



APACHE SHORES PROPERTY OWNERS ASSOCIATION

14919 General Williamson Drive Austin, Texas 78734

Office: (512) 266-2719

Fax: (512) 266-3910

Website: www.apacheshorespoa.com

Resolution of the Board of Apache Shores Property Owners Association, Inc

POLICY REGARDING USE OF COMMUNITY AMENITIES

This policy in part replaces Apache Shores document:

POLICY REGARDING USE OF COMMUNITY AMENITIES 07/20/2012

WHEREAS, under the Bylaws for Apache Shores Property Owners Association, Inc., recorded August 14, 2009 under Document No TRV 20030, of the Official Public Records of Travis County, Texas; Apache Shores Property Owners Association, Inc., a Texas non-profit corporation (the "Association" or "ASPOA") is charged with adopting rules and regulations for the health and safety of the homeowners (as per Section 10 of the By-Laws) within the Association; and

WHEREAS, the Apache Shores Board of Directors (the "Board") believes that it is in the best interest of the Association and the Owners to establish criteria for use of community amenities; and

WHEREAS, the Declaration authorizes the Board to enforce the rules and regulations for the benefit of the Owners and the Property;

NOW THEREFORE, the Board resolves the following:

The Purpose of this document is to establish the policies, by which the Association provides access to, permits the use of, and establish rules of conduct for the Community Amenities.

FOR THIS POLICY:

COMMUNITY AMENITY - Any area owned by the Association, whether improved or unimproved.

GENERAL:

All Community Amenities in Apache Shores are for the enjoyment and use of Apache Shores Property Owners, their tenants, and accompanied guests in accordance with the guidelines set forth hereof.

Hours of use of all Amenities is Dawn to Dusk, year round. An exception is the Community Hall. Please refer to the Community Hall Rental Agreement for terms of use.

Use of glass containers is banned at all community amenities.

No large or dangerous items such as bounce castles, stage equipment, electric lights, gas torches, etc. are allowed to be used at community amenities without prior approval of the Board. All items brought into an amenity must be removed when the usage of the amenity has completed, unless there is prior approval of the Board.

Anyone using an amenity is required to remove all pet feces, trash, and possessions upon departure. Courtesy pet waste bags and trash receptacles are available at most amenities. In the event that these are full, trash must be removed upon departure and disposed of properly in personal trash receptacles.

USE OF AMENITIES FOR PRIVATE FUNCTIONS:

Use of Community Amenities for private functions will be at the discretion of the Board and any policies put in place by the Board. The Board may determine that there will be a use charge and/or deposit for use of the amenity for a private function.

With the exception of the Community Hall NO amenity will be closed to use by authorized persons (Apache Shores property owners in good standing, their tenants, and accompanied guests) during an approved private function. i.e.: a child's birthday party at Children's Park will not close the Children's Park for use by other Apache Shores residents.

Apache Shores amenities may NOT be used for any commercial use (i.e. making use of an amenity in or for a business or directly/indirectly for financial gain) or paid functions or activities or open to general public use without prior and specific permission by the Board.

An amenity used for a private function must be cleaned and restored to its original condition after the event. The Apache Shores resident hosting the event will be financially responsible for any costs associated with repairing any damage or costs necessary to clean and restore the amenity to its original condition.

The Apache Shores resident hosting the function MUST be in attendance throughout the entire function. The Apache Shores resident hosting the event is responsible for the behavior of all in attendance.

The Apache Shores resident hosting a function in a community amenity is required to sign a disclaimer indemnifying Apache Shores Property Owners Association, its agents, and its employees against any accident or injury incurred during use of the amenity. The ASPOA may also require all attending to also sign a disclaimer.

Amenity Access:

Access to all ASPOA amenities are limited to Property Owners in good standing, tenants, and accompanied guests in accordance with the guidelines set forth hereof.

Access to gated amenities such as the Tennis Court, Basketball Court, Swimming Pool, Boat Ramp, and Lakeside Park may be regulated by the use of an electronic Key Fob system or other system(s) controlled by the ASPOA.

One (1) initial Key Fob will be provided by the ASPOA for access to the Tennis Court, Basketball Court, and Lakeside Park. No more than One [1] additional Key Fob per household may be purchased for an additional fee as set by the board. Access to other Amenities other than the Tennis Court, Basketball Court, and Lakeside Park are outlined below.

Lost or damaged Key Fobs may be purchased from the ASPOA for a replacement fee as set by the Board. Any lost or damaged Key Fobs will have its access terminated by the ASPOA. If a property is sold, or a new Amenities Rights Transfer Form is submitted, all associated access will be terminated, and such rights transferred to the new owner, or to the tenant. As further described below, there shall be no sharing of amenities access. No Property Owner, or tenant, will be granted more than Two [2] active Key Fobs at any given time. Key Fobs and associated amenities access may only be transferred a maximum of three [3] times within a twelve [12]

month period. The replacement fee for lost or damaged Key Fobs will incur an additional replacement fee after the first replacement.

Access to amenities must be renewed on an annual basis. For access to be granted all following requirements must be met:

- A. Property Owners must be in good standing with the ASPOA (i.e. current on all fees, assessments, fines, etc.);
- B. Complete and sign each of the current use and rules agreement(s);
- C. Complete and sign a release and indemnity agreement; and
- D. In the case of tenants, complete an Amenities Rights Transfer Form.

Pool Access and Fees:

In order to offset the costs for maintaining the pool, the board shall set an annual fee for access to the pool. This fee will be in addition to any that are outlined above, and are further outlined in the SWIMMING POOL RULES AND AGREEMENT. Additionally, a signed completed rules agreement and a release and indemnity form must be submitted for pool access.

Amenity Use Transfer:

A property Owner may transfer their amenity access and use to a tenant. To do so, the Amenities Rights Transfer Form, or its successor form, must be completed and signed by both the Owner and their tenant. The Owner must be in good standing (current on all maintenance fees, special assessments, fines, late fees, etc.) with the ASPOA before the transfer can be granted.

By transferring this right to use the amenities, the Owner is giving up all of their access and rights to ASPOA Amenities. As mentioned above there shall be no sharing of amenities access. Owners understand that amenities are transferred in their entirety and may NOT be transferred in part, i.e. one can't transfer just pool access, while retaining boat ramp access.

Key Fobs and associated amenities access may only be transferred a maximum of three [3] times within a twelve [12] month period.

Motorized Vehicles:

Motorized Vehicles are allowed only in designated parking areas.

Display of an Apache Shores issued Parking Permit is required for use at each amenity that provides a parking area. Please check with the Apache Shores office for parking requirements.

Parking Permits must be renewed on an annual basis. The costs and renewal procedures are determined by the Board.

Boat Ramp Usage:

Boat Ramp Access, Usage, and Fees shall be dictated by the "POLICY AND PROCEDURE FOR USING THE APACHE SHORES PROPERTY OWNERS ASSOCIATION LAKESIDE PARK BOAT LAUNCH FACILITY."

PETS:

All dogs are required to be on leashes and under owner's control at all times. Owners are required to clean up after their pets and can be held responsible if pet waste is not properly disposed. Failure to control or clean up after a pet may also result in fines or loss of amenity access privileges for up to one year.

No animals are permitted in pool area, tennis court, or basketball court at ANY time.

BEHAVIOR:

Anyone using any Apache Shores community amenities are required to observe respectful behavior at all times.

Unruly, or nuisance behavior, should be reported to the Apache Shores office. Fines may be imposed at the discretion of the Board, or any policies in place. In the event of a situation requiring immediate attention, please call 911.

Security personnel hired by Apache Shores to enforce parking policies, boat ramp access, etc. may also exercise their discretion in handling unruly behavior; including, but not limited to, expulsion of those behaving improperly and/or calling local law enforcement if deemed necessary.


There shall be no wheeled toys, skate boards, roller skates, roller blades, bicycles, tricycles, big wheels, or any other wheeled means of transportation that are motorized or non-motorized permitted in pool area, tennis court, or basketball court at ANY time.

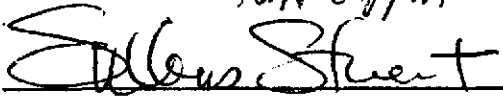
ENFORCEMENT BY THE ASSOCIATION IS AS FOLLOWS:

Failure to observe published rules regarding use of the Community Amenities will result in the following action to be taken by ASPOA:

- A. Possible fines of up to \$200 per offense.
- B. Possible termination of use of any Apache Shores POA amenity for a period of 1 year or as determined by the Board.

This Resolution was adopted by the Board of Directors of the Association on March 16th, 2016



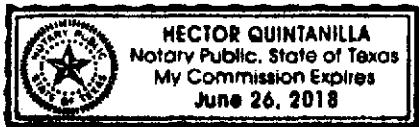
ASPOA President *Tom Lappin*


ASPOA Secretary *Sullins Stuart*

Subscribed and sworn to before me by said

Tom Lappin/Sullins Stuart

Directors of Apache Shores Homeowners Association, a Texas non-profit corporation, on behalf of such non-profit corporation on this 23rd day of March 2016.





Notary Public Signature

Once Recorded Please Return To:

Apache Shores
c/o Pioneer Real Estate Services
611 S Congress Ave #510
Austin, TX 78704

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Jun 23, 2016 04:33 PM 2016099731

RODRIGUEZA: \$42.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS