

CHATEAU LAKE SAN MARCOS HOMEOWNERS ASSOCIATION

PULL CORD SYSTEM WAIVER OF LIABILITY FORM

READ CAREFULLY – THIS AFFECTS YOUR LEGAL RIGHTS

In exchange for Chateau Lake San Marcos Homeowners Association (hereafter the “Association”) providing, maintaining, repairing and attempting to respond to the pull-cord call system in my residential unit (condominium) and in select Common Areas, I agree to the following:

1. I understand and agree that, despite reasonable efforts by the Association to maintain, repair and replace the pull-cord call system and alarm, the system and alarm could fail to alert the Association caregiver or staff member to a pull-cord call.
2. I understand that at all times there is no more than one Association caregiver on site who may not be available to respond.
3. I understand and agree that even when the pull-cord call system and alarm are properly functioning, the Association caregiver or other staff member may not hear the alarm for any number of reasons, including, without limitation, being engaged in another Association task away from the alarm or attending the needs of another resident at the time.
4. I understand and agree that use of the pull-cord call system is a convenience only and not intended to be used for medical needs or other emergencies. When possible, I agree to use a telephone or cell phone to call 9-1-1 for any medical emergency I might have.
5. I understand and agree that I will not rely on the pull-cord call system any medical or other emergency needs.
6. With the above knowledge and understanding, I hereby knowingly, willingly and voluntarily waive and hold the Association and its officers, directors, employees, and agents harmless from any claims, lawsuits and/or causes of action arising from negligence and/or any other wrongdoing (except willful misconduct) seeking personal injuries, property damage, and/or any other losses or damages, and any court costs and/or attorneys’ fees that I or my heirs might incur.
7. I agree that any legal or equitable claim that may arise from my use of the pull-cord call system must be resolved under California law.

I HAVE READ THIS DOCUMENT AND UNDERSTAND IT. I HAVE DISCUSSED THIS DOCUMENT WITH AN ATTORNEY OR HAVE HAD A REASONABLE OPPORTUNITY TO DO SO. I FURTHER UNDERSTAND THAT BY SIGNING THIS RELEASE, I VOLUNTARILY SURRENDER THE LEGAL RIGHTS SPECIFIED ABOVE.

Dated: _____

Address: _____

Signature: _____

Print Name: _____

Phone Number: _____

Revocation

I hereby revoke and cancel the above agreement. As a result, I understand and agree that the pull cord device will be disconnected and removed from my Unit.

Dated: _____

Address: _____

Signature: _____

Print Name: _____

Phone Number: _____