

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 Britannia 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 Britannia 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 “Indemnitee”), from and against any and all damages, losses and/or claims that may be made against any Indemnitee 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 ETS service request. If you do not have ETS access, email form to [LRottman@healthpeak.com](mailto:LRottman@healthpeak.com) and [LGonzalez@healthpeak.com](mailto:LGonzalez@healthpeak.com).

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

## Britannia Point Eden Fitness Center Rules and Regulations

The following Fitness Center Rules and Regulations have been established to ensure your enjoyment and safety when using the Britannia Point Eden 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 at least one week 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

- Britannia Point Eden 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.

### COVID-19 Related Policies

- Tenant must **NOT** enter the Fitness Center if:
  - In the last 14 days, you have experienced any of the following symptoms:
    - ✓ Fever or chills
    - ✓ Shortness of breath or difficulty breathing
    - ✓ Fatigue (new or atypical)
    - ✓ Cough (dry or barking, new)
    - ✓ Unusual muscle or body aches; or falls (unexplained)
    - ✓ Congestion or runny nose (new, not associated with allergies, otherwise unexplained)
    - ✓ Nausea, vomiting, diarrhea (new, unexplained, unusual)
    - ✓ New loss of taste or smell
    - ✓ New sore throat
    - ✓ Atypical headache
  - In the last 14 days, you have been in contact with anyone who has tested positive for COVID-19.
  - In the last 14 days, you have been in close contact with someone (including household members) experiencing symptoms of COVID-19.
  - In the last 14 days, you or a household member traveled to or returned from an area that has travel restrictions.
  - In the last 14 days, you or a household member have tested positive for COVID-19.
  - You or a household member are currently under any mandatory quarantine or self-isolation order relating to COVID-19.
- Tenant must wear a mask or facial covering inside the Fitness Center at all times.
- Tenant must wipe down equipment before and after each use with disinfectant spray or wipes provided.
- Tenant must maintain at least 6 feet distance from others in all areas of the Fitness Center and must skip every other equipment in use.
- Tenant must adhere to the Fitness Center capacity of no more than 4 people at any given time.

Our policies have been established for the benefit of all tenants. The rules contained herein are not all inclusive.

The Management Office reserves the right to revise policies as deemed appropriate.

### 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.