

WATERLEAF HOMEOWNERS' ASSOCIATION, INC.

Website Disclaimer

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1. Statement of Purpose

The Waterleaf Homeowners' Association website (the Association website) provided by the Waterleaf Homeowners' Association (hereafter the Association) and Floridian Property Management (hereafter the Property Managers), its officers, employees, or other agents exists as an electronic informational medium to foster the lawful exchange of information and awareness of community issues affecting the homeowners and residents of the member communities of the Association. User means any person clicking onto the Association Website and using it for any purpose whatsoever.

2. Limitation of Liability

In no event shall the officers of the Property Managers, nor the Association, or its Board be liable for any damages whatsoever arising out of or related to the Association website or the information contained in it, and in particular its officers, employees, or other agents shall not be liable for any acts or omissions, whether such acts or omissions arise from negligence, contract, tort, under statute, in equity, at law or otherwise, which cause bodily injury, death, property damage, or damages for lost profits, loss of revenue, or loss of use.

3. Disclaimer of Warranties

Neither the Association nor the Property Managers warrant that the Association website will be uninterrupted or error-free or that defects in the site will be corrected. The Association website, including any content or information contained within it or any site-related service, is provided "as is," with all faults, with no representations or warranties of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, and non-infringement. The Association and Property Managers do not make any warranty, expressed or implied, as to the accuracy of the information regarding materials, services or products/equipment offered through the Association website. The Association and Property Managers specifically disclaim all liability for errors or omissions, or the misuse or misinterpretation of, any information obtained through the Association website. The Association and Property Managers do not warrant the accuracy, completeness or timeliness of the information obtained through the Association website.

The user assumes total responsibility and risk for their use of the Association website, and related services, whether hyperlinked websites or not. No oral or written information or advice given by the Association website shall create a warranty or in any way increase the scope of this warranty. Certain state laws do not allow limitation on implied warranties. If these laws apply to the user, some or all of the above disclaimers, exclusions, or limitation may not apply to the user, and the user may have additional rights.

Neither the Association nor the Property Managers warrant that files available for download on the Association website will be free of viruses, worms, trojan horses, or other destructive programming. The user is responsible for implementing procedures sufficient to satisfy their needs for data back-up and security. The user agrees that neither the Association nor the Property Managers shall be liable for any cost or damage arising directly or indirectly from any such code. The user assumes total responsibility and risk for their use of the Association website and of the internet.

4. Disclaimer of Content

Information provided through the Association website is supplied by the listing party. Both the Association and the Property Managers reserve the right to not list a material, or to edit information provided by any citizen without notice. Neither the Association nor the Property Managers verify whether information submitted for online distribution is in compliance with any rules and regulations applicable to the Internet. It is the responsibility of the users to be familiar with any legal limitations that may exist on any information provided. Accordingly, all of the information on the Association website and any third party information is provided "AS IS."

5. Disclaimer of Endorsement

Any reference on the Association website to any specific commercial products, process, or service by trade name, trademark, manufacturer, or otherwise, does not constitute or imply its endorsement, recommendation, or favoring by the Association or the Property Managers.

6. Disclaimer and Policy on Hyperlinks

Other Web sites may be invited to be included as hyperlinks in the Association website. Both the Association and the Property Managers may create links to other Web sites that the Association and the Property Managers deem, in their discretion, to further the purpose of the Association website.

Neither the Property Managers nor the Association endorses any hyperlink or its opinions or ideas expressed therein, or guarantee the validity of the information provided or take any ownership of any information therein. The user specifically acknowledges that both the Association and the Property Managers are not liable for the defamatory, offensive, or illegal conduct of other users, hyperlinks, or third parties and that the risk of injury from the foregoing rests entirely with the user.

7. Indemnification

User agrees to defend, indemnify, and hold harmless both the Association and the Property Managers from and against all claims and expenses, including attorneys' fees, arising out of the use of the Association website.

8. Policy on Feedback Information

Any information provided to the Association or to the Property Managers in connection with the Association website shall become a public record and available to the public in accordance with Chapter 119, Florida Statutes. Both the Association and the Property Managers shall be free to use such information on an unrestricted basis.