

[TO BE COMPLETED ONLY IF NO LIFEGUARD IS AVAILABLE FOR A PRIVATE PARTY OR A LIFEGUARD IS DETERMINED NOT TO BE REQUIRED BY ONE OF THE ASSOCIATION OFFICERS NAMED BELOW. THAT OFFICER MUST SIGN THIS ACKNOWLEDGMENT TO APPROVE HOLDING A PARTY WITHOUT A LIFEGUARD]

Acknowledgment Concerning Lifeguards at Private Parties – No Lifeguard Available or Required

The rules of the Sunset Lake Association (the “Association”) governing private parties provide that anyone hosting a party on Association property must provide their own lifeguard certified by The American Red Cross in Lifesaving and CPR. This lifeguard shall be in addition to any lifeguard(s) on duty as part of the Association’s normal operations, if any, and any such lifeguard(s) are not a substitute for the lifeguard required to be provided by the person holding the party.

You have advised the Association that you have been unable to find a lifeguard for the party you are planning to hold on _____ or one of the Association officers named below has determined that a lifeguard is not required for your party. In connection with the foregoing, you acknowledge and agree that:

1. You understand the Association’s rules concerning the requirement that you provide a certified lifeguard for your party.
2. You have either:

Made good faith best efforts to find and hire a lifeguard for your party in compliance with such rules and, despite such efforts, have been unable to do so; or

Represented to one of the Association officers named below that your party will be conducted such that none of your guests will be using the lake for swimming or any other water-related activities.

3. You understand that the lifeguard(s) on duty as part of the Association’s normal operations, if any, are not specifically assigned to your party or guests and are performing their duties solely as part of the Association’s normal operation and will be on duty or not solely in accordance with the times set for their employment by the Association.
4. Use of the lake by you and your guests is solely at your (and their) own risk. You agree to indemnify and hold harmless the Association and its officers, trustees and members from and against any and all costs, losses, claims (including, without limitation, those of third parties), damages, liabilities or expenses (including reasonable attorneys’ fees), as incurred, arising in any manner out of your (or any other person’s or entity’s) use of the lake.
5. **A SIGNED COPY OF THIS ACKNOWLEDGMENT MUST BE PROVIDED TO THE PARTY RESERVATION CHAIRPERSON AT LEAST TWO (2) WEEKS PRIOR TO THE DATE OF YOUR PARTY. YOU MAY NOT HOLD YOUR PARTY WITHOUT DOING SO. WITHOUT LIMITATION ON ANY OTHER RIGHTS THE ASSOCIATION MAY HAVE, FAILURE TO COMPLY MAY LEAD TO SUSPENSION OR REVOCATION OF ASSOCIATION MEMBERSHIP**

PRIVILEGES AND ALL OTHER PENALTIES PROVIDED BY THE ASSOCIATION'S BYLAWS, AT THE BOARD'S DISCRETION.

6. Without limiting the terms of this Acknowledgment, your request to hold a party without a lifeguard is not approved unless signed by one of the following Association officers: John Fedors, Jr., President or Tom Kern, Vice President.

Acknowledged and Agreed:

Print Name

Date

Approved:

Name: _____