



## **HOMEOWNER COVID-19 WAIVER OF LIABILITY AND INDEMNIFICATION**

1. I agree that I am personally responsible for my safety and actions while using the pool and other facilities at Planter's Row HOA (HOA). I agree to comply with all HOA policies and rules, including but not limited to all HOA policies, guidelines, signage, and instructions. Because the HOA facilities are open for use by all residents, I recognize that I am at higher risk of contracting COVID-19. With full awareness and appreciation of the risks involved, I, for myself and on behalf of my family, spouse, minor children, and immediate family members, estate, heirs, executors, administrators, assigns, and personal representatives (collectively the "At Risk Parties"), hereby forever release, waive, discharge, and covenant not to sue the Planter's Row HOA, its board members, officers, agents, servants, independent contractors, affiliates, employees, successors, volunteers, and assigns (collectively the "Released Parties") from any and all liability, claims, demands, actions, and causes of action whatsoever, directly or indirectly arising out of or related to any loss, damage, or injury, including death, that may be sustained by the At Risk Parties including those related to COVID-19 whether caused by the negligence of the Released Parties, any third-party using the HOA pool, or otherwise, while participating in any activity while in, on, or around the HOA pool and/or while using any HOA facilities, tools, equipment, or materials.

2. I, on behalf of the At Risk Parties, agree to indemnify, defend, and hold harmless the Released Parties from and against any and all costs, expenses, damages, claims, lawsuits, judgments, losses, and/or liabilities (including attorney fees) arising either directly or indirectly from or related to any and all claims made by or against any of the Released Parties due to bodily injury, death, loss of use, monetary loss, or any other injury from or related to my use of the HOA pool, facilities, tools, equipment, or materials, whether caused by the negligence of the Released Parties or otherwise specifically related to COVID-19.

3. By signing below I acknowledge and represent that I have read the foregoing Waiver of Liability, understand it and sign it voluntarily as my own free act and deed, including without limitation the Release of Liability and Indemnification requirements contained in this document; I am sufficiently informed about the risks involved in using the HOA pool or other HOA facilities to decide whether to sign this document; no oral representations, statements, or inducements, apart from the foregoing written agreement, have been made; I am at least eighteen (18) years of age and fully competent; and I execute this document for full, adequate, and complete consideration fully intending to be bound by the same. I agree that this Wavier of Liability shall be governed by and construed in accordance with South Carolina law, and that if any of the provisions hereof are found to be unenforceable, the remainder shall be enforced as fully as possible and the unenforceable provision(s) shall be deemed modified to the limited extent required to permit enforcement of the Wavier of Liability as a whole. This waiver remains in effect until the State of South Carolina lifts all COVID-19 related mandates.

I am a renter and agree to the waiver above but understand I am ineligible to vote. (You must sign the waiver and print your names and address to be able to use the Planter's Row pool.)

\_\_\_\_\_ Printed Name (Homeowner/Renter 1)

\_\_\_\_\_ Printed Name (Homeowner/Renter 2)

\_\_\_\_\_ Signature (Homeowner/Renter 1)

\_\_\_\_\_ Signature (Homeowner/Renter 2)

Date \_\_\_\_\_

Address \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Additional household residing Family Members (including minors):  
\_\_\_\_\_

**Completion of the form is mandatory for anyone who wishes to use the Planter's Row facilities (including pool). This form may be submitted by mail, email, or by placing in the lock box at the clubhouse.**

- Mail: Planter's Row Homeowners Association, c/o Cedar Management Group.  
PO Box 286844  
Charlotte NC 28221
- Email: Plantersrow.SC045@gmail.com
- Clubhouse Lock Box: black box near door closest to parking lot

**This form is valid from January 1, 2021  
through December 31, 2021**