

**NATURE POINTE HOMEOWNER'S  
ASSOCIATION, INC.**

**CLUBHOUSE RULE BOOK**

December 30, 2010  
Telephone: 480-7466 or 450-2384  
Facsimile: 286-4971

**NATURE POINTE HOMEOWNERS ASSOCIATION, INC.  
Clubhouse Rule Book**

**TABLE OF CONTENTS**

GENERAL RULES AND INFORMATION.....	3
<i>Orientation</i> .....	3
<i>Entry to Clubhouse</i> .....	4
<i>Restriction from Entry</i> .....	4
<i>Supervision of Minor Children</i> .....	4
Swimming Pool, Spa, Sauna and Steam Room .....	5
Wellness Center.....	5
Racquetball Court.....	5
Billiards.....	5
<i>Guests</i> .....	5
<i>Dress Code</i> .....	5
<i>Code of Behavior</i> .....	6
<i>Audio/Video Equipment</i> .....	6
<i>Non-Smoking</i> .....	6
<i>Gambling</i> .....	6
<i>Food and Beverages</i> .....	6
<i>Maintenance/Safety Concerns</i> .....	6
<i>Damage to Clubhouse Facilities</i> .....	6
<i>Use of Fireplaces</i> .....	7
<i>Overflow Parking</i> .....	7
<i>Energy Conservation</i> .....	7
<i>Pets</i> .....	8
<i>Storage Areas</i> .....	8
<i>Correction of Unsafe Conditions</i> .....	8
<i>Restricted Uses</i> .....	8
RULES AND GUIDELINES FOR USE OF SPORTS AND FITNESS FACILITIES .....	8
<u>Anasazi Hall</u> .....	8
<u>Dry Sauna</u> .....	9
<u>Grass Fields</u> .....	9
<u>Locker Rooms</u> .....	9
<u>Massage Room</u> .....	10
<u>Racquetball Court</u> .....	10
Spa Facility .....	11
Spa Cover.....	11
<u>Steam Room</u> .....	11
<u>Swimming Pool</u> .....	12
General Rules .....	12
ADA/Handicapped Access.....	13

<b>Pool Cover</b> .....	13
<b>Pool Lights</b> .....	13
<b>Family Bathroom</b> .....	13
<b><u>Tennis Court</u></b> .....	13
<b><u>Wellness Center</u></b> .....	13
RULES AND GUIDELINES FOR USE OF CLUBHOUSE FACILITIES .....	14
<b><u>Game Room</u></b> .....	14
<b><u>Kitchen</u></b> .....	15
<b><u>Fountain and Pond</u></b> .....	15
GROUP RESERVATIONS.....	16
<i>Fees for Reservations</i> .....	16
INDEMNIFICATION .....	16
<b><u>OWNERS ACKNOWLEDGMENT</u></b> .....	18

**NATURE POINTE HOMEOWNERS ASSOCIATION, INC.**

**CLUBHOUSE RULE BOOK**

Nature Pointe Homeowners Association, Inc. (Nature Pointe) has established this Rule Book to provide procedures by which property owners (Owners) and their guests may safely enjoy the use of the Clubhouse and its facilities. The rules contained herein shall be subject to change as conditions may warrant.

Should you have any questions or wish to make any recommendations with regard to the information contained in this Rule Book, please contact the Clubhouse Manager or address questions to the Board.

**I. GENERAL RULES AND INFORMATION**

1. ***Orientation:*** Owners are required to attend an orientation session prior to utilizing the Clubhouse facilities. Please contact the Manager to schedule an orientation session.

2. **Hours of Operation:** The Clubhouse will be open daily from 5:30 a.m. to 10:00 p.m. Extended hours of operation may be approved for special events. Hours are subject to being changed at the discretion of the Board of Directors (Board).

The pool and spa will be open daily from 5:30 a.m. to 9:30 p.m. The Manager may specify certain hours/days for dedicated lap swimming. Water aerobic classes may pre-empt other pool use. The pool and spa will be closed periodically for maintenance.

General outdoor amenities may be used only between the hours of 6:30 a.m. and 9:30 p.m. unless extended for a specific event.

3. **Entry to Clubhouse:** Magnetic entry cards will be issued to Owners to provide entry to the Clubhouse during the Hours of Operation. Owners shall not loan their entry cards to anyone without the Manager's permission. Replacement entry cards shall be billed to Owner. Owner shall notify manager of houseguest or other guest prior to or at time of entry. Guests are required to sign indemnification and register book prior to entry.

4. **Restriction from Entry:** Manager/Board may restrict an Owner's or guest's entry to the Clubhouse if the Manager/Board determines that the Owner or guest is behaving in a manner which jeopardizes the safety or enjoyment of others. The Manager, along with the Board, shall determine the length of time for which an Owner's access may be restricted. Owners will receive written and/or email notification from the Board with regard to the nature and length of any restriction. Manager may restrict access of an Owner's guests if there is a history of disregard by Owner to ensure guests comply with the Rule Book.

Manager may also restrict the access of minor children to the Clubhouse if, in the Manager's opinion, said minor children do not have adequate adult supervision or otherwise exhibit behavioral problems. Individuals under the influence of alcohol or narcotics may not enter the Clubhouse facilities. Firearms or other weapons are not allowed in the Clubhouse or on the Clubhouse property. Any Owner or guest shall immediately leave property if asked by Manager/Board to do so. In the event that a restraining order is necessary to restrict access by an Owner or his/her guest, the Owner and/or Host responsible for inviting guest shall be responsible for time/and or fees necessary to secure restraining order.

5. **Supervision of Minor Children:** Owners shall provide direct supervision of their minor children and guests, and shall pay specific attention to the pool, spa and sauna facilities. There is no lifeguard on duty and adult supervision of minor children is mandatory. Owners shall ensure that invited children and their parent sign the Child's Contract form with birth date the first time they use the facility. Children 11 years of age or older may use the facility from 7am to 8pm without an adult in attendance if he/she exhibits ability to observe the Rule Book. Children 11 years or older may invite up to 2 friends 11 years or older without an adult present, if rules are observed. It is understood that other Owners, Manager, or Board may require changes in children's behavior if

rules are not adhered to by communicating with child. Children 10 years of age or younger require an actual supervising adult or satisfactory older attendant at the facility.

**Swimming Pool, Spa, Sauna and Steam Room:** Children 13 years of age and younger must be under the actual visual supervision of an adult owner in the swimming pool, spa, sauna and steam room areas. Children 5 years of age and younger are not allowed in the steam room or sauna. Children between age 6 and 15 must be with a supervising adult inside the steam or sauna room.

**Wellness Center:** Children 11 years of age and younger are not allowed to use the equipment in the Wellness Center. Owner's children aged 12 to 15 may use equipment with a parent in attendance. Owner's children between the ages of 16 and 17 may only use the Wellness Center equipment upon completion of two (2) hours of professional training instruction on the use of the equipment. Guest under 18 years old are NOT allow to use the Wellness Center.

**Racquetball Court:** Children up to age 9 may only use the court if playing with an adult. Children 10 years of age to 15 years of age must wear goggles while playing racquetball and must be supervised by an adult during their first hour of learning the sport to observe safety procedures. Parents must notify the Manager if a child 10 years of age or older is allowed to play racquetball. A maximum of two (2) children are allowed in the court.

**Billiards:** Children may play Billiards only if playing billiards in the living room with a supervising adult.

6. **Guests:** Owners may invite a limited number of guests to utilize the Clubhouse facilities in the presence of the Owner. Guests must remain in the presence of the Owner during the first hour spent in the pool and spa. For example, a first time guest may not use the pool while the Owner uses the tennis court. Owner must be in the Clubhouse area while guests are present. An Owner must spend adequate time per activity with their guest to orient guests to each activity. Owners are responsible for informing their guests of the Clubhouse rules, and guests must abide by the rules at all times. Owners are required to have first-time guests sign the Guest Contract form prior to using facility. Owners are responsible for the actions of their guests.

Repeated rule violations by an Owner's guest may result in restricted access to the Clubhouse for either the guest or the Owner. More than five (5) guests at any one time must have the prior approval of the Manager. Large events shall require scheduling as a special event.

If an Owner has a disproportionately large number of guests relative to the average number of guests invited by other Owners, the Manager may restrict the number of guests that Owner may invite so as to be a number more consistent with that of other Owners.

7. **Dress Code:** Shirts, Shoes or sandals must be worn in all areas of the Clubhouse with exception of the pool, spa, sauna, sundeck or locker rooms. Athletic shoes must be worn when utilizing the sports and fitness facilities. Proper clothing and attire should be worn at all times. Modestly appropriate swimwear is required in the pool and spa area (no cut offs or thong-type suits

are allowed). Wet swimsuits must be confined to the pool, spa, outdoor deck, locker areas and snack room during inclement weather. Footwear with black soles are not be allowed in Anasazi Hall, the racquetball court or the tennis court.

8. ***Code of Behavior:*** Proper behavior and general courtesy for others should be exhibited at all times. Swearing, cursing and slang cursing (e.g. crap, frickin) is not allowed. Behavior that would cause other Owners or guests to feel uncomfortable is not allowed. Displays of public affection that could be offensive to others are not allowed

Owners and their guests shall be responsible for keeping the facilities clean and in good condition. Trash should be disposed of in proper receptacles. Shoe scrapers have been provided at the building entrance and should be used to remove dirt, mud, snow or ice prior to entering the building. Laying on couches is not allowed.

Owners are required to immediately report to the Manager any unsafe activities or unsafe use of any of the Clubhouse facilities. If the Manager is not available, Owners must remind others of the proper behavior.

9. ***Audio/Video Equipment:*** Only programs appropriate for viewing by all age groups may be played in the public areas of the Clubhouse. Movies rated other than G through PG-13 may only be shown if approved by the Manager. The Manager shall make the final determination as to whether a program is appropriate for viewing.

Audio/video equipment shall not be played at high volume. Individual users of personal CD players, MP3 players, radios, etc. should use headphones and should keep the volume at a level that cannot be overheard by other persons in the vicinity.

10. ***Non-Smoking:*** Smoking is not allowed in any public areas of the Clubhouse inside or outside except inside an Owner's vehicle.

11. ***Gambling:*** Gambling is not allowed in the Clubhouse facilities.

12. ***Food and Beverages:*** Food and beverages are not allowed in the swimming pool area, spa, saunas or game room. Food is allowed in the main living room and Anasazi Hall only during special events. No alcoholic beverages are permitted at any time (per NM statutes), except during a special event with proper licensing.

13. ***Maintenance/Safety Concerns:*** Please immediately contact the Manager should you discover any maintenance or safety issues with any of the Clubhouse facilities. Additionally, if the behavior of other Owners or guests creates a safety or nuisance issue, please notify the Manager immediately. If the Manager is absent or unavailable the Owner shall take corrective action and later notify manager or Board.

14. ***Fees and Damage to Clubhouse Facilities:*** Owners and their guests are responsible for any damage to the facilities caused directly or indirectly by the Owner or their guests. Owners and their guests should promptly notify the Manager as to the nature of any damage. Tapes from the facility's security cameras will be reviewed in instances where the identity of the person causing damage to the facility is unknown. If the tapes do not conclusively identify the individual causing damage to the facility but determine who likely caused the damage, the Board has the authority to determine liability and assess a fee. The cost of time spent reviewing tapes will be added to damages. Additionally, the Board may assess fee for damage if other circumstances create the likelihood of the source of damage. Any fee, Association dues, rentals, damages, etc. shall be payable to the Nature Pointe Homeowner's Association, Inc unless otherwise approved by the Board.

Owners shall be financially responsible for replacement of or repair to damaged items. Manager shall notify the Owner of the repair/replacement cost. Should a dispute arise as to the responsible Owner/cost of repair/replacement, the Board shall make a final determination as to the amount owed. If Owner fails to pay the repair/replacement cost or their monthly Homeowner's Association dues within thirty (30) days, Owner's right to use the Clubhouse facilities may be suspended.

15. ***Use of Fireplaces:*** The wood fireplaces may only be loaded with wood and/or lit by an adult. Wood fireplaces located outdoors may only be used if wind conditions are calm, approval has been granted by the Manager, and no governmental fire restrictions have been issued.

An adult may only turn on propane fireplaces or fire pits when the Manager has granted approval. Adult shall ensure children do not get close enough to hot portion of fireplace/fire pit to allow burning skin. Fire pits and propane fireplaces must be turned off when leaving the area.

16. ***Overflow Parking:*** If the parking lot is full, overflow street parking may be used. If an Owner schedules an event which will require the use of overflow parking, Owner shall notify guests in advance that overflow parking will be used. Vehicles shall be parked in a manner that will not create an unsafe traffic situation and must not block any homeowner's driveway.

Owners who have scheduled large special events may choose to hire parking attendants. Parking attendants may drive an invitee to/from the porte-cochere and then park the vehicle. Parked cars shall not block the porte-cochere.

Nature Pointe is not responsible for any personal injury or property damage relating to the parking of vehicles. (See *Section V: Indemnification*).

17. ***Energy Conservation:*** Owners and their guests should do their part to conserve energy. Please turn off any unnecessary lights, fans, fireplaces or other equipment when not in use. Do not over cool or over heat rooms. Please keep the front vestibule doors closed during inclement weather. Use only as much water volume and soap as reasonably necessary when showering. Please turn off heat lamps when leaving shower room and spa jets when leaving spa.

18. **Pets:** No pets are allowed in the Clubhouse or on the patios with the exception of guide or assistance animals. Leashed dogs are allowed at dog posts so long as they do not exhibit aggressiveness towards other Owners or guests. Owners must clean up after their pet(s).

19. **Storage Areas:** Owners and guests shall not have access to storage room areas, mechanical rooms, the pool equipment room and the maintenance building without express permission from the Manager.

20. **Correction of Unsafe Conditions:** Users are required to notify Manager of any unsafe condition present at the facility. If the Manager is not present, Owner must attempt to correct the unsafe condition.

21. **Restricted Uses:** Scooters, four wheelers, skate boards, radio controlled cars, heelys, etc. are not allowed to be used inside or outside, including tennis court, sidewalks, and parking lot. The above items may be carried to and parked near the bike rack.

22. **Commercial Activity:** No commercial or business activity shall be allowed without the specific consent of Manager/and or Board.

23. **Common Courtesy:** Common Courtesy shall apply to all activity at clubhouse. Common Courtesy may require changing behavior so that maximum enjoyment of facility is achieved.

24. **Rule Book Interpretation:** In the event that Rule Book may be interpreted in more than one way, the Manager/Board shall make the final determination. In the event that a court or legal authority having jurisdiction declares a portion of Rule Book invalid, the remainder of the Rule Book shall be valid and enforceable.

25. **Changes to Rule Book:** The Manager and/or Board shall make changes/introduce new rules to the Rule Book as conditions warrant. The changes shall apply immediately and shall be introduced into future additions of the Rule Book.

## **II. RULES AND GUIDELINES FOR USE OF SPORTS AND FITNESS FACILITIES**

### **A. Anasazi Hall**

Sports activities allowed in Anasazi Hall include basketball, volleyball, badminton and a variety of dancing. The size of the facility does not allow for competitive jumping or lunging near the perimeter walls or other items in the room. Larger group activities take preference over smaller group activities when space is an issue. Special care must be taken not to damage the hardwood flooring. Cleanup and repair costs may be added to Owner's account if required.



The basketball goal and its covering must be operated by the Manager or an adult familiar with the procedure for removing the cover. The basketball rim must be extended away from the wall prior to play. Care should be taken to prevent damage to the wall surfaces caused by ball impacts, etc.

Aggressive play that could result in injury is not allowed. Any spill on wood floor must be cleaned up immediately with towels/floor dry located in the ball cabinet. Only water bottles are allowed in Anasazi Hall, Racquetball and Wellness Center.

#### **B. Dry Sauna**

Children between the ages of 5 and 13 may use the dry sauna if accompanied in the room with an adult. Children under 14 may not operate the mechanical/electrical controls. No child under 5 years of age may use these facilities.

Dry sauna usage shall be limited to ten (10) minutes per session. The last person entering the dry sauna should turn off the heater five minutes prior to leaving. Maximum temperature should be 175 degrees.

Pregnant women, elderly persons, and individuals suffering from heart disease, diabetes, high or low blood pressure or any other medical condition should not enter the dry sauna without prior consultation with their physician. Individuals using the dry sauna should keep themselves hydrated. For safety reasons, individuals should consider not using the dry sauna if alone.

#### **C. Grass Fields**

The grass fields may be utilized for a variety of recreational opportunities. Smaller group activities should subordinate their use of the fields to larger group activities.

#### **D. Locker Rooms**

Children 4 years of age and younger are allowed in the locker room of the opposite gender if the family bathroom located in the pool area is occupied and as long as child is with a supervising adult of the proper gender.

Locker rooms have been provided for showering and changing. Please limit use of showers and changing facilities to five (5) minutes if others are waiting and to conserve water. Before exiting the shower and changing areas, please make sure that they are clean for the next user.

Towels may be provided upon request as Manager may determine. Used and dirty towels must be placed in the provided receptacles. Towels are not allowed in areas of the Clubhouse that may damage the facility or create an unsightly situation. No towels may be taken from the Clubhouse facility.

Lockers are available for storage of personal items. Do not place wet swimsuits or towels in lockers unless they are stored in a provided reusable plastic bag. Please do not store valuable items in the lockers, as Nature Pointe is not responsible for lost or stolen items. Remove the locker key when storing items in a locker and return the key for the next user when you retrieve your items from the locker. Lockers must be vacated when the Owner leaves the facility and in any event may not be used overnight.

Running and horseplay are prohibited in the locker rooms and all other areas.

Please do not flush anything other than toilet paper in the toilets. Sanitary supplies should be disposed of in the provided receptacles. Should a toilet become backed up, please use the plunger located in the handicap stall or advise the Manager.

Cleaning supplies and spare toiletries are provided at the women's towel shelf area and at the men's shaving sink. Please leave the locker room in clean and sanitary condition.

#### **E. Massage Room**

The massage room has been equipped with a Migun Massage Health Bed. The bed provides a rigorous heated massage and should only be used by adults in good health. Pregnant women should not use the massage bed.

Owners shall receive instructions from manager with regard to the use of the massage bed during their orientation session. Anyone using the massage bed must complete an orientation prior to his or her first use of the bed. Individuals should use the provided cushion pad for the first three (3) massages.

Please limit Migun massage sessions to 15 minutes when others are waiting.

Consult the Manager for a massage appointment schedule. Masseur fees are not covered as part of the Association Dues and must be agreed upon between the Owner and the masseuse. All payments for massages will be paid directly to the masseuse.

#### **F. Racquetball Court**

Safety goggles are recommended for everyone and required for children up to age 15. Users understand that bodily injury may occur while playing racquetball.

Children up to age 9 must play with an adult. An adult must supervise children 10 years of age to 15 years of age during their first hour of learning the sport to observe safety procedures. Parents must provide written permission to the Manager if their child 10 years of age or older is allowed to play racquetball. A maximum of 2 children are allowed in court at one time.

The racquetball court may be reserved in advance. Reservations may be made by calling manager or writing reservation on clipboard located at sign-in table. Court play shall be a maximum of one (1) hour if others are waiting to use the court.

### **G. Spa Facility**

Rules applicable to the pool are also applicable to the spa area.

A rinse-off shower has been provided and Owners and their guests should shower before entering the spa.

Children between the ages of 4 and 13 must be supervised by direct eyesight of an Owner. Children 3 years of age or younger are not allowed in the spa, even with swim diapers.

Only one bank of spa therapy jets should be used if the spa is only occupied by one or two users. Therapy jets must be turned off prior to leaving spa and/or installing spa cover. Spa users are not allowed to submerge their heads below water. For safety reasons, it is not recommended that individuals use the spa alone. Water toys are not allowed in the spa.

The spa capacity is eight (8) people. Pregnant women, elderly persons, and individuals suffering from heart disease, diabetes, high or low blood pressure or any other medical condition should not enter the spa without prior consultation with their physician. Individuals using the spa should keep themselves hydrated.

In the event of a nearby lightning storm, all occupants should immediately vacate the spa area and other outdoor amenities until the storm subsides.

**Spa Cover:** The last adult leaving the spa area must cover the spa. The second to last adult to leave the spa should ask the last adult if he/she needs help reinstalling the cover. The therapy jets must be turned off prior to covering the spa. Please ask for assistance if necessary. Owners will receive instructions with regard to installation of the spa cover during their orientation meeting. Disregard for covering the spa may result in the assessment of fees and/or restricted access to the spa. The spa cover must not be dragged across the deck surface.

### **H. Steam Room**

Children 5 years of age and younger are not allowed in the steam room. Children between the ages of 6 and 15 must be with a supervising adult inside the steam room.

Steam room usage shall be limited to ten (10) minutes per session. When leaving the steam room, the seating areas are to be wiped off with the cleansing soap provided. Maximum temperature should be 110 degrees. The last person leaving the steam room must turn off the steam generator.

Pregnant women, elderly persons, and individuals suffering from heart disease, diabetes, high or low blood pressure or any other medical condition should not enter the steam room without prior consultation with their physician. Individuals using the steam room should keep themselves hydrated.

Owners and their guests should not use the steam room if they have any type of contagious or communicable condition that could be spread to others.

## **I. Swimming Pool**

### **General Rules:**

**NO LIFEGUARD ON DUTY; SWIM AT YOUR OWN RISK!**

No diving or cannon balls are allowed. Running, skipping and hurried walking are not allowed around the pool, spa, outside decks or in the locker rooms. Excessive splashing of water onto the pool deck is not allowed. Water guns are not allowed. Boisterous, rough play or any activity that makes other users uncomfortable is prohibited.

Owner must spend the first hour that a guest first uses the Pool/Spa to ensure communication of Pool/Spa rules and safety procedures.

Anyone 13 years of age and younger must be under eyesight supervision by an Owner. Children not yet potty trained must wear swim diapers. Swim diapers will be available for purchase from the Manager. If a supervising Owner temporarily leaves the room not allowing eyesight supervision, children 13 years of age and younger must sit outside of the pool.

A rinse-off shower has been provided. Owners and their guests should shower before entering the pool. Users need to be aware that pool is equipped with automatic cleaning pop-up jets that may cause stubbed toes.

The Manager may specify certain hours/days for dedicated lap swimming. During times not dedicated for lap swimming, recreational swimmers shall maintain a safe distance from lap swimmers. If the number of recreational swimmers exceeds the number of lap swimmers during times not dedicated for lap swimming, lap swimming may be discontinued for safety purposes.

An Owner who sees lightning nearby shall notify swimmers in pool, Owners and guests shall make their own decision to continue swimming or not. Nature Pointe assumes no liability for lightning strikes of the premises.

Owners and their guests should not use the pool or spa if they have any type of contagious or communicable condition that could be spread to others. The pool is a saltwater-based pool (1/10th as salty as the ocean) and should not be used by anyone having an allergy to salt.

Food is not allowed in the pool area. Glass/breakable containers are not allowed in the pool area. Users are required to notify the Manager and persons using facility if unsafe conditions exist in the pool, spa or sauna areas.

**ADA/Handicapped Access:** Please notify the Manager if you require handicapped swimmer access to the pool or spa. An ADA hoist is available onsite to allow handicap pool or spa access.

**Pool Cover:** Only adult Owners who have received orientation on its operation may operate the pool cover. The pool cover may only be closed when there is no one in the pool. If the switch is left on for too long, the pool cover may be damaged. The last adult leaving the pool area shall close the pool cover. Walking on the pool cover or the aluminum reel cover is prohibited.

**Pool Lights:** If the wall-mounted pool lights are turned off, they will not turn back on until they have cooled (approximately 15 minutes).

**Family Bathroom:** The family bathroom should be utilized as the pool bathroom and as a family shower/changing/locker room. Individuals should not use the family bathroom for showering purposes unless all the showers in the main locker room are in use.

## **J. Tennis Court**

Players shall relinquish court to party who has reserved court. Play shall be a maximum of 1½ hours per reservation if others are waiting. Reservations for a single player using ball machine is a 1-hour maximum if others are waiting. Reservations may be made by calling manager or writing reservation on clipboard located at sign-in table.

Unless approved by the Manager, the only acceptable use of the tennis court is playing tennis. Tennis shoes should be worn at all times. Black-soled shoes, skates, skateboards, roller blades or other types of wheeled implements are not allowed on the court. Dogs are not allowed on the tennis court.

Users are responsible for securing the ball machine and sweepers prior to leaving the tennis court. Manager will provide key for the storage cabinet upon request. Use of Nature Pointe tennis balls when court is wet will damage balls and will create a fee to be paid by the Owner. Failure to collect balls hit over wall shall create a fee to be paid by owner.

## **K. Wellness Center**

Children 12 years of age and younger are not allowed to use the equipment in the Wellness Center. Owner's children aged 13 to 15 may use the aerobic machines (excepting the StepMill 7000) with a parent in attendance. Owner's children between the ages of 16 and 17 may only use the Wellness Center equipment upon completion of two (2) hours of professional training instruction on the use of the equipment at Owner's expense. It is required that users warm up muscles on cardio equipment a minimum of five minutes (20 minutes is recommended) prior to stretching or using

strength equipment to lessen chance of injury. Children aged 10 and older are allowed to use the mini-waiting area-TV-couch in the Wellness Center.

Owners are required to have their guests sign the Wellness Center Guest Contract indemnification form located just inside the Wellness Center prior to initial use of the equipment and facilities. Owners and guests must complete an orientation with Manager prior to using equipment. Furthermore, Owners must spend the first thirty (30) minutes during their guest's initial visit to answer questions about facility use.

Before beginning any exercise program, please consult your physician. If you experience any abnormal symptoms such as dizziness, nausea or chest pain while using the workout equipment, please immediately consult a physician. It is required that you review the Physical Activity Readiness Questionnaire and the Health History Questionnaire located next to the Guest Sign-in sheets. Nature Pointe is not able to advise exerciser as to a person's ability to exercise safely as there is not a physician or health professional at the facility.

To help avoid any serious physical injuries, it is also recommended that Owners and their guests consult with their own professional personal trainer with regard to the safe use of each piece of equipment. A reminder that Clubhouse is at 6940' elevation and requires slower ramping up to conditioning.

Read all instructions and posted information prior to using the fitness equipment. If you are unable to determine how to properly use any of the equipment, please contact the Manager for guidance. Do not wear clothing that could become caught or tangled in the equipment. Proper footwear is required (no sandals).

Persons with physical disabilities should only use the fitness equipment with the assistance of an assistant.

Treadmill users are required to utilize the safety alligator clip.

Equipment must be wiped down by the user with antiseptic cleaner following each use. Users that have colds or infectious disease are not allowed to use equipment.

## **L. Game Room**

Due to the number of activities located in this room, individuals must work together to share the space. Ping-pong players are not allowed run or lunge across the room into walls, other games or

other room occupants. Rowdy and boisterous behavior is not allowed and Manager may restrict access to the Game Room.

Only children aged 8 and older are allowed to play foosball.

Use of the Wii game system is limited to a total of thirty (30) minutes if others are waiting to use the game system. The Wii must be unlocked by the Manager and any damage to the game system will be billed to the Owner.

#### **M. Kitchen**

Children 10 years of age or younger are not allowed in the kitchen.

The kitchen is available for use by Owners and caterers may use as a staging/holding area. Reserve Kitchen as soon as possible with the manager. Prior to using the kitchen, the Owner or caterer must receive a safety orientation from the Manager. All kitchen users shall observe safe food preparation and storage practices. Food preparation should not be performed by anyone with a communicable disease. The sink closest to the granite bar top is for hand washing only and must be used frequently.

No grease or oils are to be placed or used in the three-compartment sink or the dishwasher.

Cold foods must be kept at 40 degrees and colder. Hot foods must be kept at 140 degrees and above. Owners must advise other owners of any safety issues that may create food borne illnesses that are observed. Nature Pointe shall not be responsible for any food borne illness relating to food preparation, handling, leftovers, etc. or caterer's prepared food.

Caterers may use facility for staging and hot holding, no food preparation.

Manager must be consulted upon first use of kitchen to familiarize oneself with equipment and procedures. Type of food being prepared, maintaining food temperature requirements, planning of proposed event shall be consulted with manager well before event.

Owners and/or their caterers are responsible for kitchen clean up. Any necessary clean up performed by Clubhouse staff will be billed to the Owner. Owners shall be responsible for any damaged or missing items. Clubhouse china and linens may be used for a fee. A rate sheet may be obtained from the Manager. Manager shall assess fee for kitchen supplies, etc. after event completion.

During special events, only authorized persons shall be allowed in the kitchen.

Outdoor barbeques are to be operated by adults only. Children must be kept a safe distance from the heat source.

#### **N. Fountain and Pond**

Swimming and wading are not allowed in the fountain and pond. Climbing on any portion of the fountain structure or pond or getting near water surface is prohibited. The fountain waterfall shall only be operated during calm conditions and should be turned off by the last adult leaving the patio area.

Owners and parents are required to communicate water feature policies and also maintain direct eyesight of invited children to ensure children do not get near either water feature.

#### GROUP RESERVATIONS

Reservations are required for large numbers of guests and will be made on a first come, first served basis. When reserving an area for use by guests, the Owner should clearly identify the area to be reserved, the number of guests expected, and whether or not the event is a private event. Individual rooms as well as the entire Clubhouse building are available for reservation. Manager or the Board may determine the number of reserved events per Owner.

Notice of events requiring private reservation of the facilities will be posted in advance to advise Owners which facilities have been reserved and whether use of those facilities will be restricted during the event. Fees may be higher for events requiring use of multiple rooms.

***Fees for Reservations:*** The Manager and/or the Board will provide a reservation sheet outlining the fee schedule for reservation of the facilities. Rates shall be subject to change as conditions warrant. If the reserved facility requires more than basic floor cleaning upon completion of an event, an additional cleaning fee will be added to the reserving Owner's Association dues. The fee schedule may reflect either reduced or no cost for Owner-sponsored civic related events. If an Owner is sponsoring an event for the benefit of a guest, the fees may be higher than the published schedule and may be determined by the Manager or the Board.

#### INDEMNIFICATION

Each Owner and every guest by use of the facilities agrees to indemnify and hold Nature Pointe, the Board of Directors and the Developer harmless from any and all claims or damages of any kind or nature resulting in whole or in part from the negligence or misconduct (intentional or otherwise) or violation of these Rules by the Owner, the Owner's family and/or guests. Such indemnification shall include all damages, costs and attorneys' fees suffered or incurred. Owner shall ensure that guests sign an indemnification sheet and register guest prior to facility usage.

Owners shall ensure that parents of guest children sign an indemnification form prior to using facility for first time. All indemnification agreements will continue in effect for subsequent visits.

Owner further waives any and all claims against Nature Pointe, Owners, Managers and the Board of Directors and the Developer (including their respective agents and employees) for damages of any kind or nature. Owner recognizes that each one must carry their own insurance for any such



loss and further acknowledges that the foregoing waiver is necessary in order for the facilities to be made available to the Owners for use at reasonable rates and pricing. Any variation of this plan will result in increases in the homeowner's assessments.

OWNER'S ACKNOWLEDGMENT

I/We acknowledge that I/we have received and reviewed the Nature Pointe Homeowners Association, Inc. Clubhouse Rule Book. I/We agree to be bound by the rules and regulations contained therein and as may be amended from time to time.

Owner's Printed Name	Owner's Signature	Date
----------------------	-------------------	------

Owner's Printed Name	Owner's Signature	Date
----------------------	-------------------	------

Owner's Printed Name	Owner's Signature	Date
----------------------	-------------------	------

Child's Name signed	Birth date	Children's Contract
------------------------	------------	---------------------

Child's Name signed	Birth date	Children's Contract
------------------------	------------	---------------------

Child's Name signed	Birth date	Children's Contract
------------------------	------------	---------------------



# NATURE POINTE HOMEOWNER'S ASSOCIATION

## Adult/Minor Guest Contract

As a guest of the Nature Pointe Clubhouse, I agree to:

- **Read and follow rules posted at each amenity.**
- **Clubhouse use only if this waiver is read/signed by parent & minor child.**
- Provide direct visual eyesight of my children, *especially* in the pool, spa, outdoor fountain and pond!
- **All Drivers must drive slowly/quietly through the NP Subdivision, watching for deer and pedestrians.** Driving carelessly will lead to immediately escort from property. Upon departure you must immediately leave the neighborhood. Do not block driveways or fire hydrants.
- Wellness Center is off limits to all guests under 18 years.
- Swimming Pool-Spa-Sauna rules must be observed. I understand there is **NO LIFEGUARD ON DUTY!** Children 13 and under must be under direct eyesight of responsible adult. No food, drink, or gum are allowed in the pool areas. Spa users must be 4 or older, must be potty trained, no diapers.
- Steam Room or Sauna users 6 to 17 years old **must have adult present** in Steam Room or Sauna. Children 5 and younger are not allowed.
- Racquet ball – **NO Black Soled shoes.** Play must be done at player's risk. Safety goggles are required. No other balls or racquets are allowed. Only 2 players at one time.
- Wet bodies, swimsuits, towels etc. shall be restricted to pool, lockers and decks. Swim suits must be modest and appropriate. Bring your own towel.
- Proper attire and footwear must be worn inside the clubhouse.
- My host and I are responsible for any damage to facility and for notifying Manager immediately. Nature Pointe shall not be responsible for missing, stolen, lost items or damage to private property.
- I will treat others with kindness. Cursing and slang cursing (e.g. frickin etc.) is not allowed.
- I will respect request of Managers, Board and other owners with respect to the use of the facilities. I will be required to leave the facility if the rules/request is not obeyed.
- I will treat all property/equipment with care & respect. I will clean up after myself.
- No Alcohol, Drugs, and Smoking are allowed.
- Antique Billiards table is for adults only.
- Office, Storage, and Mechanical Rooms are off limits to all guests.
- **Emergency Telephone is located in the kitchen/pool for 911 calls.**

My/our host has explained that I/we must waive all claims and must indemnify and hold harmless the Nature Pointe Homeowners Association, developer, managers or other property owners harmless for any bodily injury, accident, or death, property damage, or any conceivable action of any kind resulting from the use of the facilities by myself and any family members.

I/we understand that I/we must comply with all rules and regulations and I/we are using the facilities at our own risk. I/we further understand that my host shall also be responsible for any damages or injuries to the facility that I may cause.

\_\_\_\_\_  
Minor Guest Signature                      Guest Name (printed)                      Date

\_\_\_\_\_  
Parent's/Adult Guest Signature                      Guest Name (printed)                      Date

\_\_\_\_\_  
Adult HOST Signature                      Adult HOST Name (Printed)

# NATURE POINTE HOMEOWNER'S ASSOCIATION

## Wellness Center Member/Guest Contract

As a guest of the Wellness Center, I agree to:

- Complete an orientation with the manager & signed Liability Waiver prior to us.
- Exercise a minimum of 5 minutes (20 minutes preferred) on the cardio machines prior to stretching or weight training to warm up muscles.
- Owner must spend a minimum of 30 minutes with their guest at guest's first visit to ensure familiarity with equipment.
- Owner's children 12 to 15 are only allowed to operate equipment while parent or other NP Adult is in attendance. Guests under 18 are not allowed in Wellness Center.
- Owner's children 16 and 17 are only allowed to operate weight equipment after completing orientation by manager and signature of liability waiver by parent.
- Proper clothing and footwear (no sandals) suitable for exercising must be worn.
- Equipment must be wiped down following use.
- Participants shall not operate equipment they are not familiar with.
- Prior to beginning any exercise program, it is recommended that you consult with your physician and a certified trainer.
- If you experience abnormal symptoms, such as dizziness, nausea or chest pain consult physician immediately.
- Manuals, diagrams and posters are available for your information on correct use of equipment. It is required that you review the Physical Activity Readiness Questionnaire and the Health History Questionnaire located next to the Guest Sign-in sheets. Nature Pointe does not have physician or professional to review sheets.
- If you have a heart condition, pregnant, diabetes, emphysema, back or joint problems, high blood pressure, high cholesterol, smoke, sedentary, taking medications then you **should** consult with a physician prior to exercise program. Nature Pointe does not provide analysis on your suitability to exercise and how to use equipment

Owners and guests who use the Wellness Center agree to indemnify and hold Nature Pointe, Managers, the Board of Directors, Members, and the Developer, harmless from any and all claims or damages of any kind resulting in whole or in part from the negligence or misconduct (intentional or otherwise) or violation of these Rules by the Owner, the Owner's family and/or guests.\*

\_\_\_\_\_  
Guest Signature

\_\_\_\_\_  
Guest name (printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Host/Member Signature

\_\_\_\_\_  
Host name (printed)

\_\_\_\_\_  
Date

\*In signing this contract you relinquish any and all liability rights in the event of accidental injury or death, therefore deeming Nature Pointe a non-responsible party.

# NATURE POINTE HOMEOWNER'S ASSOCIATION

## Children's Contract

**As a guest of the Nature Pointe Clubhouse, I agree to:** (please initial each item)

- Conduct myself according to the highest standards of respect for others with honesty, integrity and responsibility \_\_\_\_\_
- Show proper respect for Managers and adults \_\_\_\_\_
- Show respect for other children and Clubhouse property \_\_\_\_\_
- I will not lie, cheat, steal, gossip or fight \_\_\_\_\_
- I will not use vulgar or profane language or call others inappropriate names \_\_\_\_\_
- I will not bring offensive or disruptive items to the Clubhouse \_\_\_\_\_
- I will wear appropriate clothing, shoes, and will change my swimming attire before re-entering the main areas of the clubhouse \_\_\_\_\_
- I will treat others with kindness as I would like to be treated \_\_\_\_\_
- I will not run, walk hurriedly, dive, splash water excessively on the pool deck and obey all pool-spa-sauna rules. An adult must watch me swim. \_\_\_\_\_
- I will not get near or in the pond or fountain \_\_\_\_\_
- I will not ride bicycle, scooters, skate boards or remote cars \_\_\_\_\_
- I will eat, drink, or chew gum in pool/spa/sauna/lockerroom areas \_\_\_\_\_
- I will clean up, put away items and leave room as clean as started \_\_\_\_\_
- I will ask an adult permission before playing an activity not familiar with \_\_\_\_\_
- I will make my friends aware of rules and help them abide with rules \_\_\_\_\_
- I (if owner) have read the Clubhouse Rule Book and agree to abide with the rules \_\_\_\_\_
- I will get out of pool/spa if I am under 13 and there is not an adult supervising me \_\_\_\_\_

**I have read and understand the above Nature Pointe Children's Contract.** By signing this contract I agree to do my best to abide by all of the standards of conduct and Clubhouse Rules when using the Clubhouse. I understand that failure to do so could result in my being asked to leave the Clubhouse, with time period to be determined by the Board. In signing this contract you relinquish any and all liability rights in the event of accidental injury or death, therefore deeming Nature Pointe a non-responsible party.

Children's signature	Children's name (printed)	Birth date	Date
----------------------	---------------------------	------------	------

Children's signature	Children's name (printed)	Birth date	Date
----------------------	---------------------------	------------	------

Child's Parent or Guardian signature	Child's Parent name (printed)	Date
--------------------------------------	-------------------------------	------

Host Owner signature	Host Owner name (printed)	Date
----------------------	---------------------------	------