

FITNESS CENTER WAIVER

I, undersigned, am an employee of _____ [COMPANY NAME]. I hereby acknowledge that I have volunteered to make use of certain facilities and equipment or other component of Point Eden Fitness Center. I agree that I will operate all equipment in accordance with the manufacturers’ instructions and that have read and will abide by the Point Eden Fitness Center Rules and Regulations attached herein. I understand the potential risks inherent in doing so, and I assume all risks and responsibility for my own health and well-being. In signing this document, I hereby release, indemnify and hold harmless Healthpeak Properties, Inc., its subsidiaries and its affiliates and their respective officers, members, employees, agents, and contractors (collectively, the “Indemnitees” and individually, an “Indemnatee”), from and against any and all damages, losses and/or claims that may be made against any Indemnatee for any reason whatsoever arising out of or in connection with my access or use of the fitness center. This release includes, but is not limited to any loss, damage or destruction of personal property or injury to persons.

Please check:

☐ Women’s Locker Room

-or-

☐ Men’s Locker Room

Please check:

☐ New fitness center fob required

-or-

☐ I have an existing fitness center fob

-and-

Provide Fob # _____

Name (Please Print)

Signature

Date

Please return completed form via email to and Vchu@healthpeak.com and Rcanaya@healthpeak.com.

*There will be a \$35 fee for lost or damaged access fobs payable to Hayward Point Eden I Limited Partnership.

Point Eden Fitness Center Rules and Regulations

The following Point Eden Fitness Center Rules and Regulations have been established to ensure your enjoyment and safety when using the Fitness Center. We reserve the right to deny privileges for failure to comply with these rules.

Fitness Center Access

Only tenant employees who have signed the Fitness Center Waiver and have been issued an access fob are allowed to use the facilities. Upon submission of the Fitness Center Waiver, programming of the access fob may take up to 48 hours for Fitness Center access. No visitors, guests, spouses, children, or pets are permitted inside the Fitness Center at any time.

Never give access to anyone. All persons using the Fitness Center must use their access fob to gain entry. If someone's fob is not working at the Fitness Center reader, they do not have authorization to use the facilities.

Hours

6:00 am to 9:00 pm, Monday – Friday. Fitness Center hours may vary to accommodate holidays or other special occasions. The Management Office will notify of such changes in advance.

Restroom/Locker Room Closure

Women's restroom/locker room will be closed from 2:00 pm - 2:30 pm and Men's restroom/locker room will be closed from 2:30 pm - 3:00 pm for daily cleaning. The Fitness Center floor will remain open during these times.

Lockers

Lockers are available for tenant use only while tenant is using the Fitness Center. All lockers must be cleared of all belongings after Fitness Center use. If anything remains in the lockers overnight, it will be removed, and tenant can retrieve these items in the lost & found by contacting the Management Office. We are not responsible for any lost or damaged items on the Premises.

Fitness Center Policies

- Proper clothing attire and athletic shoes (no open-toed shoes) must be worn at all times.
- Beverages in plastic, non-spill containers are permitted in the Fitness Center; food is not permitted.
- Use gym equipment properly. Read and follow posted equipment instructions at all times. Perform weightlifting exercises properly, safely, and under control. Please do not drop or slam weights.
- Adhere to a 30-minute time limit on cardio equipment when others are waiting.
- Keep facilities clean by returning all dumbbells, weight plates, and handles to racks after use. Clean each fitness station and/or area after use with towels and sanitary wipes provided.
- No equipment (i.e., dumbbells, stretching mats, etc.) may be taken out of the Fitness Center.
- All personal audio equipment must be used with headphones.

Notify the Management Office to report any errors in equipment.

The use of the Fitness Center is entirely at your own risk. Landlord shall not be liable for any injuries or any damages incurred in connection with or arising out of any such use. Do not operate any equipment unless you fully understand how the equipment is intended to work. Operate all equipment in accordance with the manufacturer's instructions which are posted by each machine. Landlord is not responsible for any theft or loss of any personal belongings brought upon these premises.

General Policies

- The Point Eden Campus observes a no smoking policy.
- We do not allow any solicitation of any kind. Outside materials may not be posted or distributed in the Fitness Center, unless authorized by the Management Office.
- Alcohol is not allowed. Any use of alcohol in the Fitness Center will be grounds for termination of your Fitness Center privileges.
- Bicycles, skateboards, and roller blades are not allowed in the Fitness Center.

Emergency Procedures

Your safety is our first concern. Please take a moment to review these emergency procedures.

- If you witness an emergency or accident, please advise a staff member immediately or call 9-1-1.
- In an event of a facility-wide emergency (i.e., fire, bomb threat, earthquake, etc.), we require the cooperation of all occupants in the Fitness Center to follow the direction of the Management Staff, and to evacuate the building immediately, if requested to do so.