

RULES AND REGULATIONS REGARDING THE USE OF THE SKY MOUNTAIN COMMUNITIES CLUBHOUSE AMENITIES

The clubhouse and its facilities are open for exclusive use by Owners/Residents and their guests of Sky Mountain Homeowners' Masters Association (SMHOA) and Sky Mountain Golf Estates Homeowners' Association (SMGEHOA) hereafter referred to as "Owner". This document shall be effective as of 11-6-99 and shall be revised as needed from time to time.

If HOA member has an approved lease and Tenant is registered with SMGEHOA/SMHOA, then the Tenant shall have full use of the facilities with the property owner's approval. However, Tenant and HOA member may not use concurrently, and the HOA manager must be provided with written designee.

The following Rules and regulations govern the use of the clubhouse and its facilities and apply to all HOA members; HOA members approved tenants and guests. HOA members are responsible for the actions of their approved tenants or guests.

CLUBHOUSE

1. The clubhouse is available to HOA members from 5:00 a.m. to midnight, seven days a week, unless it is reserved for a special occasion. HOA members, tenants and guests are requested to observe "quiet hours" before 9 a.m. and after 9 p.m.
2. There is no smoking within the clubhouse.
3. No wet bathing attire is allowed. Shoes and shirts are required. Therefore, bare feet are prohibited. Exception: The south entrance (by the parking lot) hallway and bathrooms may be accessed by bathers for using the rest rooms.
4. The clubhouse is equipped with an alarm system. To access the clubhouse and disarm the alarm, simply hold the key card flat side to the card reader on the South door frame by the parking lot. This will disarm the alarm system and allow the door to open. Access to the pool and spa will be by using the same magnetic key card.
5. The double glass doors on both sides of the reception area are self-locking. Sometimes these doors get stuck slightly open. If you are not able to activate the alarm because of a system message "not ready to arm" jiggle the double glass doors to insure they are completely closed.
6. Each owner will be issued a maximum of two (2) key cards. Clubhouse key cards must not be duplicated. If an owner lends their security card to a family member or guest, the owner is responsible for the actions of their family member or guest and will be held responsible for any damages. Whenever a unit is rented, the key cards will be given to the renters and the HOA member's use of the facilities is relinquished, unless non-use of the facilities is expressly written in the lease agreement. HOA member must notify the HOA Manager of the names of the renters/occupants now in possession of keys. Replacement cost for lost key cards is \$25 per key card.

7. Anyone under the age of 18 must be accompanied by an adult whenever in the Clubhouse. Exception: Children may enter to use the rest rooms only. Adults are encouraged to accompany their child to the restroom whenever possible, and are responsible to insure the facilities are left in good, clean condition.
8. The kitchen and bathrooms must be kept clean. If you have an accident, or make a mess, you are responsible to clean after yourself. If you are not able or willing to clean after yourself, a professional cleaning service may be hired and the charges will be levied against the owner responsible for the problem
9. Local fire regulations dictate that the clubhouse has a maximum capacity of 108 people.
10. Private use by HOA Members-the clubhouse may be reserved for private functions by Members of Sky Mountain Homeowners Associations subject to the following: It is preferable that a notice of at least 5 days is given prior to the date of your event to the HOA office manager for a clubhouse reservation. A deposit of \$200 and a use fee of \$75 must be given to the SMGEHOA office manager prior to the private use of the clubhouse. The deposit will be refunded if the clubhouse is left in the same condition as it was prior to be reserved. Rental period will be for a four (4) hour time period and shall be rented for the fee of \$75. Rental time period may exceed four (4) hours if –there is no conflicting reservation, and an additional \$75/four (4) hours is paid by HOA member.
11. Use of the clubhouse for events sponsored by the Sky Mountain Homeowners Associations and open to the entire community shall be at no charge. The event must be scheduled through the HOA office manager and the clubhouse must be left in the same condition as it was prior to the reservation.

EXERCISE ROOM

1. The exercise room is available from the hours of 5:00 a.m. to midnight. Owners and their guests are requested to observe “quiet hours” before 9 a.m. and after 9 p.m.
2. All users must wipe off equipment, machines, benches, etc. after each use. Paper towels and cleaning solution are provided in the exercise room for your convenience. Users are expected to comply with this rule as a courtesy to others.
3. Use of the equipment is at the users own risk and those with medical problems should consult a physician prior to using any of the equipment.
4. Before using the equipment or any machine, users must familiarize themselves with the proper use.
5. Users should report any malfunction or dangerous condition of the exercise equipment to the HOA office manager.
6. Do not drop weights on the floor or place weights on seats or benches. Weights must be returned to their respective racks after use. Leaving weights on the equipment is inconsiderate of the next user who may not be able to handle some of the heavier weights.
7. There is no smoking or food or beverages permitted within the exercise room other than non-glass, capped water bottles.
8. No swim wear or revealing workout attire is allowed.
9. Anyone under the age of 18 is prohibited from using any of the exercise equipment unless accompanied by an adult. Adult assumes all liability for injury to any minor children in their care.

10. An exercise room waiver must be signed by all homeowners prior to the use of any equipment. Such signed waiver will apply to all family members, guests and renters.
11. Absolutely no equipment, weights, bars, etc. shall be removed from the exercise room for any reason.

POOL AND SPA

1. Children under the age of 18 must be accompanied and supervised by an adult at all times in the pool and/or spa area. (Utah State Law Rule R392-302)
2. Pool and spa hours are from 5:00 a.m. to midnight. Owners are requested to observe “quiet hours” before 9:00 a.m. and after 9:00 p.m. The pool will not be heated from October to April, or as weather permits, as dictated by the management. The spa will be heated all year.
3. Swimming attire only is permitted in the pool and spa. Cutoffs, jeans, shorts or street wear are strictly prohibited.
4. **Any child under three years old, any child not toilet trained, and anyone who lacks control of defecation shall wear a water resistant swim diaper and waterproof swimwear. Swim diapers and waterproof swimwear shall have waist and leg openings fitted such that they are in contact with the waist or leg around entire circumference**
5. All health, pool and spa regulations must be abided by. Signs displaying pertinent rules are posted in the pool and spa areas for your safety. Persons having skin abrasions, cuts, blisters or any communicable disease may not enter the pool or spa. NOTE: Showers are not available at the clubhouse, so all users of the pool/spa are required to shower at home before coming to the pool. (Utah State Law).
6. Radios and other audio equipment shall not be used without the aid of ear phones. Exception: HOA Sanctioned events may be permitted to have music.
7. Children under the age of 5 are prohibited from using the spa (hot tub). All other users are using the spa at their own risk, and should use the spa cautiously and limit the amount of time spent in the spa to no more than 15 minutes as high temperatures may cause or complicate health problems.
8. The pool furniture is owned by Sky Mountain Homeowners Associations and is to be used in the proper manner in the pool area only. The pool furniture is never allowed in the pool or spa water. **A five foot (5’) clear walkway must be maintained between furniture and the pool edge.** The furniture **inside** the clubhouse is never to be moved and used in or around the pool and spa area.
9. Cooking of any kind is not allowed inside the fenced pool and spa area. No glass containers, bottles, plates, etc. are allowed inside the fenced pool area at any time.
10. Hanging towels, clothing, etc on the fence is not permitted.
11. Use of the pool and spa is done at the user’s own risk. No lifeguard will be provided.
12. All users of the pool are expected to respect others using the pool/spa at the same time. The use of air mattresses, floats, or other flotation devices is allowed only when their use does not interfere with others occupying the pool. All such items must be kept off the planted areas.
13. Pets are never allowed in the pool area (the only exception will be in the case of service animals to assist their owners).

14. No smoking is allowed in the pool and spa area at any time.

GENERAL: (APPLICABLE TO ALL CLUBHOUSE AMENITIES)

1. Offensive behavior, running, horse play, and loud noise (including loud music) are prohibited.
2. Any theft or damage caused by a resident/renter or their guest will become the responsibility of the unit owner for payment of any repairs or replacements.
3. As a courtesy to your neighbors and so that no one group monopolizes the pool area, each household is encouraged to limit the number of persons in the pool/spa area to no more than 6(six). The HOA reserves the right to require households to limit the number of users should the pool/spa area become overly congested.
4. Please clean up all trash and personal items. Items left at the pool or clubhouse will be discarded. **DO NOT DISCARD DIRTY DIAPERS IN ANY OF THE TRASH RECEPTACLES IN THE CLUBHOUSE OR POOL AREA.**
5. No pets are allowed in the clubhouse, pool area, exercise room, etc. unless the animal is a service animal assisting their owner.
6. All HOA Members/Renters are required to have a valid "key card", supplied by the association in their possession and may be required to furnish a driver's license to validate age if requested.
7. Bicycles, skateboards, scooters, roller skates, roller blades, etc. are suitable modes of transportation to travel to and from the clubhouse/pool/spa area. They are not however, to be used for recreation within the clubhouse grounds. These items should be parked in the appropriate bike rack space upon arrival and not left in the grassy areas or sidewalks where they could be hazardous.
8. HOA Members are responsible for their assigned keys until such time as they notify the office manager that the key(s) is/are missing. Any damage caused by a person or persons entering or using the clubhouse or amenities who used a key to gain access shall be the responsibility of the HOA Member to whom the key is assigned until and unless the key has been reported in writing as missing.

PENALTIES FOR VIOLATIONS

1. If you, or someone you have authorized to use your access card, are found to be in violation of the facility rules, the following penalties will be enforced:
 - A. First Offense: A letter indicating a 2 week suspension of clubhouse privileges. Key card will be turned off for that time.
 - B. Second Offense: An additional 2 week suspension of clubhouse privileges plus a \$100.00 fine.
 - C. Third Offense: Additional one month suspension plus a \$150.00 fine.
 - D. **ANYTIME** a resident or their guest(s) violate the hours of the pool/spa area by staying in the area **after the midnight closing time** will incur a penalty of \$50 **in addition to** the above penalties.
2. Any damages caused by an HOA Member or guest will be billed directly to the homeowner in addition to any penalties that may apply.

Revised August 2009

(Page to remain on file in the HOA office)

By signing below, the HOA member acknowledges that he/she has read and understands the above "Rules and Regulations", and that they have received a copy of the same.

HOA Member/Renter Signature DATE

HOA Member/Renter Signature DATE

Sky Mountain Property Address

CLUBHOUSE/POOL WAIVER

I, being of lawful age, in consideration of being permitted to participate in an exercise program, so for myself, my heirs, executors, administrators and assigns, hereby release and forever discharge the Sky Mountain Golf Estates Homeowners' Association, The Sky Mountain Golf Estates Board of Trustees, agents and owners, their heirs, administrators and executors of and from any and every claim, demand action or right of action, of whatever kind or nature, either in law or in equity arising from or by reason of any bodily or personal injuries known or unknown, death or property damage resulting or to result from any accident which may occur as a result of participation in my exercise program or any activities in connection with my exercise program, pool and or pool area use, or any activities in the clubhouse, either by negligence or not. I further release the Sky Mountain Golf Estates Homeowners' Association personnel from any claim whatsoever on account of first aid treatment or service rendered to me during my participation in my exercise program or pool or clubhouse activities. This release contains the entire agreement between the parties hereto and the terms of this release are contractual and not a mere recital. I further state that I have carefully read the foregoing release and know the contents thereof and sign as my own free act.

HOA Member/Renter Signature DATE

HOA Member/Renter Signature DATE

Sky Mountain Property Address