

COTTONWOOD CORPORATE CENTER
Fitness Center and Locker Room Release Form

ASSUMPTION OF RISK, RELEASE, AND HOLD HARMLESS AGREEMENT AND STATEMENT OF QUALIFICATION

Whereas, _____ (“User”) has requested HGREIT II Cottonwood Center LLC (“Owner”), the owner of the building known as Cottonwood Corporate Center located at 2795 East Cottonwood Parkway, Suite 155 Salt Lake City, UT 84121 (the “Premises”) and Hines GS Properties, Inc. (“Hines”) (in Hines’s capacity as property manager for Owner) to grant to User permission to use equipment furnished by Life Fitness and Pex Fitness (the “Equipment”) that is owned or rented by Owner and that is located at the Premises; and

Whereas, User has been advised that to grant this request involves User’s being potentially subjected to risk of personal injury while on the equipment; and

Whereas, despite having been advised as to the foregoing, I nonetheless desire and request permission to use the Equipment.

Now, therefore, to induce Owner and Hines to grant User’s request for permission to use the Equipment, User hereby:

- (1) Assumes all of the risks and hazards attendant to my entry on and my presence at the Premises and my use of the Equipment,
- (2) Assumes responsibility for any damage or theft of equipment while in the User’s care, custody and control
- (3) Releases Hines and Owner or their respective employees from any and all causes of action, claims, demands, suits, damages and liabilities (including but not limited to those for property damage and bodily injury, including death), which User or its heirs, executors, administrators, or assigns have as a result of User’s use of the Equipment or otherwise deriving from User’s presence on or about the Premises, and
- (4) Agrees to indemnify and hold harmless Hines and Owner and their respective employees of, from and against, any and all losses, costs, claims, suits, damages, liabilities and judgments (including, without limitation, attorney’s fees and disbursements), however caused, including but not limited to those for property damage and bodily injury, including death, arising out of or in connection with User’s use of the Equipment or otherwise deriving from User’s presence on or about the Premises.
- (5) Acknowledges that User is fully trained and competent in the use of the Equipment.

By: (Sign) _____

Name: (Print) _____

Company/Badge # _____

Date: _____