

MORGAN'S CROSSING HOA  
3790 LAKE SEMINOLE DR, BUFORD GA 30519  
COMMUNITY FACILITY RULES, ACCESS AND RELEASE OF LIABILITY

MORGAN'S CROSSING COMMUNITY POOL/TENNIS COURTS/PLAYGROUND AND COMMON AREAS IS STRICTLY FOR THE USE OF REGISTERED HOA MEMBERS AND THEIR ACCOMPANIED GUESTS. CARD HOLDERS MUST BE REGISTERED WITH THE HOA.

Membership to the pool/tennis facility is for homeowners, family members and or tenants only ("Member"), who legally resides within MORGAN'S CROSSING ("Association").

Members must be current on all Association dues, assessments, special charges, fines, etc. owed to the Association and is not in violation of any community rules as set forth in the Declaration of Covenants, Bylaws, and Recreational Facility Guidelines.

Members must accompany guests at all times, while they are using the pool and pavilion facility.

Members must have proof of membership (ACCESS CARD) with them at all times while using the pool/TENNIS facility. If member is not able to provide proof of membership they will be asked to leave the premises and will be considered trespassing until such time they can provide proof of membership.

## ENFORCEMENT OF RULES

Members have the authority and responsibility to personally enforce facility rules and/or communicate violations to a Pool Committee member, Board of Director member, or agents of the Management Company. The County (HALL/GWINNETT) Police Department will be contacted immediately if a patron is endangering the health and safety of another person. If asked, all members, including family members, are responsible for presenting proof of membership when entering the facilities.

1. Members should familiarize themselves with the rules and regulations to assure the safe and sanitary operation of the facilities. Parents are requested to read these rules to their children and caution them to observe all rules and regulations and obey the instructions of all pool management employees.
2. Members are financially responsible for any debts, damages, or breakage caused by misuse or vandalism by their family and their guests, even in the event the member is not present with their family. Members must remain with their guests at ALL times when using the amenities. Any non-resident entering and using the pool/TENNIS facilities without accompaniment by a MORGANS CROSSING member is trespassing and is subject to expulsion and legal prosecution.
3. Keycards are not transferable. Pool/TENNIS privileges of the offending parties will be immediately revoked if a keycard is found in the possession of someone other than residents of that assigned household. DO NOT sell, loan, or otherwise give your swipe card to anyone else to use. Swipe cards are assigned to a specific homeowner and cannot be transferred to, or used by, anyone else.
4. Any adult or minor, whether member or guest, may be expelled at any time for failure to follow the pool and tennis rules, unable to show access card, misbehavior, abusive language, intoxication, possessing illegal drug substances, or drug paraphernalia.
5. Repeated misbehavior may result in monetary fines, indefinite suspension and legal prosecution. If an individual under the age of eighteen (18) is observed engaging in any of the acts listed above but not limited to, the parent will be notified by a Pool Committee member, Board of Director Member, or agents of the Management Company. Pool Committee, Board of Director Members and agents of the Management Company have the authority to expel anyone.

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## AMENITY RULES:

The pool and Tennis facility hours of operation are 7 AM to 10 PM. Any person found in the facilities after stated hours of operation or during any time in which the facility is closed for any reason, without prior consent of the Board of Directors, will be trespassing.

Pool/tennis hours can be subject to change at any time at the Board's discretion (due to the following conditions weather, operations, maintenance or repairs or similar)

1. Maximum number of non-resident guests is 4, per household.
2. Children aged 14 and under must be accompanied by an adult age 18 or older at all TIMES.
3. Anyone allowing non-members (or members with suspended pass card privileges) into the pool area is subject to loss of pool privileges.
4. Anyone caught propping the gate open or hanging keycard on fence/gate, is subject to loss of pool/tennis privileges. Propping the gate open or leaving keycard is not only a security issues, but also a safety issue, and could cause the pool to be closed by the County.
5. ALL members are asked to properly dispose of trash and police the area.
6. The Homeowners Association reserves the right and responsibility to close the pool(s)/tennis when deemed necessary.
7. **Profanity and other inappropriate forms of behavior** will not be tolerated in the pool area or on any Morgan's Crossing common property
8. **Under-age drinking of alcoholic beverages**, or the use of prohibited substances of any kind, is not allowed and will not be tolerated in the pool/tennis area or on any Morgan's Crossing common property. A person showing signs of intoxication may be denied use of the facility and is subject to suspension or expulsion.
9. Pool Parking is available only during use of the facility for members and member's guests only.
10. Radios must be maintained at a level of volume and the content, which does not disturb others. Please be considerate of other Members and their right to enjoyment of the pool and tennis facilities.
11. Members and their guests are responsible for cleaning up trash
12. NO skateboards, scooters, roller blades, or bicycles, are allowed in the pool area or on the tennis courts.
13. No pets are allowed in the pool area or on tennis courts. Variances will be granted for this rule to comply with Federal and State Laws regarding individuals with disabilities.
14. NO SMOKING allowed in the pool area. The use of e-cigarettes is also prohibited. Absolutely NO chewing gum or tobacco chewing products are allowed in the pool/tennis area.

## POOL: GENERAL POOL RULES

Please read the following pool rules carefully. These rules have been put in place to protect the Homeowners so that everyone can have a safe and enjoyable summer!

- Lifeguards are NOT on duty: SWIM AT YOUR OWN RISK.
- Children aged 14 AND UNDER must be accompanied by an adult 18 years or older. Individuals must have an access card.
- Maximum number of four (4) guests per household.
- Parents are responsible for infants, children, and non-swimmers while in the pool area.
- NO SOLO SWIMMING at any time

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- All swimmers must wear proper swimming attire. All Members and guests, including infants and toddlers, must have appropriate clothing on at all times while at the pool.
- Individuals with incontinence problems or those that are not toilet trained, should wear rubber pants when in the pool and pool area. If a person has a "sanitary accident" in the pool, please REPORT TO BOARD MEMBER, POOL CHAIR OR POOL MGMT COMPANY immediately so that we are able to take proper safety precautions.
- NO RUNNING, boisterous activity, rough play, horseplay, wrestling, dunking, chicken fighting and/or water guns are allowed in the pool area.
- NO DIVING or flipping off of the edges into the pool allowed due to shallow water.
- NO GLASS, porcelain, pottery, chinaware, or other sharp objects are allowed in the pool area.
- NO SPITTING or blowing nose in pool.
- Persons with skin infections, eye infections, ear infections, nasal infections, open wounds, or communicable diseases are not allowed in pool.
- Please keep the pool furniture away from the edge of the pool and out of the walkways. Pool furniture is not to be placed inside the pool at any time.
- Eating and drinking are not allowed within three (3) feet of the edge of the pool.
- After use, Members and their guests are responsible for cleaning up trash and straightening their tables and chairs in a nice and orderly manner. If you are the last to leave the pool area, please close all umbrellas and secure the gate.
- Exuberant games, toys and floats are not allowed when they interfere with the enjoyment of the pool by others. Only **"Nerf" type balls and inflatable beach balls** are allowed in the pool area. Tennis and all other kinds of balls, Frisbees, and all other hard objects used for throwing, are not allowed in or around the pool area.

#### MISCELLANEOUS:

1. Concerns or complaints should be brought to the attention of a Pool Committee member, Board of Director member or agents of the Management Company.
2. These rules may be amended without notice to promote a safe and sanitary operation of the facilities.
3. The Pool Committee, Board of Directors or agents of the Management Company will handle subjects not covered by the above rules on a case-by-case basis.
4. The health and safety of our members and their guests is ultimately their own responsibility. By use of the pool/tennis facilities and common areas, Members agree to and are bound by these rules:
  - a. Agree to indemnify and hold harmless the Association and their officers, directors, employees, agents, and members, past, present and future, from any and all claims, costs, causes of action and liability (including but not limited to actual attorney's fees) resulting from negligence or otherwise for an injury, or any person or property, suffered by Member, or Member's family, employees, agents, guests, invitees or any member of the Association or any other person which arise from or are in any way related to the Member's use of the pool.
  - b. Assume all responsibility for the actions and behavior of all persons present at the Member's request of invitation and Member agrees to be personally responsible for causing all such persons to comply with the rules and regulations concerning pool/tennis and common area use.

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- c. Assume all responsibility, risks, liabilities and hazards incident to Members pool/tennis facilities and common areas use, and release and forever discharge The Morgan's Crossing Homeowners Association ("Association") and their officers, directors, employees, agents, and members, past, present, and future from any and all claims, costs cause of action and liability for personal injury or death and damage to or destruction of property arising from Member's use of these facilities.

Video equipment is in use at the pool, deck areas, gate entrances, parking areas, and tennis court areas. This equipment records images. The video system is not monitored and is not designed or intended to provide any type of perceived security or safety. However, this is reviewed and will be used for the enforcement of the violation of the amenity's rules.

Legal Stuff: "There are several homeowners in the community who owe past due assessments to the Association. As a result of their delinquency, the Association has suspended their right to use the recreational facilities within the community. These individuals will, therefore, be unable to use the pool or tennis courts as their access cards have been deactivated. If you are at the pool or tennis courts and someone asks you to give them access, please do not do so as it is quite possible that these persons may be members of a delinquent household or may not reside in the community. If you allow them to enter the facilities and surrounding area, they will be trespassing on the Association's property, which action may be subject to further enforcement action by the Association. If a homeowner has lost his/her access card, he/she should contact the Association's Board of Directors/Property Manager directly for a replacement card." DO NOT sell, loan, or otherwise give your swipe card to anyone else to use. Swipe cards are assigned to a specific homeowner and cannot be transferred to, or used by, anyone else.

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### Application to Use Pool/Tennis Facilities and Release of Liability:

One (1) Swipe card is assigned to a specific home and is required to get in & out of the gate, and cannot be transferred to, or used by, anyone else.

If a homeowner has lost his/her access card, he/she should contact the Association's Board of Directors/Property Manager directly for a replacement card. Replacement cards \$25

In consideration for being granted pool/tennis facilities access, I agree that the use of all facilities is at the sole risk of the user. I further understand that the use of all facilities is unsupervised, and that accident, injury, illness, or death may occur as a result of use. I hereby agree to defend, indemnify, and hold harmless the association, its agents, and employees from and against any and all claims, demands, causes of action, and/or liability associated with use of pool or other recreational facilities by myself, my family members, guests, tenants, and invitees. The undersigned has read and will comply with all posted rules.

**Head of Household / Primary Owner:**

Name (first name, last name): \_\_\_\_\_

Email address: \_\_\_\_\_

Primary Phone: \_\_\_\_\_ Secondary Phone: \_\_\_\_\_

**Spouse / Co-owner:**

Name (first name, last name): \_\_\_\_\_

Email address: \_\_\_\_\_

Primary Phone: \_\_\_\_\_ Secondary Phone: \_\_\_\_\_

**Home Address:**

\_\_\_\_\_  
(Street)

\_\_\_\_\_  
City, State Zip

Signature(s): \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Date \_\_\_\_\_

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IF LEASING HOME, tenants must sign waiver below: TENANTS WILL BE SUBJECT TO ALL RULES.

Tenant Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Tenant Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

\*Tenants must include copy of current lease and copy of signed Declaration of Use with this application

OWNERS/TENANTS: List any additional Adults in the household and all Minors in the household.  
(required for pool/tennis use) Please include month and year DOB for minors only.

- |                  |                  |
|------------------|------------------|
| 1. _____ (D.O.B) | 5. _____ (D.O.B) |
| 2. _____ (D.O.B) | 6. _____ (D.O.B) |
| 3. _____ (D.O.B) | 7. _____ (D.O.B) |
| 4. _____ (D.O.B) | 8. _____ (D.O.B) |

This a replacement for a lost access card. \$25 Lost card fee will be paid via on line portal.

Please return the to HOA via ACS community portal, email or mail to:

Morgan's Crossing HOA

3790 Lake Seminole Drive

Buford, GA 30519

ATTN: POOL KEY REQUEST

Email: [amenities@morganscrossing.org](mailto:amenities@morganscrossing.org)