

Colonia Escondida Home Owners Association (HOA)

Swimming Pool Access & Use Agreement

I, _____ (Printed Name), am the owner of the property located at:

_____ (Street Address) and have received keyless entry fob

number _____ on this _____ day of _____, 20____. I agree to the following terms:

1. I understand that at no time a lifeguard will be on duty and that the Colonia Escondida HOA is not responsible or liable for any injuries, lost equipment, or damage to any personal property belonging to myself or my guests while in the HOA swimming pool, surrounding area or other common grounds.
2. I agree to abide by the pool rules herein this agreement and understand that the key fob I've been issued may be deactivated if pool rules are broken by myself or any of my guests using the pool.
3. If my key fob is lost or damaged, I agree to pay \$35.00 to the HOA for a replacement key fob.
4. I understand that my key fob may be deactivated if the HOA dues for the property listed above are not paid.

Signature

Date

Colonia Escondida Home Owners Association Swimming Pools Rules and Regulations The Pools include the two pools and the enclosed fenced area around the pools.

Regulations

The Pools are for residents, their children and up to two guests per resident address ONLY. Loaning out the key fob is strictly prohibited and can lead to the loss of pool privileges.

A fee of \$35 will be charged for each key fob replacement.

Residents not current on their homeowner's dues, or current on a payment plan for back dues, will be denied access. Pool keys will only be given to those current on their dues or current on a payment plan.

Rules

NO LIFEGUARD ON DUTY. ALL PERSONS USING THE POOL DO SO AT THEIR OWN RISK!

All household members need to identify themselves and their guests and sign the sign-in sheet.

Guests may be asked for proof of age. If you do not sign in, you may be asked to leave the pool area.

Children under 15 years of age are absolutely prohibited from pools area without parent or adult (18yrs. Or older) supervision. Children ages 15 to 17 are not allowed to supervise children under the age of 15.

The pool gate must not be propped open or otherwise rendered inoperable, even temporarily.

No glass containers, alcoholic beverages, tobacco products, illegal substances, or pets are permitted in the pool area.

Food must be kept at least four feet from the pool. (This is NM State Rules) Diving into the pools is not permitted.

To protect pool equipment, APPROPRIATE SWIM WEAR IS REQUIRED!!!!

The following are **NOT** permitted: Balloons, Cotton T-Shirts, Cut-off Shorts, Cutoff Shirts, non-toilet trained children without plastic pants over diapers or swimming diapers.

Pool furniture is not to be used in or put into the water.

To make the pools safer & cleaner for everyone, please **shower** to rinse off suntan oils and/or perspiration prior to using the pools.

No swimming permitted during lightning storms. Leave pool and seek immediate cover in the event of a lightning storm.

Safety equipment is to be used only in case of an emergency.

No littering. Use trash receptacles provided.

Resident shall be responsible for paying clean-up expenses, repair costs and damages caused by resident and/or resident's guests and children.

Anyone causing a disturbance will be required to leave pools area. Disturbances include, but are not limited to: Running, boisterous play, foul language, inappropriate music and music volume.

The baby pool is intended for babies and toddlers. Constant adult supervision is required. No running or splashing in the baby pool area.

Any resident renting the clubhouse for a private party does not have exclusivity to the pool. Residents may still have access to the pool during your event.

Board members may come up and enforce these rules. If you are not in compliance, you will be asked to leave, and you may be banned for a time.

Any appeals to these rules or punishment may be made to the Board of Directors at a regularly scheduled meeting (6:30, second Monday of each month). Remember though, that these rules are to ensure the health, safety, and comfort of all participants.

The pools may be closed for the following reasons:

Operational and mechanical difficulties affecting pool water quality.

During severe weather conditions (heavy rain, lightning, and thunder) and warnings, especially when visibility to the pool bottom is compromised (deck also is closed for 30 minutes following the last occurrence of thunder or lightning (deck also is closed).

For a period of time following any mishap that results in feces or vomit in the pool water.

Non-compliance with New Mexico's regulations such as the phone not working