

HOLD HARMLESS AGREEMENT

USE OF POINT COMFORT PLANTATION PROPERTY OWNERS' ASSOCIATION PAVILION FACILITIES

Point Comfort Plantation Property Owners Association ("Association") offers a Pavilion available for the private use of all its Owners and the Owner's guests. All Owners and their guests shall exercise extreme care when using the Pavilion facilities and shall indemnify and hold the Association and its Board harmless from any and all claims, actions, causes of actions, legal proceedings of any kind, liabilities, obligations, costs, expenses, damages, personal injuries, known or unknown, and injuries to property, real or personal, caused by or arising out of the use of the Pavilion facilities, whether such injury or damage may have been caused or is alleged to have been caused, directly or indirectly, by an act of omission, or commission, negligent or otherwise, of the Association and its Board. The Association shall exercise only ordinary care regarding the use of the Pavilion facilities by the Owners and their guests and shall not have a duty whatsoever to exercise any extraordinary care in the owner's and Owner's guest use.

This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina. If the Association is engaged in a lawsuit arising out of the Owner's use of the Pavilion, and if the Association prevails in such lawsuit, the undersigned Owner shall pay all reasonable costs, expenses, and attorney's fees Association attributable to the enforcement of this Agreement.

RULES FOR USE

- ALL EVENTS SHALL BE PRIVATE AND ATTENDANCE SHALL BE AT THE EXPRESS INVITATION OF THE MEMBER. POLITICAL, COMMERCIAL (FOR PROFIT), FUND-RAISING AND PUBLICLY ANNOUNCED EVENTS ARE NOT ALLOWED.
- Maximum capacity is 50 people. MEMBER MUST BE IN ATTENDANCE.
- All parking for guests must be within the park. Open access to the ramp must be maintained at all times for use by other members during the event.
- Staples, tacks, lights and any other décor must be removed immediately after the event. All trash must be removed from pavilion and bathrooms immediately after the event. Bathrooms must be left clean. Doors must be locked to bathrooms upon leaving.
- Portable toilets and tents are not allowed. Picnic tables must be put back in pavilion if moved.
- The Town of Hilton Head noise ordinance applies to all events, but consideration of your neighbors is encouraged regardless of the time of the event.
- RESERVATIONS ARE TAKEN BASED ON YOUR ACCEPTANCE AND Violations of the above Pavilion rules are subject to fines and enforcement at the discretion of the Board. Any Owner who has been notified of a violation, and said violation is not remedied in ten (10) days is subject to having the Deposit forfeited with any additional costs associated with such violation be charged to the responsible Property Owner.

In witness whereof, the undersigned has caused this Agreement to be executed as of the ____ day
of _____, 20____.

WITNESS

OWNER

POINT COMFORT PLANTATION POA, INC.
