



## **EAGLE CREST MASTER ASSOCIATION**

### **Policies for Use and Enjoyment of Recreational Facilities**

**Revised February 8, 2002**

The following policies are put in place to protect your use of the facilities and your ownership at Eagle Crest.

#### **Eagle Crest Owner Identification**

These use policies are intended to provide a safe and enjoyable environment for all Owners and their family and guests. In order to restrict access of unauthorized persons to recreation facilities, a system of requesting and presenting owner identification will be enforced. One picture identification may be requested in addition to an Eagle Crest owner identification card. Please understand that resort employees cannot be expected to remember all Eagle Crest Owners—there are thousands! Even if you are our best friends and we see you often, please bring your owner identification and one picture identification with you as you use these facilities, and be patient as employees ask you to present these forms of identification. Inability to show proper identification will result in your being asked to leave the facility and return with the appropriate identification.

#### **Use Rights and Owner Cards**

By ownership of a real property interest within the Eagle Crest Planned Community, you have use rights to Master Association common areas and recreational facilities. Access to the indoor sports center, tennis courts and outdoor swimming pools is controlled and monitored by the Association through issuance of owner cards. For each “ownership interest”, which includes whole ownership of a Lot (whether built on or not), or Living Unit, any fractional interest in a Unit or Lot identified by a formally recorded co-ownership agreement identifying interests and use rights, or any timeshare interest as identified by a recorded timeshare declaration, an “owner fee” is assessed by the Association. For each paid “owner fee”, two Eagle Crest owner identification cards are issued. These owner cards allow access to the sports center and pools and should be carried with you at all times when using these facilities. Owner cards are issued to two specific adults only, regardless of the number of persons named on a warranty deed as owners, for all real property. If there are more than two owners named on the deed for an ownership interest, the owners must determine among themselves the two adults to receive owner cards. This selection may be changed annually. A fee will be charged for replacement of lost cards. Anyone other than the two owners named on the owner identification cards are considered guests, including immediate family members (see below).

Only the two adults named on the owner cards are allowed to use them for access to the facility. Giving your card to a family member or guest is not allowed and the person will not be given access to the facility.

#### **Guests**

Owner cards provide use rights to the families of those owners. A “family” is defined as no more than two adults (married or unmarried) and their own respective dependent children, if any. Dependent children are defined as under age 21, unmarried, and living at home or temporarily

living outside the home while attending school. All other persons who may accompany an owner and family members are considered guests.

While you are “in residence” (staying overnight at Eagle Crest), any of your family or guests, who may be day or overnight family or guests, up to the maximum of six (6), are accorded access and use of recreational facilities just as if they were an owner. Upon presentation of your owner card, you may obtain family and guest passes at no charge.

If you are not “in residence”, all family and guests must be accompanied by you, the owner host (Homesite Owners—see Homesite Owners section following). In addition, those guests not qualifying as family shall pay a guest fee that shall give them access and use of those recreational facilities that are normally free to owners. This fee is established by the Association Board and is payable to the Association. Rates are posted at the Sports Center and are subject to change without notice. As owner host, the total number of family and guest passes that may be issued will be limited to six (6) per day. If you wish to host a larger group, please contact the Resort Manager before your guests arrive.

Day use of the recreation facilities by non-resident owners and their family and guests is subject to space availability and the Resort Manager is authorized to limit day use as necessary to maintain a safe and enjoyable environment.

### **Multiple Owner Policy**

One ownership interest provides full use rights to two (2) adults. If an interest is owned by more than two adults (i.e., two married couples, two single persons who subsequently marry different people, a married couple and a single person), the owners must select two adults to have the use rights afforded the interest, including facility access. All other persons would be considered guests and be governed by policies concerning guests. This selection may be changed annually by written notice to the Association.

### **Sports Center**

The Sports Center has many recreational and leisure opportunities for your use, subject to Association policies and to your own project documents or co-ownership agreements. Please note the guest fee charged to your guests when you are not in residence (see “Guests” above). Racquetball and tennis courts must be reserved in advance by calling the Sports Center Desk. Hours of operation and other policies for use and enjoyment of the facilities are posted from time to time at the Sports Center. An adult must accompany children under the age of 14 when using the pools, spas and indoor courts. Use of the fitness equipment is limited to persons age 16 and over. Your Eagle Crest owner identification card with one picture identification will be required for access.

### **Pool and Spa Use**

Three outdoor swimming pools and spas are managed by the Master Association and available to all Eagle Crest owners for their use and enjoyment. Access to the pool and spa at the Sports Center is through the front desk and owner or guests passes must be presented to access. Guest passes may be obtained at the Sports Center. Day use rates will be charged for non-resident guests. The two remote location pools, one on Red Tail Hawk Drive (south the Sports Center) and one on Kingfisher Circle in the Estate Homesite community, have locked gates. You may obtain keys and entrance gate codes, if applicable, at the Sports Center upon presentation of owner or guest passes. Hours of operation and other use policies will be posted at the pools and must be followed. “Adults Only” hours will be in effect from time to time for the

swimming pools and spas. Again, at all outdoor pools, carry your owner identification with you as resort staff will be monitoring pool usage. The Inn at Eagle Crest pool is for hotel guests only.

### **Resort Employees**

The Resort Manager is authorized to allow resort employees usage of recreation facilities, provided the usage is managed to minimize impact on owner usage. Weekend usage of pools and spas is not allowed during the summer season (Memorial Day to Labor Day). If an employee is also an Eagle Crest owner, owner policies for use of the facilities apply to that employee. Employees are asked not to use the Estate Homesite pool.

### **Homesite Owners**

Because a homesite owner may not have a home built in which to be "in residence," and use and occupancy of a home is not managed through a check-in process for most homes, guests passes for your family and guests must be obtained at the Sports Center. A maximum of six (6) guest passes per day will be issued. The following policies for issuance of guest passes will apply:

#### **Lot with Homes Built:**

For family and guests staying in your home with you, please accompany them on their first visit to the Sports Center so passes can be appropriately issued for the duration of their stay with you. No guest fees will be charged. The maximum number of guest passes that may be issued per day is six (6).

**Rentals:** If you rent your home, your renters must provide proof of the rental arrangement (i.e., a written copy of their rental agreement) in order to obtain guest passes for use of facilities during their stay. The rental agreement must have the owner's name, phone and address, the renter's name, phone and address, address and phone of the rental property, dates and duration of stay, and number of rental occupants expected to be in the home. Presentation of a key to the home will not be accepted as proper renter identification. Please advise your renters and provide them with proper written authority prior to their arrival at the resort. Upon presentation of correct rental identification, no fees will be charged to renters for issuance of the guest passes. Renters will abide by the same policies, rules and regulations as owners including the maximum number of additional guests allowed (6).

**Vacation Homes:** If you give your home to friends or family to use while you are not in residence, they must provide proof of the arrangement. Information needed by the Sports Center in order to obtain guest passes for use of facilities during their stay is as follows: Owner's name, phone and address, the occupant's name, phone and address, address and phone of the property, dates and duration of stay, and number of occupants expected to be in the home. Presentation of a key to the home will not be accepted as proper identification. Please advise your guests and family and provide them with proper written authority prior to their arrival at the resort. Upon presentation of correct identification, no fees will be charged for issuance of the guest passes. Your authorized occupants will abide by the same policies, rules and regulations as owners including the maximum number of additional guests allowed (6).

**Additional Co-Owners:** For additional co-owners in one ownership interest who are not issued the two owner cards, these co-owners may obtain guests passes while in

residence for the duration of their stay and no fees will be charged to the resident co-owners. These passes will count toward the total daily passes of six (6).

**Minor Children:** Minor children of owners in permanent residence will be issued a "Minor Card." This card will have the child's name, birth date, address and phone. The Owner parent will sign the card giving permission for the child to access the facility without the parent in attendance. Policies regarding age restrictions on equipment and facilities will still apply. These cards will be valid for one year from the date of issuance. The child will not be allowed access to the facility without presenting this identification.

**Lots without Homes Built:**

Non-resident family and guests (no home is built on the lot), must be accompanied by the owner to obtain family and guest passes from the sports center for use during their visit. No guest fees will be charged and the maximum of six (6) passes per day will apply.

**Unauthorized Activities**

Licensed and insured instructors are authorized by the Resort Manager from time to time to teach certain classes at the Sports Center. The Resort Manager or its designated representative reviews such proposals. All approved classes are open to owners, guests and, if space is available, employees of Eagle Crest Resort. For liability reasons, no owner, renter, guest or other unauthorized person is allowed to hold and/or teach classes of any size at Eagle Crest Resort without the specific written approval of the Resort Manager or designee, including proof of adequate insurance coverage as required by the Resort Manager. Location and times of approved classes to be at discretion of Sports Center Manager. Anyone to be found teaching in any capacity without these approvals will be asked to desist. Failure to comply may result in loss of usage privileges of the facility.

**Enforcement of the Policies**

The Association Board has delegated enforcement authority to the Resort Manager. Any Owner, family member or guest who has been advised by the Resort Manager or his designees that they are in violation of these policies is asked to immediately cease and desist that activity. If any Owner, family member or his guest, after being notified by the Resort Manager, or his designee, that they are in violation of the Policies, fails to comply with the Resort Manager's direction, the matter will be handled at the Resort Manager's discretion. The decisions made by the Resort Manager are final. You have the right to appeal the Resort Manager's actions at a later date. To do so, you must notify the Board in writing and the Board will review the matter at its next regularly scheduled meeting.

Any conduct deemed offensive or inappropriate by the Resort Manager or designees, including Sports Center staff, may result in loss of usage privileges.

The Association Board from time to time at the sole discretion of the Association Board may change these policies.