

BILTMORE PARK SWIM CLUB

P.O. Box 1550 • Skyland, NC 28776

www.bpswimclub.org

Email: mail@bpswimclub.org

Biltmore Park Swim Club

Membership Enrollment and Acknowledgement Form

LAST NAME _____ SPONSOR (if applicable) _____

ADDRESS _____

PHONE: _____ EMAIL: _____

ADULT _____ ADULT _____

CHILD (AGE *) _____ CHILD (AGE *) _____

CHILD (AGE *) _____ CHILD (AGE *) _____

CHILD (AGE *) _____ CHILD (AGE *) _____

CAREGIVER (must be 16 or older) _____

* IMPORTANT REMINDER: Children under 12 years of age must be accompanied by an adult.

Violation of this policy is subject to membership revocation.

DESCRIPTION	AMOUNT	TOTAL
2011 – FAMILY MEMBERSHIP	\$600	
2011 – SINGLE OR COUPLE MEMBERSHIP	\$300	
ONE TIME RESERVE FEE - NEW FAMILY	\$200	
ONE TIME RESERVE FEE - NEW SINGLE/COUPLE	\$100	
NON-RESIDENT MEMBER SURCHARGE	\$100	
SUBTOTAL		
EARLY BIRD DISCOUNT (must be postmarked no later than 1 March 2011)	SUBTRACT \$100	
TOTAL PAYMENT		

NOTE: To complete application, please read the acknowledgement and sign on next page. Returning associate members no longer need a sponsor.

OFFICE USE: CHECK # _____ POSTMARK _____ SPONSOR PM _____

BILTMORE PARK SWIM CLUB

P.O. Box 1550 • Skyland, NC 28776

www.bpswimclub.org

Email: mail@bpswimclub.org

REQUIRED ACKNOWLEDGEMENT

Swim Wear Requirements For both pools, children of potty-training age or younger (and/or children at any age with known bowel incontinence) are required to wear both a "swim diaper" AND "rubber/plastic/vinyl pants" over the swim diaper.

Children who are not potty trained must wear plastic pants on top of a swim diaper in the pool (swim diapers alone do not provide the same protection as plastic pants and are not to be worn in lieu of plastic pants).

Penalty Structure

*For first time poop incidents in the LARGE POOL, the Board will issue a written violation notice and a \$500 fine will be assessed to the member that is responsible for the incident. ALTERNATIVELY, at the election of the member and agreement by the BPSC Board, the membership may be revoked without a refund to the member in lieu of the \$500 fine.

*For first time poop incidents in the BABY POOL, the Board will issue a written warning notice. A second incident in the baby pool will result in a \$500 fine for the member that is responsible for the incident; OR at the election of the member and agreement by the BPSC Board, the membership may be revoked without a refund to the member in lieu of the \$500 fine.

*Failure to comply with assessed penalties within 7 days will result in forfeiture of current year membership privileges without refund. If the incident occurs near the end of the season, and the member fails to comply with the assessed penalties, the member will not be permitted to join the pool next year, nor will they be permitted to be a guest of another member

ACKNOWLEDGMENT OF AGREEMENT IN PERPETUITY BETWEEN BILTMORE FARMS AND BILTMORE PARK SWIM CLUB

As a condition for membership in Biltmore Park Swim Club, Inc. ("Swim Club"), all adult applicants are required to sign this application in the space provided below for the purpose of acknowledging or agreeing with the following for the benefit of Biltmore Farms, Inc. and its affiliated companies (collectively "BFI")

1. BFI and the Swim Club are parties to an agreement entitled "Swim Club Debt Agreement" that is dated APRIL 30 2005, which agreement is available via email upon request to the Swim Club Committee (the "Debt Agreement"). In general, the Debt Agreement requires, among other things, that (a) membership in Swim Club be made available on an annual dues basis to all residents of Biltmore Park, including Braeside, (b) the Swim Club operate in a fiscally prudent manner and not incur additional debt for its ongoing operations and (c) the Swim Club keep the pool and clubhouse in a good state of repair.
2. In exchange for the Swim Club's compliance with its obligations under the Debt Agreement, BFI made the regularly scheduled payments of interest and/or principal owed with respect to the Swim Club's previously outstanding loans from Wachovia Bank and BFI (the "Debt Obligations").
3. In exchange for Swim Club's past and future compliance with its obligations under the Debt Agreement, BFI forgave or paid, as the case may be, in 2008, all interest and principal then owed with respect to the Debt Obligations.
4. BFI and its employees have no obligations, duties or responsibilities for the control, management, maintenance or operation of Swim Club; however, BFI retains the right to assert control over the Swim Club in the event the Swim Club defaults in performing its obligations.
5. In consideration for the financial benefits provided to Swim Club as set forth in the Debt Agreement, the applicant hereby fully and completely releases BFI and its shareholders, directors, officers, employees, agents, representatives and affiliated companies from any and all past or present claims of any kind arising out of or relating to (a) the construction, organization, operation, maintenance or management of the Swim Club or its pool, or clubhouse, bathroom and other facilities, and any part of its property (it being clearly understood that BFI has no responsibility for any loss, damage, injury or other harm which may result as the Swim Club), (b) any representations regarding the Swim Club including, without limitation, representations regarding memberships or the availability or use of the pool or clubhouse by residents of Biltmore Park .

BILTMORE PARK SWIM CLUB

P.O. Box 1550 • Skyland, NC 28776

www.bpswimclub.org

Email: mail@bpswimclub.org

Applicant(s) Signature: _____

Print Name _____ Date _____

Signature: _____

Print Name _____ Date _____

Email address: _____

_____ Check here if you would like to receive all official notices by email.

Mail completed form, payment and the following board election form (if previous member) to:

Biltmore Park Swim Club, PO Box 1550, Skyland, NC 28776

BILTMORE PARK SWIM CLUB

P.O. Box 1550 • Skyland, NC 28776

www.bpswimclub.org

Email: mail@bpswimclub.org

2011 BOARD of DIRECTORS ELECTION

The BPSC membership is voting to fill several positions on the Board.

Each director serves a two-year term. The board typically meets monthly during the pool season and as needed other times.

The following members have submitted their names for consideration. If you are a resident member please select a maximum of four (4) names:

_____ Torey Link _____ Cindy Piercy _____ Cathy McCartan _____ Bobby Soule

COMMITTEE MEMBERSHIP

As the swim club is run by a volunteer board, all members are expected to serve on an operating committee. Please circle your volunteer preference below:

Event Planning Building and Grounds Legal & Insurance Membership Operations

Signature: _____

Print Name _____ Date _____

Signature: _____

Print Name _____ Date _____

Please return this form with your membership application. All ballots must be postmarked March 1, 2011 in order to be counted.