

DANCING WILLOWS METROPOLITAN DISTRICT

RULES AND REGULATIONS

INTRODUCTION

These rules and regulations (“Rules and Regulations”) have been adopted by the Board of Directors (“Board”) of Dancing Willows Metropolitan District (“District”) in order to set forth standards for the use and operation of certain District facilities. The District shall retain the power to amend these Rules and Regulations as it deems appropriate. Any such amendments shall be by resolution adopted at a regular or special meeting of the Board and periodically incorporated in printed copies of these Rules and Regulations. Prior notice of these amendments shall not be required to be provided by the District exercising its amendment powers.

ARTICLE I. DANCING WILLOWS SWIMMING POOL

A. GENERAL INFORMATION The District welcomes property owners and guests to the swimming pool and clubhouse facilities (“Pool”). These rules and regulations will provide for a more enjoyable experience while visiting the Pool.

1. Membership Eligibility. All owners of real property within the District and individuals residing within the District and non-residents of the District who have paid a fee for membership as set forth in these Rules and Regulations are members (each, a “Member”). In order to verify membership, the District requires the following:

a. Property owners provide proof of membership by providing a copy of a deed granting the owner fee simple title to a privately owned site. Membership will automatically include all immediate family members who are residents of the District.

b. In addition to property owners, those persons whose primary residence is in the District (renters from property owners) may have rights to use assigned to them by having completed a copy of the “*Consent To Tenant*” form and “*Renter Information Sheet*” and returning these forms to the Management Company (defined below).

c. Non-residents of the District may pay a fee for use of the Pool and its facilities in amounts set forth in Exhibit A attached hereto (the “Pool Fees”). The Pool Fees may be changed from time to time in the District’s discretion by resolution of the Board. Pool Fees must be paid on or before December 1 of each year. If a non-resident Member fails to pay the Pool Fees, the Board has the authority to suspend the rights of all individuals of the non-resident Member’s household or qualified renters to use the Pool and pursue any other available remedies.

2. Membership Cards/Keys.

a. The Pool facilities main gate will be locked at all times. One gate card/key will be issued per household by the Management Company. The gate card/key cannot

be duplicated. In the event a gate card/key is lost, there is a \$25 charge for a new card/key. Subsequent losses will result in a \$50 charge for each replacement card/key.

b. Membership cards/keys are voided or repossessed when property is sold. A Member who sells their property and is under contract for another property within the District may be eligible to retain membership during this period. Contact the Management Company at the number below for further details.

c. Membership cards/keys issued to non-residents of the District under Section A.1.c above are good for the period of one year and must be renewed on an annual basis.

3. Children at the Pool. THERE IS NO LIFEGUARD AT THE POOL. Members are reminded that parents are responsible for the *behavior and safety* of their children. Children must be supervised at all times by a responsible adult. Neither the District nor the Management Company assumes or accepts responsibility for supervision of children.

4. Guests. Guests at the Pool must be accompanied by a Member in good standing. Members are responsible for their guest's actions, including but not limited to, any damage to the Pool. In general, each Member is limited to no more than five guests per day. Any single activity, which will involve more than five guests and any other special occasions must be pre-approved by the Management Company. All guests must be accompanied by their Member host at all times when using the pool.

5. Limitations On Use. The Pool may not be used to conduct any activity, program or other event for profit by any Members, business or other person.

B. GENERAL OPERATION RULES AND PROCEDURES

1. Management. The District has contracted with Community Solutions, Inc. ("Management Company") for the administration, management and operation of the Pool. Any inquiries pertaining to the operation and/or management of the Pool should be directed to:

Community Solutions, Inc.
141 Union Boulevard, Suite 450
Lakewood, CO 80228-1898
Telephone: (303) 457-5170
Facsimile: (303) 457-5175
Attn: Don Yowell

2. Hours. The Pool will be open from 10:00 a.m. to 10:00 p.m. daily. Extended hours for parties and special functions will be available with prior written approval from the Management Company. Entering the Pool facilities during closed hours will subject the Member to a warning or suspension of Pool privileges. Restriction of hours for non-resident access may be adopted by the Board from time to time to relieve congestion at the Pool.

3. Pool Calendar. The Pool will open the Saturday the week immediately preceding Memorial Day and close on Labor Day. Opening and closing dates may vary each year, depending on weather.

4. Private Parties. Members may reserve the Pool amenities for private parties. Reservation requests will be accepted no earlier than May 15th of each year. Private party reservations will be limited to one party per household. Additional date requests will be considered on an exception basis depending on availability, no more than one month prior to the requested date. Posting of private party times and dates will occur as needed or the Management Company may be contacted for an update. All private parties must clean up the clubhouse before they leave. A security deposit of \$100 is required consisting of a \$75 refundable damage deposit that will be returned as soon as the clubhouse area is checked by Management Company staff and a \$25 a non-refundable administrative fee. Private party reservations will be limited to four (4) weekend dates per month and six (6) weekdays per month. USE OF THE POOL IS NOT EXCLUSIVE DURING PRIVATE PARTIES.

5. Animals. No animals will be allowed with exception of trained assistance dogs in the Pool area deck.

6. Lost Articles. The District is not responsible for articles lost or stolen.

7. Accidents. The District is not responsible for any accident occurring on property owned and operated by the District.

C. POOL RULES

The following are rules and regulations for specific areas of the Pool. Additional rules and regulations may also be posted in specific areas. The District has implemented these rules and will in all cases seek Pool user cooperation in abiding by these rules to ensure the safety of all Pool users. It is impossible to list every rule and standard, so it must be understood that the Management Company is empowered to make decisions, make judgment calls and enforce rules in an effort to prevent accidents.

1. Decisions of the Management Company will be final, based on potential and preventable hazards and accidents.

2. No running is allowed on the Pool deck, in the locker room or other wet/slippery areas.

3. Swimmers may not hang on any lap swim lane ropes or any safety rope that may be installed.

4. Food and drinks will be allowed in designated areas only. Glass bottles and containers are not allowed at the Pool.

5. Proper swimming attire must be worn by all swimmers.

6. No spitting while in the Pool or on the deck.

7. No flips, twists, cannonballs, can openers, back dives or back jumps will be allowed from the side of the Pool.

8. Showers are recommended before entering the Pool in accordance with Colorado State law.

9. Inflatable beach balls, flotation devices and other items designed for community swimming pools are allowed. Swimming pool play items should not interfere with the use or enjoyment of the Pool by others.

10. Smoking and alcohol are not allowed in any of the Pool areas.

11. Diving into the Pool is prohibited at all times.

12. Children must be supervised at all times by a responsible adult.

D. HOT TUB RULES

1. No children under the age of 12 permitted.

2. Swim suits required. No cut-off pants or shirts allowed.

3. Shower before using the hot tub.

4. No alcohol, beverages, or food in the hot tub.

5. No smoking in the hot tub.

SAFETY ADVISORY: Members and Guests with heart disease, diabetes, high or low blood pressure or any serious illness, and pregnant women should not enter the hot tub without prior consultation with their physician. People with skin, ear, genital or other body infections, open sores or wounds, should not use the hot tub due to the possibility of spreading infection. Do not allow the hot tub's water temperature to exceed 104 degrees Fahrenheit (40 degrees Celsius). Do not soak for more than 15 minutes at one sitting in 104 degree Fahrenheit (40 degree Celsius) water. Do not use the hot tub alone or while consuming alcoholic beverages or during/after using over-the-counter or prescribed medications that may cause sleepiness, drowsiness, or raise or lower blood pressure. Do not use the hot tub while under the influence of medication or immediately after consuming a heavy meal. Illegal drug use is strictly prohibited. Enter the hot tub slowly and cautiously.

E. CODE OF CONDUCT

1. Disorderly conduct will result in immediate disciplinary action. Such discipline may include but is not limited to: one-week suspension, two-week suspension, or one month's suspension. If the Management Company deems it necessary to involve law enforcement authorities, a minimum suspension of 30 days from the Pool will be mandatory.

2. Disorderly conduct may include, but is not limited to the following:

- a. Threatening, profane, indecent, coercive or disrespectful actions, gestures, words or language to Management Company staff, fellow Members or guests;
- b. Fighting (verbal or physical), scuffling or horseplay within the Pool or on District property;
- c. Possession or consumption of alcoholic beverages within the Pool or on the Pool property;
- d. Illegal drugs within the Pool or on District property;
- e. Smoking within the Pool;
- f. Unacceptable loitering within the Pool or on District property or any District facilities deemed to be destructive or offensive;
- g. Dress code violations posted for the Pool facilities;
- h. Failing to obey any directive given by a Management Company staff member in accordance with these Rules and Regulations;
- i. Theft or attempt to remove equipment or items belonging to the District, its Members or guests;
- j. Damage or vandalism to Pool equipment or facilities;
- k. Failure to obey posted safety rules;
- l. Committing illegal or criminal acts in violation of state, local, or federal laws or regulations; and
- m. Actions or activities that are not respectful of the well being of other persons and/or property.

ARTICLE II. PARKING

A. No vehicle may be parked in such a manner so as to impede or prevent ready access to any entrance or exit of a building, driveway or parking space, nor shall any vehicle be parked on any grass, sidewalk or patio, block garbage trucks from access to any dumpsters or be parked in a fire lane or designated "No Parking" area.

B. No house trailer, camping trailer, horse trailer, camper, camper shells, boat trailer, hauling trailer, boat or boat accessories, truck larger than three-quarter (3/4) ton, recreational vehicle or equipment, mobile home, or similar vehicle may be parked or stored anywhere within the District unless it is parked in a garage, unless otherwise approved by the Board, and unless they are being actively loaded or unloaded. This applies to all vehicles even if they are licensed by the State of Colorado or any other jurisdiction as "passenger vehicles". No emergency or temporary parking shall continue for more than seventy-two (72) hours.

C. All vehicles parked in the District must have current license plates. Inoperative or abandoned vehicles may not be parked in the District. Vehicles shall be deemed to be “abandoned or inoperative” if they meet one (1) or more of the following criteria:

1. The vehicle has not moved from location for twenty (20) days, except with the written permission of the Board.
2. The vehicle has a flat tire or other condition rendering it inoperable.
3. The vehicle does not have current license plates.
4. The vehicle is in an obvious state of disrepair, such as having a missing tire, having a smashed window, having a missing or damaged body panel or other parts or the vehicle is on jacks or blocks.
5. The vehicle has not moved, for seventy-two (72) hours, from a parking space along any private access drive, except with the written permission of the Board.

D. Motorcycle kickstands must have a block of wood or some other method to support the stand when in use, so as not to damage the surface beneath

E. Vehicles in violation of parking regulations are subject to being towed at the owner’s expense and/or being fined by the Board.

F. **These parking rules and regulations do not apply within or to property within Dancing Willows Condominiums.**

ARTICLE III. UNDERDRAIN SYSTEM

As required by Jefferson County, there is an underdrain system serving Dancing Willows.

A. All residential improvements not served by a sump pump, whether single-family or multi-family, must be connected to and served by the underdrain system.

B. Property owners, whether single-family or multi-family, will own, maintain and otherwise be responsible for the portion of the underdrain system up to and including the connection with the main. The District shall be responsible for the mains and all outfalls to the system.

EXHIBIT A
SCHEDULE OF POOL FEES
DANCING WILLOWS METROPOLITAN DISTRICT

The Pool Fees shall be assessed as follows for non-residents of Dancing Willows Metropolitan District:

\$700.00 - a household membership