

**FOXCREEK OWNERS ASSOCIATION, INC.
AMENITY CENTER RULES & REGULATIONS**

KEYCARD ACCESS

Prior to the use of the FoxCreek Indoor Pool, Fitness Center and Clubhouse each member must execute or have current in effect a FoxCreek Homeowners' Association, Inc. Amenities Usage and Indemnification Agreement. Admittance to the indoor pool and the fitness center are by keycard access. One (1) keycard will be provided for each address. Additional keycards can be purchased for a cost of \$15.00. A maximum of five (5) keycards can be assigned to a Member's property. Damaged or lost keycards will be replaced for a cost of \$25.00 each at the Member's expense. Keycards may not be loaned under any circumstances.

IDENTIFICATION/PROOF OF RESIDENCY

Prior to the issuance of any keycard or the ability to use the facilities, each Member will need to show photo identification to the Association staff accompanied by the appropriate paperwork and written location of residency at the Member's property.

In no event shall any Tenant of a Member be permitted to use any facility or amenity unless and until the Member shall have completed and filed with the Association a Notice of Transfer signed by the Member and only after the Tenant shall have further complied with all Rules & Regulations for use of the facilities including, but not limited to, submission of photo identification and proof of tenancy.

WHO CAN USE THE AMENITIES

The amenities are provided for the enjoyment of homeowners and their accompanied guests. All assessments must be paid in full in order to have access to the facilities. Clubhouse, Pool and Fitness Room use is denied until all assessments are current. Guests are limited to three (3) non-residents for each household. An adult is described as being **18** years of age or older. **Children under the age of 15** and all guests must at all times be accompanied by an adult member whose assessments are current. **Pets will not be allowed inside the clubhouse, fitness room or pool areas.** The Rules and Regulations set forth by the Association govern the use of the common facilities for the enjoyment and benefit of all. Failure to comply with any rules and restrictions will result in assessments for non-compliance, as articulated in the governing documents and approved by the Board.

GENERAL

The Clubhouse, Fitness Center, swimming pools and all common areas are provided for use and enjoyment by residents and their guests.

Official clubs, charitable organizations and other authorized entities shall follow all the rules established by the Association for scheduling the use of the Clubhouse and other areas. No individual, group of individuals, or club/organization, can reserve any area at any time without approval.

- All residents and their family and guests who participate in any HOA related on-site activity or function in the HOA facilities, including exercise classes, do so at their own risk and further indemnify, release and hold harmless the Association, its employees, agents and assignees, and expressly assume all risks incident thereto.
- **Smoke-Free Facilities:** The Clubhouse, Fitness Center, including areas adjacent to the entries', fenced-in pool area, all bathrooms and indoor pool are smoke-free facilities.

- All residents have the right to participate in all social events. However, the number of persons using any or all of the HOA facilities at a given time may be limited by the Fire Department rules and regulations, with further restrictions that may be imposed by the Association.
- No signs may be erected or posted on HOA facilities, nor may any advertising leaflets, papers or written matter be distributed within the HOA facilities without the express consent of the Association.
- Residents are prohibited from bringing or permitting pets and animals from entering HOA facilities, including all pools and enclosed areas belonging to the HOA. The only exceptions are seeing-eye and service dogs.
- Bicycles are not permitted in the Clubhouse, Fitness Center, and indoor pool deck or on the outdoor pool deck.
- Commercial activity in and on FoxCreek' common property is not authorized, with the exception of Association contracted operations. Upon written request, and with the approval of the HOA, the Association may authorize charitable organizations and official clubs to engage in activities that support their goals.
- The member is financially responsible for any damage caused by them, a minor or guest.

HOURS OF OPERATION

The clubhouse, fitness center and pool areas are protected by an alarm system which also have motion sensor security cameras. The fitness center will open at 5:00 a.m. and will close at 11:00 p.m. It is imperative that all members exit the building by 10:50 in order to avoid setting off monitored alarms. Access to the indoor pool also requires a key tag. Indoor pool hours are from 5:00 a.m. to 10:00 p.m. Specific times are set aside for lap use only as well as specific times for family use.

Lap Hours are: 5:00 a.m. – 10:00 a.m. 1:00 p.m. – 3:00 p.m. 7:00 p.m. – 10:00p.m.

Family Hours are: 10:00 a.m. – 1:00 p.m. 3:00 p.m. – 7:00 p.m.

RESPONSIBILITIES

Authorized access to the fitness center and indoor pool is determined by use of an access card. Members should exercise caution in permitting access to persons who do not have key tags or are not residents or guests in the company of residents.

All individuals using the fitness center and the indoor swimming pool will do so at their own risk.

All individuals using HOA facilities shall conduct themselves in a courteous manner with due regard for the rights of others to use and enjoy the facilities. All members must conform to and be responsible for instructing their guests to be in compliance with regulations.

FITNESS CENTER RULES & REGULATIONS

1. The Fitness Room is for the enjoyment of homeowners and their accompanied guests. Guests are limited to three (3) non-residents for each household. An adult is described as being **18** years of age or older. **Children under the age of 15** and all guests must at all times be

accompanied by an adult homeowner whose assessments are current. **PETS** will not be allowed in the Fitness Room.

2. Children ages 11 and under are not permitted in the fitness room at any time. This includes strollers, baby carriers and children sitting inside the fitness room area while a parent/guardian is exercising.
3. Teens between the ages of 12-15 may use the Fitness Room equipment when accompanied by an adult who is responsible for direct supervision. An adult is defined as someone 18 years or older and direct supervision is defined as being immediately adjacent to the machine that the child is using. The adult may be using an adjacent machine or standing next to the machine that the child is on.
4. Rubber soled shoes that cover the entire foot must be worn at all times. For health and safety reasons, sandals, spike shoes, work boots and flip flop types of shoes are not permitted.
5. Shirts must be worn at all times. Bathing suits and jeans are not permitted in the fitness room.
6. Food is not permitted in the fitness room. Closed, plastic beverage containers are allowed.
7. Please be considerate of others, wipe down equipment after each use, and return the weight plates and dumbbells to the racks provided.
8. Circuit training has priority. Please allow others to "work in" (share) the circuit equipment in between sets.
9. Cardiovascular equipment use is limited to 30 minutes when people are waiting.
10. Running, playing or misuse of the facility and or the equipment will not be tolerated.
11. Individual music and television must be used with headphones only.
12. Members are responsible for turning off lights and televisions upon exiting the facilities.
13. Members should not adjust the temperature at any thermostat. Please contact Stellar Community Management should a change be necessary.
14. TV programs will be set to pre-established popular channels or as mutually decided. Do not change the channel on any TV unless consent is given by those already watching. Do not adjust volume control on televisions. Use headsets only.

Personal Belongings

FoxCreek Homeowners Association is not responsible for personal belongings lost or stolen in the facility.

Equipment Malfunctions

Please report any equipment problems to Association Community Services at 804.359.2895.

Safety Precautions

Using a spotter when lifting weights is recommended. The fitness room is not supervised and you are exercising at your own risk.

FoxCreek Homeowners' Association is not responsible for any injuries that may occur.

The FoxCreek Homeowners Association does not employ a professional trainer for the fitness center, nor does it endorse any professional trainer. Any solicitation of such should be reported to Association Community Services.

Feedback and comments about the operation of the facility are encouraged. Please send them to Association Community Services via e-mail, fax or phone.

Indoor Swimming Pool Rules & Regulations

1. All residents and guests of a resident swim at their own risk. Life guards are not on duty as is posted throughout the indoor pool area.
2. No food or drink in glass containers is allowed at the indoor pool.
3. Children under the age of twelve (12) using the indoor pool must be accompanied and supervised by an adult over the age of eighteen (18).
4. Individuals wearing diapers must use watertight "swimmies." Uncovered children, cloth diapers and or paper diapers are not allowed in the swimming pool. Members are financially responsible for any accidents that require cleaning up toxins in the pool.
5. Nude or topless female swimming is prohibited.
6. Running on the pool decks and jumping or diving into the pool is prohibited.
7. Furniture is limited within the pool area and may not be "saved" or "reserved" for persons not at the pool.
8. Life vests, water wings and noodles are approved for use in the pool. Rafts, inflatable and flotation devices are prohibited in the pool.
9. Throwing objects, e.g. balls Frisbees, etc. in or around the pool area is prohibited. The use of water guns is prohibited.
10. Placing objects that present a danger or impediment in front of pool steps or ladders is prohibited.
11. Organized water sports must be approved by the Association.
12. Use of the indoor pool for swimming laps shall be restricted to the designated times. Free swim for families shall also be restricted to the appropriate designated times.

FoxCreek Owners Association, Inc.
Acknowledgement of Receipt for Amenity Center Rules & Regulations

I/we, the undersigned, agree to abide by all of the Rules & Regulations for the FoxCreek Clubhouse, Fitness Center, Indoor Swimming Pool and other common amenities. I/we understand that the Association may revoke our privileges for a non-specified period of time for noncompliance of these rules.

I/we, the undersigned do hereby acknowledge receipt of the above mentioned Rules & Regulations. We understand that additional keys can be purchased at this time for \$15.00 but that lost, damaged or stolen key tags will be replaced on an individual basis for a cost of \$25.00 per key tag.

I/we, the undersigned do hereby acknowledge that the use of the amenities provided by the FoxCreek Homeowners' Association, Inc. is done at our own risk.

I/we, the undersigned do hereby acknowledge that FoxCreek Homeowners' Association is not responsible for any injuries that may result from use of its common areas and facilities.

Circle One: New Construction (New Construction = one free key fob)

Resale

Indicate # of Key Fobs Received from previous Owner: _____

Number of Additional Key Tags Requested: _____

Check #: _____ **Amount Enclosed:** _____

(make check payable to Foxcreek Owners Association, Inc)

Name: _____

Phone: _____

Address: _____

Signature: _____

Date: _____