must be closed if there is thunder and/or lightening within the vicinity.

*Notices will be posted on site, as well as sent via email, should the pool need to be closed for maintenance.

Gaining Access to Association Amenities

The Board of Directors allows each property within the Association to be in possession of 1 (one) pool access devices.

Each access device is \$25.00 and can be purchased from PS Property Management. The Pool Waiver form can be found by logging into your *homeowner* account at owner.psprop.net under Documents, Community Information, Pool Info.

If you are a tenant, please provide a copy of the first and last page of your lease agreement, and an authorization letter from the property owner or managing agent at the time of purchase.

Pool Cards may be picked up at the South Lamar Office:

**PS Property Management
2506 S Lamar Ste 2
Austin, TX 78704**

Usage Requirements

The following criteria must be met to gain access to use the Amenity Center and Pool:

- Must have a pool card to enter facility.
- Must be current on all assessments with a zero balance prior to issuance/activation of a pool card.
- Must be a resident member and/or guest of a resident member. A maximum of 4 (four) guests allowed.

IN CASE OF AN EMERGENCY, DIAL 911

Hillcrest Homeowners Association

c/o PS Property Management info@psprop.net

Pool Rules and Guidelines

SWIM AT YOUR OWN RISK

No glass containers.

No alcoholic beverages.

No smoking in the gated pool area.

No diapers, except special swim diapers.

Proper swimming attire is required.

No food, drinks, or gum in the swimming pool. Food and drinks are allowed in the sitting area only.

No littering. Please use the trash receptacles provided in the pool area.

The use of cocoa butter, baby oil and other heavy suntan oils cause filter damage. Use these lotions sparingly.

No foul or vulgar language, and no loud noise will be tolerated.

No roller/in-line skates, scooters, bikes, or skateboards in the gated pool area.

No animals in the pool area, except service animals.

No diving, running, horseplay, fighting, or any other dangerous physical activity.

No toys or sports equipment, except small personal flotation devices.

Swimmers in the water have the right of way. Those entering the water must make certain no one is in front of them.

Swimming with an open sore or a communicable disease is prohibited.

Members and guests are always expected to abide by the pool rules.

If requested by the pool committee or security guard, residents must show or obtain proof of Hillcrest residency to use the pool amenity.

No lifeguard is on duty, children should not use the pool without adult supervision.

Security and Guest Policy

Members must assume full responsibility for their children and guests.

A guest cannot be a non-paid member of the association community.

Removal of Association equipment, furniture, or accessories is strictly forbidden.

Report any unsafe or unpleasant activity to the attendant immediately; if no attendant is on duty, please call PS Property Management at 512-251-6122.

The Association reserves the right to revoke pool privileges to any resident who has delinquent association fees.

The Association reserves the right to revoke pool privileges of any resident or guest, should they cause an unsafe or unpleasant environment at the pool.

Residents caught in the pool area after hours will result in pool key suspension for the remainder of the season and trespassing charges filed against him or her.

Residents are responsible for any damages to the pool area resulting from a lost card.

Report lost or stolen magnetic key cards immediately to PS Property Management at 512-251-6122; the replacement fee for lost cards is \$25.00.

Additional cards may be purchased at PS Property Management for \$25.00.

Notes

The Association and Management are not responsible for any lost or stolen items, and/or any accident or injury.

Please report any malfunction, unsanitary conditions, or any other non-emergency problem requiring correction to:

PS Property Management at 512-251-6122.

These rules and guidelines may be added to or amended by the Board of Directors of Hillcrest Homeowners Association.

Any such changes, additions, or amendments shall be furnished to the members of the Association.

For serious injury or life-threatening emergency assistance, call 911.