



EXHIBIT 5.4.1.I

**FITNESS CENTER WAIVER AND RELEASE FORM**

In consideration of the use of the Fitness Center at 4040 North Fairfax Drive, Arlington, VA 22203, I hereby for my heirs, executors, administrators, and assigns waive and release and forever discharge any and all causes of actions, suits, proceedings, claims, and/or demands of whatsoever kind or nature at law or in equity or any claim I may have for damages against both CFO AV 4040 Beneficiary, LLC (the "Owner) and Penzance Management, LLC (the "Managing Agent") and any of their respective subsidiaries, affiliates, related entities, their officers, directors, employees and agents or their representatives, successors, or assigns for any and all injuries that may be suffered by me when using any of the facilities or equipment found in the Fitness Center, including but not limited to elliptical machines, treadmills, upright bikes and free weights. I further represent that I am in good physical condition, that I have obtained prior approval of my physician before beginning any exercise program, and understand the risks associated with the activities that I am participating in and that I am participating in the same at my own risk. Moreover, I agree that the above-named entities and persons are under no obligation to provide a physical examination of other evidence of my fitness to use the facilities or equipment or to participate in any of the activities, the same being my sole responsibility.

I understand and agree to the above.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

Male \_\_\_\_\_ Female \_\_\_\_\_

\_\_\_\_\_  
Tenant/Subtenant Name

\_\_\_\_\_  
Tenant Authorization

\_\_\_\_\_  
Datawatch Fob Number

\_\_\_\_\_  
Suite Number

\_\_\_\_\_  
Witnessed By:  
Managing Agent Representative



**FITNESS CENTER RULES AND REGULATIONS**

1. The Fitness Center is located on the P-1 level of the building. Showers are located in the men's and women's locker rooms within the facility.
2. Use of the Fitness Center is restricted to those tenants and their employees who have signed the FITNESS CENTER WAIVER AND RELEASE FORM. No guests or other unauthorized individuals are permitted to use the Fitness Center.
3. Any Fitness Center user who permits entry to the Fitness Center to any unauthorized individual shall assume full responsibility for such individual and indemnify the Owner and Managing Agent from any potential claims brought by such individuals.
4. No instructors or supervisors are present in the Fitness Center to provide instruction in the use of the equipment. **ALL USERS USE THE EQUIPMENT AT THEIR OWN RISK.**
5. The Owner and Managing Agent assume no responsibility for use of the equipment.
6. Fitness Center users are to furnish their own soap and other accessories; towel service will not be provided.
7. Lockers are available for use during the Fitness Center user's use of the facility and, in any event, **MUST BE EMPTIED BY THE TIME OF CLOSING ON THE DAY OF USE.** Locks left overnight are subject to removal by the Property Manager with a minimum \$25.00 fee.
8. **AT NO TIME MAY PERSONAL PROPERTY BE LEFT IN OR ON THE LOCKERS BEYOND THE DURATION OF USE OF THE FITNESS CENTER.**
9. Please keep the Fitness Center clean.
10. **NO FOOD OR DRINKS ARE ALLOWED IN THE FITNESS CENTER.**
11. The above rules and regulations are subject to amendment or addition by the Owner and/or Managing Agent at any time.

I understand and acknowledge receipt of these Fitness Center Rules and Regulations.

Name of Employee (please print): \_\_\_\_\_

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date