



TRILOGY GOLF CLUB AT VISTANCIA PASS AGREEMENT

This agreement is between Trilogy Golf Club at Vistancia and the undersigned Participant.

A. The Participant Understands and Agrees:

1. The 2020-2021 Trilogy Golf Club at Vistancia Annual Play Package is valid from November 1, 2020 through October 31, 2021.
2. Annual Play Package fees are non-refundable.
3. To the Rules and Regulations of Trilogy Golf Club at Vistancia currently in force or adopted in the future, including, but not limited to, Rules and Regulations regarding hours of operation, use of equipment and facilities, personal conduct and attire.
4. The Trilogy Golf Club at Vistancia reserves the right to revoke or suspend your contract, without refund, for violation of any Rule or Regulation by you or your guests, for reasons of nuisance, disturbance to other members/guests using the golf course and facility, disruptive behavior, any conduct that Trilogy Golf Club at Vistancia determines is prejudicial to the welfare, good order and character of Trilogy Golf Club at Vistancia, or that your actions may endanger yourself or others.
5. That Trilogy Golf Club at Vistancia is a daily-fee course open to the public, tee times may not be available when requested, and that the Golf Course may be closed from time to time without notice for golf tournaments and Golf Course maintenance projects.
6. That Trilogy Golf Club at Vistancia maintains a twenty-four (24) hour cancellation policy and that Trilogy Golf Club at Vistancia reserves the right to charge applicable fees for all tee times not cancelled outside of twenty-four (24) hours.
7. All Play Packages are annual, non-assessable, not-voting, non-proprietary, and non-transferrable unless written approval (for extreme circumstances such as long-term disability or death) by Trilogy Golf Club at Vistancia.
8. This agreement does not grant any lifetime rights to the Annual Play Package participant. Trilogy Golf Club at Vistancia reserves the right to terminate the use of its facilities or any part thereof by

Annual Play Package Participant after giving thirty (30) days' notice. Pro rate adjustments in the Annual Play Package will be made.

B. Trilogy Golf Club at Vistancia Agrees that the Annual Play Packages consist of:

1. Play timeframe of November 1, 2020 through October 31, 2021 based on the parameters defined within the *TVI 2020-2021 Resident Golf Options* documentation.
2. The ability to reserve tee-times fourteen (14) days in advance.
3. Affording the Annual Play Package Participant all the rights and privileges due a Participant in good standing under the Rules and Regulations as they currently exist for the 2020-2021 contractual period.

C. Payment Information:

I hereby agree to pay the applicable dues, fees, charges and taxes based on the package plan selected.

D. Payment and Credit Card Information:

I understand that I will receive a statement at the beginning of each month and have until the 10th day of each month to pay the balance in full. Payment must be made in the form of cash or check. On the 11th day of each month, Trilogy Golf Club at Vistancia will charge the credit card listed on file to secure payment, which will include a \$4.00 monthly service charge. I agree that all disputes will be promptly brought to the attention of Trilogy Golf Club at Vistancia.

I may request that all fees and charges be billed to the financial bank account utilizing the Automated Clearing House (ACH) electronic debit transfers pursuant to the ACH system rules. I understand that utilizing the ACH system avoids the \$4.00 monthly service charge.

As an additional form of payment assurance, I understand that all fees and charges may be billed to the credit card listed on file, and hereby authorize such billing. Charges billed by Trilogy Golf Club at Vistancia will include a \$4.00 monthly service fee.

I certify that any listed financial bank account and credit card are issued to me. I understand that I am obligated to keep current bank account and credit card information on file with Trilogy Golf Club at Vistancia and that I remain responsible for payment to Trilogy Golf Club at Vistancia of all fees and charges.

E. Annual Play Package Plan Acceptance:

I hereby make application for the Trilogy Golf Club at Vistancia Premium Play Package and hereby agree to abide to all Rules and Regulations as stipulated in this agreement.

I hereby agree to pay the total Package Fees

I understand that my agreement is annual and may or may not be renewed at the sole discretion of Trilogy Golf Club at Vistancia.

F. Amendment Agreement:

This agreement can only be amended in writing and signed by both parties. Any claim or damages sought by one Party against the other under this agreement shall be limited to actual damages, and the award of actual damages or any interpretation of this Agreement will be sought under the auspices of the American Arbitration Association. The ruling by that Association will be deemed as final and binding.

The Annual Play Package participant may cancel this Agreement at any time prior to midnight on the third business day after the date of this Agreement by mail or by delivery of a signed and dated notice stating that you, the Annual Play Package Participant, are canceling this Agreement. Your notice should be sent to:

Trilogy Golf Club at Vistancia

12575 West Golf Club Drive

Peoria, AZ 85383

If Participant cancels this Agreement within the three business days, regular greens fees will be due and payable in full for any rounds played by the Annual Play Package Participant within such time and may be deducted in full from any Annual Play Package fees paid by Annual Play Package Participant.