

Policy 2: Amenities Policy

1. Purpose

Under the Articles of Incorporation, the purpose of the Association, in part, is to own and operate and maintain facilities and roadways in Apache Shores. The purpose of this Amenities Policy is to establish the policy by which Members may use Community Amenities.

2. General

2.1. Definitions

Association Complex means the area located at 14919 General Williamson Drive, which is approximately twenty-one acres of land that currently houses the (a) Association office, (b) Disc Golf Course, (c) Volleyball Court, (d) Soccer Field, (e) Community Hall, (f) Pool, and (g) Sport Courts (Tennis and Basketball).

Authorized Transferee means the tenant who has rights to Community Amenities after transfer of the rights by a Member.

Club Apache Amenities means the (a) Boat Ramp, (b) Community Hall, (c) Pool, and (d) Sport Courts (Tennis and Basketball).

Community Amenities means any area owned by the Association that is designated for recreational use.

Open Access Amenities means the (a) Disc Golf Course, (b) Indian Creek Hiking Trail, (c) Volleyball Court, and (d) Soccer Field.

Parking Lots means the parking lots located at the (a) Lakeside Park, (b) Geronimo Children's Park, (c) Hiking Trail, and (d) Association Complex).

Parking Permit means the parking permits required for the Parking Lots.

Shared Amenities means the (a) Lakeside Park and (b) Geronimo Children's Park.

2.2. Categories

The Community Amenities are divided into four categories: (a) Shared Amenities, (b) Open Access Amenities, (c) Club Apache Amenities, and (d) Parking Lots.

2.3. Release and Waiver

ANY MEMBER, AUTHORIZED TRANSFEREE, OTHER USER, AND THEIR GUESTS, AND ANY OTHER PERSON WHO, IN ANY MANNER, MAKES USE OF, ACCESSES, OR ENTERS THE COMMON AREA, COMMUNITY AMENITIES (INCLUDING THE SHARED AMENITIES, OPEN ACCESS AMENITIES, CLUB APACHE AMENITIES, AND PARKING LOTS), TRAILS, DRIVEWAYS, ROADWAYS OR ANY ASSOCIATION-OWNED PROPERTY, DOES AT HIS OR HER OR ITS OWN RISK. SUCH USE OR ACCESS IS CONDITIONED UPON

THE AGREEMENT THAT THE ASSOCIATION, THE BOARD, MANAGEMENT STAFF, AND ANY EMPLOYEES, REPRESENTATIVES, AGENTS, ARE HELD HARMLESS AND RELEASED FROM ALL LOSSES, CLAIMS, PROPERTY DAMAGE, OR PERSONAL INJURY ARISING FROM OR RELATED TO USE OF THE COMMON AREA, COMMUNITY AMENITIES (INCLUDING THE SHARED AMENITIES, OPEN ACCESS AMENITIES, CLUB APACHE AMENITIES, AND PARKING LOTS), TRAILS, DRIVEWAYS, ROADWAYS, AND ANY ASSOCIATION-OWNED PROPERTY.

2.4. Rules

Except for exemptions approved by the Board, the following rules are applicable to all Community Amenities:

- a. Members must be in good financial standing with the Association in order to access Community Amenities or to transfer their rights to an Authorized Transferee. No Member shall be allowed to renew their access if they are behind on Assessments, Fees, Penalties or other debts owed to the Association or Management Company.
- b. A Member or their Authorized Transferee must accompany guests at all times and remains responsible for the conduct of all of its guests while using Community Amenities.
- c. Hours of use are from dawn until 10:00 pm except for the Lakeside Park and Community Hall.
- d. Use of the Community Amenities is at the risk of Members and/or Authorized Transferees.
- e. No destructive activities. Any costs related to damages caused by abuse by Members, Authorized Transferees, or their guests may be assessed to that Member.
- f. No glass containers.
- g. No large or dangerous items, including inflatables (e.g., bounce castles), stage equipment, electric lights, and torches, are allowed.
- h. No property may be stored temporarily or permanently on or in common areas.
- i. All trash and pet waste must be put in trash receptacles (if available) or removed and put in personal trash receptacles.
- j. No illegal activities, including disorderly conduct, are permitted.
- k. Dogs without rabies vaccinations and “dangerous dogs” as defined under Chapter 822 of the Texas Health and Safety Code are not permitted.
- l. All Community Amenities will be cleaned and restored to their original condition after use.
- m. No Community Amenity will be closed for private use except for the Community Hall (e.g., Geronimo Children’s Park will not be closed for a child’s birthday party).
- n. No Community Amenity will be used for commercial use (directly or indirectly for financial gain), paid activities or open to the general public, without prior approval from the board.
- o. The Americans with Disabilities Act (or other Federal or Texas laws) regarding trained service dogs will supersede any listed Association rules regarding dogs.

2.5. Electronic Key

One electronic key per Member or Authorized Transferee (i.e. smart key, access card or key fob) will be provided by the Association for access to the Lakeside Park (this electronic key will also be used for access

to the Club Apache Amenities after payment of applicable fees). One additional electronic key per Member or Authorized Transferee will be subject to the payment of a fee set by the Board. Replacements for lost or damaged electronic keys may be purchased from the Association for a fee as set by the Board and such lost or damaged electronic keys will have access terminated. If a property is sold or if a Member transfers its rights to an Authorized Transferee, all previous access will be terminated and such rights will be transferred to the new Member or Authorized Transferee. No Member or Authorized Transferee will be granted more than two active electronic keys at any given time. *Refer to The Apache Shores Property Owners Association, Inc. Community Amenities Fee Schedule for current fees.

2.6. Authorized Transferee

To transfer their access rights to an Authorized Transferee, a Member must complete the form provided by the Association, which may include submitting a copy of the lease and other requirements. By transferring this right to access the Community Amenities, such Member is giving up all of their rights to the Community Amenities. Such rights will be transferred in their entirety as there will be no shared access to the Community Amenities. Members may transfer their rights no more than three (3) times per calendar year. Members who own lots without residences are not eligible to transfer their rights.

2.7. Advertising Access

Advertising the sale or access to Community Amenities in a manner not in accordance with this policy is prohibited.

2.8. Enforcement

Any violation of these guidelines may result in additional fees and/or the suspension or revocation of access privileges, at the discretion of the Board.

3. **Shared Amenities**

3.1. Fees

No fee will be charged for use of the Shared Amenities (*the (a) Lakeside Park and (b) Geronimo Children's Park*).

3.2. Description, Use and Rules

Shared Amenities are subject to the Declaration of Covenants and Easements for Shared Facilities.

3.2.1. *Lakeside Park*

The Lakeside Park is located on the eastern end of Long Bow Road and is approximately 3.5 acres of park land along Lake Austin with approximately 560 feet of shoreline. Except for exemptions approved by the Board, the following additional rules apply to the Lakeside Park:

- a. No children under the age of 16 are allowed in the Lakeside Park at any time unless accompanied by a parent, guardian, or responsible person over the age of 18.
- b. The gate must remain closed at all times, after entering or exiting. Tampering with the gate or fence may result in immediately being ejected from the Lakeside Park and termination of the electronic key.
- c. Only five guests per Member or Authorized Transferee.
- d. No feeding animals.
- e. No hunting.
- f. No cooking or fires except in the provided grills.
- g. No camping.
- h. Do not disturb natural landscapes and be cautious of plants and wildlife in their native habitat.
- i. Monday through Thursday, dogs are required to be on leashes or under control at all times. Dogs are not permitted Friday through Sunday.

3.2.2. *Geronimo Children's Park*

Geronimo Children's Park is an approximately one-acre parcel of land located at 2619 Geronimo Trail. Except for exemptions approved by the Board, the following additional rules apply to Geronimo Children's Park:

- a. Only children are permitted on the playground equipment.
- b. No children under the age of 12 are allowed in the Geronimo Children's Park at any time unless accompanied by a parent, guardian, or responsible person over the age of 18.
- c. Only five guests per Member or Authorized Transferee.
- d. No feeding animals.
- e. No hunting.
- f. No cooking or fires except in the provided grills.
- g. No camping.
- h. Do not disturb natural landscapes and be cautious of plants and wildlife in their native habitat.
- i. Monday through Thursday, dogs are required to be on leashes or under control at all times. Dogs are not permitted Friday through Sunday.

4. **Open Access Amenities**

4.1. Fees

No fee will be charged for use of the Open Access Amenities (*the (a) Disc Golf Course, (b) Indian Creek Hiking Trail, (c) Volleyball Court, and (d) Soccer Field*).

4.2. Description, Use and Rules

4.2.1 *Disc Golf Course*

The Disc Golf Course is a disc golf course located partly in the Association Complex. It is available on a first come, first served basis. Except for exemptions approved by the Board, the following additional rules apply to the Disc Golf Course:

- a. Non-players and spectators have right-of-way.
- b. No children under the age of 12 are allowed on the Disc Golf Course at any time unless accompanied by a parent, guardian, or responsible person over the age of 18.
- c. Only five guests per Member or Authorized Transferee.
- d. No motorized vehicles, bicycles or horses are allowed.
- e. No feeding animals.
- f. No hunting.
- g. No cooking, fires, or smoking.
- h. No camping.
- i. Do not disturb natural landscapes and be cautious of plants and wildlife in their native habitat.
- j. Monday through Thursday, dogs are required to be on leashes or under control at all times. Dogs are not permitted Friday through Sunday.

4.2.2. Hiking Trail

The Hiking Trail is just shy of one-half mile in length and runs along Indian Creek. The trailhead is located at 2812 Geronimo Trail. The Hiking Trail winds back and forth across the creek from Geronimo Trail to Indian Creek Road. The Hiking Trail is on 11.25 acres of Association land with a diverse array of riparian trees, shrubs, and grasses. Except for exemptions approved by the Board, the following additional rules apply to the Hiking Trail:

- a. Only use of the designated trail is allowed; leaving the trail is prohibited.
- b. No children under the age of 12 are allowed on Hiking Trail any time unless accompanied by a parent, guardian, or responsible person over the age of 18.
- c. Only five guests per Member or Authorized Transferee.
- d. No motorized vehicles, bicycles or horses are allowed.
- e. No feeding animals.
- f. No hunting.
- g. No cooking, fires, or smoking.
- h. No camping.
- i. Do not disturb natural landscapes and be cautious of plants and wildlife in their native habitat.
- j. Monday through Thursday, dogs are required to be on leashes or under control at all times. Dogs are not permitted Friday through Sunday.

4.2.3. Volleyball Court

The Volleyball Court is located at the Association Complex. It is available on a first come, first served basis. Except for exemptions approved by the Board, the following additional rules apply to the Volleyball Court:

- a. Do not move or alter the nets.
- b. No children under the age of 12 are allowed on the Volleyball Court at any time unless accompanied by a parent, guardian, or responsible person over the age of 18.
- c. Only five guests per Member or Authorized Transferee.
- d. No pets are permitted.

4.2.4. Soccer Field

The Soccer Field is located at the Association Complex. It is available on a first come, first served basis. Except for exemptions approved by the Board, the following additional rules apply to the Soccer Field:

- a. Do not move or alter the goals.
- b. No children under the age of 12 are allowed on the Soccer Field at any time unless accompanied by a parent, guardian, or responsible person over the age of 18.
- c. Only five guests per Member and/or Authorized Transferee.
- d. Monday through Thursday, dogs are required to be on leashes or under control at all times. Dogs are not permitted Friday through Sunday

5. Club Apache Amenities

5.1. Fees

Payment of the membership fee set by the Board is required for Club Apache Amenities (*the (a) Boat Ramp, (b) Community Hall, (c) Pool, and (d) Sport Courts (Tennis and Basketball)*). In addition, payment of a fee for the individual Club Apache Amenities set by the Board is also required. A Parking Permit will be provided for each Member paying the membership fee, per the Amenities Fees Policy.

5.2. Description, Use and Rules

5.2.1. Boat Ramp

The Boat Ramp is on the southern end of the Lakeside Park and is suitable for launching up to 25-foot boats onto Lake Austin. To obtain a permit, a Member or Authorized Transferee must complete a form with the ASPOA office (and form must be approved), including a release and indemnity agreement, and present the following: (a) a valid photo identification, (b) proof of TPWD registration, (c) trailer license number, and (d) payment in the amount set by the Board for the permit. The valid photo identification and TPWD registration must match the name of the Member or Authorized Transferee. To obtain a temporary permit, a Member or Authorized Transferee must complete a form with the documents identified above and the number of days for the permit (no more than seven consecutive days is permitted). The number of

temporary permits is limited to four per year per Member. Except for exemptions approved by the Board, the following additional rules apply to the Boat Ramp:

- a. All vehicles of Members or Authorized Transferees launching watercraft must have an official permit affixed to the driver side of the trailer tongue, in addition to the current valid vehicle parting tag. **If the permit is not displayed as required, the vehicle and/or trailer are subject to towing.**
- b. All guests of Members or Authorized Transferees must have an official temporary permit on the dashboard of the driver's side of the vehicle in plain-view. **If the permit is not displayed as required, the vehicle and/or trailer are subject to towing.**
- c. All watercraft must be mechanically sound and in good operating condition.
- d. All watercraft must be launched and removed from one half hour before dawn and before 10:00 pm.
- e. The gate must remain closed at all times. Tampering with the gate or fence will result in immediately being ejected from the Boat Ramp and termination of the electronic key.

5.2.2. Community Hall

The Community Hall is located at the Association Complex. It consists of approximately 2500 square feet of space and includes a kitchen area and two restrooms. To use the Community Hall, a Member and/or Authorized Transferee must complete a form, including a release and indemnity agreement, and pay the rental fee and security deposit set by the Board. The key for the Community Hall may be returned in the secured mailbox or to the designated Association agent. Except for exemptions approved by the Board, the following additional rules apply to the Community Hall:

- a. Hours of availability are from 8:00 am until midnight. For events extending past midnight, there is an additional rental fee and/or rental privileges may be lost. No noise after 10:00 pm.
- b. Number of guests is limited to 100.
- c. No smoking is allowed.
- d. No pets are permitted.
- e. No fees or charges may be imposed or collected from guests; donations and gifts are acceptable.
- f. All lights, fans, and HVAC units must be turned off at the end of the rental.
- g. Cleaning of the Community Hall must be completed immediately after the time of use, which includes the following (all cleaning supplies and trash bags must be supplied by the renter):
 1. Chairs and tables must be clean, folded, and stacked.
 2. Floors must be swept, mopped, and cleaned.
 3. Doors and walls must be clean.
 4. Restrooms, including the mirror, sink and toilets, must be cleaned.
 5. Kitchen area, including the refrigerator and microwave, must be cleaned (inside and out).

- 6. All party decorations must be taken and removed (attach items with masking tape only to avoid damage to the walls and ceilings).
- 7. Any trash immediately near the Community Hall must be picked up and disposed of properly.
- h. Any costs incurred by the Association to clean or repair the premises as the result of the rental of the Community Hall by the Member will be the responsibility of the Member and deducted from the security deposit.

5.2.3. *Pool*

The Pool is a 25' by 60' swimming pool with a pool house located at the Association Complex. To use the Pool, a Member or Authorized Transferee must complete a form, including a release and indemnity agreement. Except for exemptions approved by the Board, the following additional rules apply to the Pool:

- a. No children under the age of 16 are allowed in the Pool at any time unless accompanied by a parent, guardian, or responsible person over the age of 18.
- b. The gate must remain closed at all times after entering or exiting. Tampering with the gate or fence may result in immediately being ejected from the Pool and termination of the electronic key.
- c. Only five guests per Member or Authorized Transferee.
- d. No pets are permitted in the pool or within the gated Pool area.
- e. Only proper swimming attire may be worn in the Pool.
- f. Double swim diapers must be worn by children who have not been completely potty trained.
- g. Swimming with an open sore or a communicable disease is prohibited.
- h. No running, roughhousing, general horseplay, diving, or conduct that will endanger the safety of others is allowed.

5.2.4. *Sport Courts (Tennis and Basketball)*

The Sport Courts are located at the Association Complex. The Sports Courts are available on a first come, first served basis. To use the Sport Courts, a Member or Authorized Transferee must complete a form, including a release and indemnity agreement. Except for exemptions approved by the Board, the following additional rules apply to the Sport Courts:

- a. Do not move or alter the nets or goals.
- b. No children under the age of 12 are allowed on the Sport Courts at any time unless accompanied by a parent, guardian, or responsible person over the age of 18.
- c. The gate must remain closed at all times after entering or exiting. Tampering with the gate or fence will result in immediately being ejected from the Sport Courts.
- d. Only five guests per Member or Authorized Transferee.
- e. Only soft-soled, non-scuffing athletic shoes may be worn on the Sport Courts.
- f. No pets, bikes, skates, skateboards or scooters are permitted.

6. Parking Lots

6.1. Fee

Payment of a fee may be required for a Parking Permit for use of the Parking Lots (*the (a) Lakeside Park, (b) Geronimo Children's Park, (c) Hiking Trail, and (d) Association Complex*), subject to the Community Amenities Fee Schedule.

1. Description and Use

Except for visitors to the office complex and guests of the Community Hall, display of a Parking Permit is required for the Parking Lots. Each Parking Permit is renewed on an annual basis for the amount set by the Board.

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