

and parking, and long and short term maintenance. This "common reserve" is also included in the monthly assessments. All reserves, phase and common, are recorded in the monthly financial statements.

12.3 If reserve funds are insufficient, special and/or regular monthly assessment increases may occur. When reserve funds are excessive, dues may be decreased. These decisions are made by the Board.

### **13. REVISION OF RULES AND REGULATIONS BY THE BOARD:**

13.1 In accordance with the CC&R's and Bylaws, The Third Creek Homeowner's Association Rules and Regulations can be revised by the Board at any time conditions so warrant, provided that a written notice advising owners of the changes is sent to each owner.

## **SECTION II** **AMENITIES: SWIMMING POOL-SPA, CLUBHOUSE, AND TENNIS COURT** **RULES AND REGULATIONS**

### **GENERAL-AMENITIES:**

1.1 These facilities are reserved for the use of Third Creek residents and their guests only.

1.2 Excessive noise or music amplification cannot be permitted as the facilities are located in a residential area. Boom boxes are not permitted.

1.3 Property Management is authorized to enforce the rules and regulations and may request identification to prevent unauthorized persons from using these facilities.

1.4 Pets are not permitted in these facilities.

1.5 Smoking is discouraged in the pool, spa, and tennis court areas. **SMOKING IS NOT PERMITTED IN THE CLUBHOUSE.**

1.6 One pool/tennis court key has been issued to each homeowner. A replacement key will cost \$25.00 and may be obtained from the Property Management office.

1.7 Facilities open at 9:00 AM. No activity is permitted on these premises after 10:00 PM.

1.8 Third Creek Homeowner's Association shall not be liable for any injury or accident which may be suffered by any homeowner or guest due to carelessness or negligence.

1.9 The Association shall not be responsible for lost or stolen articles.

1.10 **Glass bottles are not allowed in the pool, spa, or tennis areas.**

1.11 **CHILDREN UNDER 14 YEARS OF AGE MUST BE UNDER THE DIRECT SUPERVISION OF A RESPONSIBLE PERSON 18 YEARS OF AGE OR OLDER.**

**SECTION II**  
**AMENITIES RULES AND REGULATIONS**

**2. SWIMMING POOL AND SPA: (Bolded items Revised 8-1-06 revised 5/21/07)**

2.1 The pool and spa will be open by Memorial Day weekend and closed September 30th. **Winter spa usage will be posted and determined by the Board.**

2.2 For the safety of others, the following are prohibited:

- a. Running on the deck
- b. Pushing or rough-housing
- c. Wearing apparel other than bathing suits in the pool ( shorts or cutoffs must be hemmed to protect the filter system)
- d. Hairpins or other metal objects that could mark the pool

2.3 Infants not toilet trained must wear special swimming diapers. Violators may be held responsible for all expenses incurred.

**2.4 The spa and sauna is for adult use only. No children under 14 are permitted in the spa. Juniors 14 to 17 are permitted in the spa. An adult only use time of the pool will be scheduled in the morning and afternoon during the hours the pool is open. The times will be posted and enforced by the Pool/Clubhouse attendant. (revised 8-1-06)**

**(Revised May 21, 2007)**

- 3.1 The Clubhouse is available only to Third Creek homeowners during posted hours. Where the personal use is for six or fewer people a deposit of Fifty Dollars (\$50.00) will be required and where the personal use consists of seven or more people a deposit of Three Hundred Fifty Dollars (\$350.00) is required. The deposit will be refundable if the facility is left clean and there is no evidence of property damage or abuse, upon inspection by the Property Manager. A facility inspection sheet may be used to document this. Scheduling will be handled by the Property Manager and will require the signing of the Third Creek Homeowners' Association Clubhouse Application. The deposit does not include any services, including cleaning of the interior and snow removal during the winter months. A check for the deposit is to be paid to Third Creek Homeowners' Association and will be held by the Property Manager pending inspection. **If alcohol is to be served at a private party, a host liability policy must be obtained by the owner using the clubhouse. Otherwise alcohol may not be served. Under no circumstances shall alcohol be served to any minor in violation of the law.**
- 3.2 The Clubhouse is not available for private parties of renters. The homeowner must be in attendance during use.
- 3.3 No smoking or use of any type of open flame is permitted in the Clubhouse including candles. In addition no barbeque equipment shall be permitted inside the Clubhouse or on the wooden deck surrounding it. No food or beverages shall be allowed unless scheduled in the application. No wet feet or wet clothes are allowed in the main and upper floors of the Clubhouse at any time.
- 3.4 In addition to scheduling of the Clubhouse for homeowners, their guest and renters use, the Clubhouse main floors will be open during summer hours when the Association has a Pool/Clubhouse attendant on duty, unless it has been reserved for a private party. The hours and days of the week the Pool/Clubhouse attendant is on duty as well as the days and times the Clubhouse has been reserved for a private party will be posted on the bulletin board located inside the Clubhouse on the wall outside the exercise room. This will be updated each Monday morning.
- 3.5 For those wishing to use the pool table inside the Clubhouse it will be necessary to schedule a time with the Pool/Clubhouse attendant. Play will be limited to 60 minutes or three (3) games unless no one is waiting to use

the table. A signup sheet will be used for this purpose. At least one of the players must have a pool key and must leave it with the Pool/Clubhouse attendant at the time of entering the Clubhouse to play. No one under the age of 14 shall be permitted to use the pool table unless supervised by an adult.

- 3.6 In the event any Clubhouse property is lost, damaged or destroyed by a homeowner, guest or renter, the homeowner shall be responsible for the cost of replacement, repair or cleaning as necessary as determined by the Board of Directors.
- 3.7 The Pool/Clubhouse attendant shall have the authority to order any homeowner, guest or renter to leave the Clubhouse if any of these or the other Section II Amenities, Swimming Pool-Spa, Clubhouse, and Tennis Court Rules and Regulations are violated.

**4. TENNIS COURT:**

- 4.1 Tennis shoes (no black soles) are required on the tennis court.
- 4.2 Activities other than tennis are not permitted on the court.
- 4.3 Any metal racquet with sharp edges must have a metal guard.
- 4.4 THE TENNIS COURT IS OPEN UNTIL DUSK FROM MAY 1ST TO NOVEMBER 1ST, WEATHER PERMITTING.
- 4.5 A sign-up board for reserving a playing time is available on the fence next to the entrance to the tennis court. Time limits of one hour singles and one and one-half hour doubles apply when people are waiting to use the court.