

**CUMBERLAND COVE COMMON PROPERTY USAGE AGREEMENT
AND COMPLIANCE CHECKLIST AGREEMENT**

*****Standing meeting dates, events scheduled by the current Cumberland Cove POA Board of Directors, Cumberland Cove POA standing and special committees, and Cumberland Cove POA officially recognized events take precedence over other requests for event dates.***

Cumberland Cove POA offers the Welcome Center facility, which includes building, patio, parking lot and grounds, for Cumberland Cove property owners temporary use and enjoyment. Cumberland Cove takes pride and satisfaction knowing all the owners of Cumberland Cove property may utilize its facilities for their personal activities provided **ALL ASSESSMENT FEES ARE CURRENT**. Any modifications, occupancy levels, usage, or activities that violate local laws and/or codes, good safety practices, or that go beyond the intended use for this facility are prohibited

The following Cumberland Cove activities groups are listed below.

- I. Informal social gatherings** i.e. bunco, bingo, dominos, coffee club etc. open to and promoted to all residents of Cumberland Cove and their invited guests. A representative from each of these groups is required to sign the Cumberland Cove Compliance Checklist Agreement yearly to insure the guidelines for the Welcome Center will be adhered to.

- II. Organized scheduled group gatherings** i.e. sewing club, book club, garden club, etc. open to and promoted to all residents of Cumberland Cove and their invited guests. A schedule of proposed gathering date(s) must be submitted to insure there is no conflict with regularly scheduled board meetings or regularly scheduled board committee meetings or any other previously scheduled POA events. A representative from each of these groups is required to sign the Cumberland Cove Compliance Checklist Agreement yearly to insure the guidelines for the Welcome Center will be adhered to. **Should any special events be planned i.e. yard sales, craft shows, etc., a \$15.00 non-refundable usage fee will be required** and must be paid at the time the Common Property Usage Agreement and Compliance Checklist Agreement is signed. A schedule of the proposed gathering date(s) must be approved to insure there is no conflict with regularly scheduled board meetings or scheduled board committee meetings or previously scheduled POA events. An inspection will be made prior to the event and a final inspection after the event. The Signatory(s) of this Agreement must be present for both inspections. Use of Cumberland Cove property and equipment, including but not limited to tables, chairs, range, oven, dishwasher, coffee brewer, serving dishes and utensils is permitted. However, removal of said property or equipment from the Welcome Center facility is not permitted.

- III. Charity fund raising events** i.e. breast cancer, wounded warrior, etc. open to and promoted to all residents of Cumberland Cove and their invited guests. ***The purpose of these events would be to raise funds to benefit a charity and all monies raised would go to that charitable organization specifically.*** A **\$15 non-refundable usage fee will be required** and must be paid at the time the Common Property Usage Agreement and Compliance Checklist Agreement is signed. A schedule of the proposed gathering date(s) must be approved to insure there is no conflict with regularly scheduled board meetings or regularly scheduled board committee meetings or previously scheduled POA events. The Cumberland Cove property owner sponsoring the event(s) is required to sign the Cumberland Cove Compliance Checklist Agreement to insure the guidelines for the Welcome Center will be adhered to.

- IV. Personal home business gatherings** i.e. Tupperware, Pampered Chef, etc. open to and promoted to all residents of Cumberland Cove and their invited guests. Products may be sold and orders may be taken at the Welcome Center facility following an informational event or demonstration of the products. A **\$15.00 non-refundable usage fee will be required** and must be paid at the time the Common Property Usage Agreement and Compliance Checklist Agreement is signed. A schedule of the proposed gathering date(s) must be approved to insure there is no conflict with regularly scheduled board meetings or regularly scheduled board committee meetings or previously scheduled POA events. It is required that after each event, the Welcome Center facility be restored to its prior good condition. An inspection will be made prior to the event and a final inspection after the event. The Signatory(s) of this Agreement must be present for both inspections. Use of Cumberland Cove property and equipment, including but not limited to tables, chairs, range, oven, dishwasher, coffee brewer, serving dishes and utensils, is permitted. However, removal of said property or equipment from the Welcome Center facility is not permitted.

V. **Instructional and/or reoccurring class events** i.e- exercise classes, painting classes etc. open to and promoted to all residents of Cumberland Cove and their invited guests. Events for class type activities requiring the services of a paid instructor are allowed. The instructor must be a Cumberland Cove property owner in good standing or the guest instructor of a Cumberland Cove property owner in good standing. Class size may be limited by the instructor due to the nature of the class. If class size must be limited, the class will remain an Open Event and promoted to and is available to all residents of Cumberland Cove on a “first to sign up” basis. **Events for class type activities requiring the services of a paid instructor, the following non-refundable fees will apply:**

- \$5.00 for one event/class per month *or*
- \$10.00 for two events/classes per month *or*
- \$15.00 for three or more events/classes per month

Fees must be paid at the time the Common Property Usage Agreement and Compliance Checklist Agreement is signed. The schedule of proposed gathering date(s) must be approved to insure there is no conflict with regularly scheduled board meetings or regularly scheduled board committee meetings or previously scheduled POA events. In addition, the Compliance Agreement Checklist MUST be adhered to.

VI. **Private functions** not open to nor advertised to all property owners of Cumberland Cove i.e. wedding receptions, birthday parties, anniversary parties, etc. A **refundable \$300.00 security deposit** and a **non-refundable \$75.00 per day usage fee** must be paid at the time the Common Property Usage Agreement and Compliance Checklist Agreement is signed. The proposed gathering date(s) must be approved to insure there is no conflict with regularly scheduled board meetings or regularly scheduled board committee meetings or previously scheduled POA events. In addition, the Compliance Agreement Checklist MUST be adhered to. If no damages are noted and the Welcome Center facility is restored to its prior good condition, the security deposit will be returned within seven (7) business days of the final inspection.

VII. **Parks** – Parks cannot be closed to the other Cumberland Cove property owners but can be reserved for special events. No fees will be required for events at the parks. The Common Property Usage Agreement and Compliance Checklist Agreement must be signed and the proposed gathering date(s) must be approved.

VIII. **Signatory(s) Requirements:**

- A. The Signatory(s) of the Common Property Usage Agreement and Compliance Checklist Agreement, hereafter referred to as Agreement, must be a Cumberland Cove property owner in good standing, hereafter referred to as Signatory(s).
- B. At least one of the Signatory(s) must be present at the event (including set up, the event, and clean up). ****For class type events of a recurring nature, at least one of the Signatory(s) must attend the first class but does not have to be present at all recurring classes. The Signatory(s) of this Agreement are guaranteeing the class instructor will adhere to the terms and conditions of the signed Agreement at the end of each recurring class.***
- C. **Weekend-events:** To allow enough time for set up, take down, clean up, and inspection before and after events, only **ONE (1) event per weekend** (Friday, Saturday, Sunday) is permitted.
 - C1. Date, start time, and end time for the event (including set up, take down, and clean up), as defined above, must be scheduled with the Welcome Center business office 30 days prior to the event.
 - C2. Except for events organized and presented by the current Board of Directors and/or CCPOA Activities Committee, no events or classes can be scheduled on: **New Year’s Eve, New Year’s Day; Memorial Day; Independence Day; Labor Day; Thanksgiving (Thursday & Friday); Christmas Eve; and Christmas Day.**
 - C3. The Event maximum length per day is eight (8) consecutive hours. For events requiring “set up” and/or “clean up” which cause the event to exceed the eight-consecutive h o u r maximum, “set up” and/or “clean up” must be scheduled so that no more than eight (8) consecutive hours are scheduled on any one date with “set up” and/or “clean up” to be completed not more than one day prior to the event nor more than one day after the event date.
 - C4. All events must end by midnight. Sunday events must end by 11 pm.

- It is required that after each event, the Welcome Center facility be restored to its prior good condition. An inspection will be made prior to the event and a final inspection after the event. The Signatory(s) of this Agreement is urged to be present for both inspections. To comply with this requirement a Compliance Checklist is included herewith. Use of Cumberland Cove property and equipment, including but not limited to tables, chairs, range, oven, dishwasher, coffee brewer, serving dishes and utensils is permitted. However, removal of said property or equipment from the Welcome Center facility is not permitted.
- No food or drink will be provided by Cumberland Cove POA.
- The Signatory(s) of the Agreement hereby agrees that any damage or clean up expense which exceeds the security deposit, if any, will be invoiced to the Signatory(s) and paid to the Cumberland Cove POA within thirty (30) days of the invoice. For events not requiring a security deposit, the full amount of any damage and or clean up expense will be invoiced to the Signatory(s). Failure to remit the damage assessment within 30 days will result in legal action with all additional legal costs and attorney fees assessed to the Signatory(s) of the Agreement.
- Business Office located within the Welcome Center is not included in this Agreement.
- The current Cumberland Cove POA Board of Directors and Cumberland Cove POA standing and special committees are not required to complete the Common Property Usage Agreement and Compliance Checklist Agreement to use the Welcome Center facility for purposes relating to official meetings, workshops, activities, and events.
- No Cumberland Cove property owner and/or resident shall list the Cumberland Cove Welcome Center as their business address nor utilize the Welcome Center facility to conduct day to day business activities, i.e. meetings, distribution of product and/or to collect funds.
- Advertising to the public/non-residents for events at the Welcome Center facility must be reviewed and approved by the Cumberland Cove POA Board of Directors.
- Outside advertising may be allowed ONLY for craft shows and yard sales and **MUST** be approved by the Cumberland Cove POA Board of Directors 10 days prior to event.
- **Non-compliance with any terms or conditions of this Agreement will result in a Board of Directors review pertaining to future Common Property usage for the Signatory(s).**

**Compliance Agreement Checklist
Functions, Events and/or Classes**

- Do not exceed building occupancy code level of 110 persons.
- Ensure that vehicle parking is confined to paved parking areas only.
DO NOT PARK ON GRASS.
- Serving of alcoholic beverages is prohibited unless an insurance certificate naming Cumberland Cove POA as an insured for General Liability Coverage for \$1,000,000.00 is submitted PRIOR to the day of the event.
- Under NO circumstances are pyrotechnics (fireworks) allowed throughout ANY Cumberland Cove Property areas.
- Facility interior, including furnishings, flooring, equipment, and grounds must be restored as found.
- Floors mopped, swept, and vacuumed as needed.
- If needed, clean up the kitchen; wash and dry dishes used; clean the counters and stove top.
- Make sure the stove and coffee brewer are turned off.
- Turn off all lights and fans used in the main room.
- Remove garbage and take outside to the roll cart provided by Plateau Sanitation. Do not leave garbage or boxes piled up outside the trash container. Remove excess trash from the Welcome Center.
- Check restrooms for cleanliness and ensure that there is no water running.
- DO NOT leave the facility unattended at any time. A door key and alarm code needs to be picked up and signed for 1 (one) day prior to the event and returned to the Welcome Center Business Office the next business day.
- All events/activities must end by midnight. Sunday events/activities must end by 11PM.
- NO animals allowed at any time except for *service animals*. When appropriate, use pooper scoopers on grounds.

IN THE EVENT OF AN EMERGENCY, CALL 911 (ADDRESS: 102 NORROD CIRCLE)

Class/event fee paid and received by
Office Manager _____
Date ____/____/____

PLEASE BE AWARE OF FIRE HAZARDS!

To the fullest extent permitted by law, the Signatory(s) agrees to defend (including attorneys' fees), pay on behalf of, indemnify, and hold harmless Cumberland Cove POA, its elected and appointed officials, employees and volunteers and others working on behalf of Cumberland Cove POA against any and all claims, demands, suits or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from Cumberland Cove POA, its elected and appointed officials, employees, volunteers or others working on behalf of Cumberland Cove POA, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract.

I (we) the undersigned Cumberland Cove Property Owner(s) have read, understand, and agree to all conditions of the Common Property Usage Agreement and Compliance Checklist Agreement

Property Owner _____

Property Owner _____

Officer, Cumberland Cove Board of Directors or their Designee _____

Date: _____

CC POA Property Owner _____

Address: _____

Home Phone: _____ Cell Phone _____

Assessments fees current: _____

Indicate common property intended for use: (check) Welcome Center _____ Parks _____

If one of the parks, indicate which park _____

Describe Usage Activity: _____

Requested Date: ___/___/___

Set-up Time from: _____ To: _____ Event Time from: _____ To: _____

Clean-up Time from: _____ To: _____

***Maximum of 8 hours from set-up time to clean-up time**

Number of People Attending _____

CLOSED EVENT

\$300 Security Deposit/Check # _____ Date Check Returned _____ Usage Fee/Check # _____

OPEN EVENT

Usage Fee/Check # (property owner in good standing) _____

Will There Be Alcoholic Beverages Served? Yes _____ No _____

If Yes, copy of insurance certificate for \$1,000,000 General Liability Coverage AND approval from Board of Directors MUST Be Turned in PRIOR to the day of the event.

Received Insurance From: _____ Date ___/___/___

Will there be outside advertising Yes _____ No _____ If yes, what type _____

I HAVE READ ALL PAGES, UNDERSTAND AND AGREE TO THE TERMS OF THE CUMBERLAND COVE COMMON PROPERTY USAGE AGREEMENT AND COMPLIANCE CHECKLIST AGREEMENT

CC POA Property owner(s) Signature: _____ Date ___/___/___

Facility Inspection

Any existing damage to the facility should be noted on the form in the space below. If additional space is required, use back of form.

Existing damage:

If security deposit will be retained by Cumberland Cove POA, please state reason(s) below:

Cumberland Cove POA Representative Signature: _____

Please print name and title _____ Date ___/___/___

CC POA property owner(s) renting the Welcome Center facility:

_____ Date ___/___/___

	User		Staff	
	<u>Prior</u>	<u>Final</u>	<u>Prior</u>	<u>Final</u>
Facility interior, including furnishings, flooring, equipment, and grounds must be restored as found.	_____	_____	_____	_____
Floors mopped, swept, and vacuumed as needed.	_____	_____	_____	_____
If needed, clean up the kitchen; wash and dry dishes used; clean the counters and stove top.	_____	_____	_____	_____
Make sure the stove and coffee brewer are turned off.	_____	_____	_____	_____
Turn off all lights and fans used in the main room.	_____	_____	_____	_____
Remove garbage and take outside to the roll cart provided by Plateau Sanitation. Do not leave garbage or boxes piled up outside the trash container. Remove excess trash from the Welcome Center.	_____	_____	_____	_____
Check restrooms for cleanliness and ensure that there is no water running.	_____	_____	_____	_____

Compliance Agreement Checklist
Informal Social Gathering Groups and Organized Scheduled Groups

- Do not exceed building occupancy code level of 110 persons.
- Ensure that vehicle parking is confined to paved parking areas only.
DO NOT PARK ON GRASS.
- Serving of alcoholic beverages is prohibited unless an insurance certificate naming Cumberland Cove POA as an insured for General Liability Coverage for \$1,000,000.00 is submitted PRIOR to the day of the event.
- Under NO circumstances are pyrotechnics (fireworks) allowed throughout ANY Cumberland Cove Property areas.
- Facility interior, including furnishings, flooring, equipment, and grounds must be restored as found.
- Floors mopped, swept, and vacuumed as needed.
- If needed, clean up the kitchen; wash and dry dishes used; clean the counters and stove top.
- Make sure the stove and coffee brewer are turned off.
- Turn off all lights and fans used in the main room.
- Remove garbage and take outside to the roll cart provided by Plateau Sanitation. Do not leave garbage or boxes piled up outside the trash container. Remove excess trash from the Welcome Center.
- Check restrooms for cleanliness and ensure that there is no water running.
- DO NOT leave the facility unattended at any time. A designee named by the Cumberland Cove POA will open and close the Welcome Center facility.
- All events/activities must end by midnight. Sunday events/activities must end by 11PM.
- NO animals allowed at any time except for *service animals*. When appropriate, use pooper scoopers on grounds.

IN THE EVENT OF AN EMERGENCY, CALL 911 (ADDRESS: 102 NORROD CIRCLE)

Class/event fee paid and received by

Office Manager _____

Date ____/____/____

PLEASE BE AWARE OF FIRE HAZARDS!

CC POA Property Owner _____

Address: _____

Home Phone: _____

Cell Phone _____

Describe gathering activity: bunco, bingo, dominos, quilt club, book club, etc.
