REGENCY AT MONTAINE AMENITY CENTER ACCESS & GUEST ACCESS POLICY

This Amenity Access Policy has been approved by the Board of Directors of Regency at Montaine Community Association. This policy establishes the eligibility requirements for receipt of access fobs by various types of Regency at Montaine Owners, related individuals and guests for access to recreational amenities within Regency at Montaine.

This Amenity Access Policy is administered by the HOA General Manager's Office, which is located at the Outlook Clubhouse at 5335 Water Avens Dr., Castle Rock, CO 80104.

A. DEFINITIONS

The following defined terms are used in this Amenity Access Policy:

Access FOB: refers to a key fob which grants the holder access to the amenity center and pool areas

Association: refers to Regency at Montaine Community Association, a Colorado nonprofit mutual benefit corporation established for the benefit of the membership.

Children and Grandchildren of an Owner: a child or grandchild by blood, marriage or legal adoption.

Extended Family: the grandparents, parents, children and grandchildren of any owner, as well as the current spouses of any children or grandchildren, also includes all related by blood or marriage (i.e., in-laws, brothers, sisters, cousins, aunts, uncles, etc.).

Governing Documents: a collective term referring to the Association's Articles of Incorporation, Bylaws, the Declaration of Covenants and Restrictions (C&Rs), Association Rules and any other rules or regulations adopted by the association.

Guest-band: refers to a silicone wrist band provided by the Association of a specific color that does not hold a key fob

Guests: any individual seeking access to the amenities with the consent of an owner.

Immediate Family: the dependent children of an owner and one of the following: the owner's spouse, the owner's registered domestic partner, or one individual, unrelated to the owner by blood, marriage or legal adoption, who has maintained a common household with the owner for a period of at least six months. A designation of such unrelated individual, when approved, may not be changed for one year for access privileges. Owner must present verification of such cohabitation, satisfactory to the association upon request to the General Manager's Office, (e.g., driver license, bank statement, tax form, insurance papers, utility bill, etc.). For spousal and registered domestic partner benefits, appropriate documentation establishing such status may be

required of the owner (e.g., valid marriage license or certificate, Certificate of Registered Domestic Partnership issued by the Secretary of State).

Other Amenities: the bocce courts, grill center, event pavilion, amphitheater, tennis and pickleball courts owned by the association are "Other Amenities", (as defined herein), and the access FOBs defined in this policy afford the owner access to such facilities.

Owner: any owner of record who owns at least 30% of a residential parcel within the subdivision as described on a recorded grant deed.

Owner-band: refers to a silicone wrist band of a specific color which may or may not hold a key fob and grants the holder access to the amenity center and pool areas

Owner of Record: the person(s) who appears as the grantee on a recorded deed to a residential parcel as the owner(s) of that parcel. A person who holds title merely as security for a loan shall not be considered an owner of record.

Single-Family Renter: the lessee, and his or her immediate family, under a valid lease (at least 12 months in duration) of an owner's improved residential parcel.

Residential Parcel: a Lot or Condominium/Apartment unit within the Subdivision designated for residential purposes.

Subdivision: the Regency at Montaine common interest development, including any real property subsequently annexed to or acquired by the Association.

B. PROPERTY OWNER ACCESS FOBS AND OWNER-BANDS

1. **General:** Except as qualified in paragraphs 3-6 below, the following general rules apply to Access FOBs:

    a) Each residential parcel shall be allotted a maximum of two (2) access FOBs and two owner-bands at no charge to the owner and shall entitle the holder full access of all amenities per the Governing Documents until the qualifying property is sold.

    b) Each residential parcel shall have the option to purchase FOB'd owner-bands at a rate indicated on the rate sheet.

    c) A valid Access FOB must be relinquished (or disabled) when receiving the FOB'd owner-band. Such that the residential parcel still only has two (2) FOBs granting access to the facility at any time.

    d) The issuance of access FOBs is limited to owners of residential parcels and members of their immediate family and extended family residing within the same

residential parcel. This does not apply to multi-parcel owners and owners who relinquish their rights to tenants.

2. **Multiple Owners of a Single Residential Parcel.** As specified, above, only two (2) no charge Access FOB passes shall be issued with respect to any single residential parcel. When a residential parcel is owned by more than one person or couple, the owners of record of the residential parcel must designate the recipients of the parcel's two (2) allotted no-charge access FOBs.

3. **Multi-Parcel Owners.** A multi-parcel owner (an owner of more than one residential parcel) is entitled to two (2) access FOBs multiplied by the number of residential parcels owned, with the criteria for issuance being the same as set forth in paragraphs 81 (a-c) and 82 above. Regardless of how many residential parcels are owned by an owner, only one set of access fobs will be issued per owner. For example, an individual owner of record of three residential parcels would be entitled to a total of twelve (12) access FOBs at no charge, with two (2) FOBs in this case, going to a husband and wife and ten (10) access FOBs available for distribution to immediate and extended family members. However, if the same owner has only six (6) persons in his or her immediate or extended family, access FOBs will not be issued in excess of the number of eligible persons.

4. **Partnerships and Corporations.** Partnerships and corporations which are the owners of record of a residential parcel may receive up to two (2) access FOBs for each residential parcel owned. The entity-owner must designate, on corporate stationary, which of its officers, directors or partners will receive the two (2) access FOBs.

5. **Trusts.** Trusts or trustees which are the owner of record of a residential parcel may receive up to two (2) access FOBs. The Trustee must designate in writing the names of the individuals entitled to receive IDs under the trust. Such designated individuals shall be entitled to purchase additional access FOBs for their immediate/extended family members up to a total of two per parcel. These additional two passes may be purchased at rates established by the current rate schedule and in accordance with 82. A trust document may be required for verification of the identity of the trustee(s).

6. **Issuance of Access FOBs to Single-Family Renters.** The two access FOBs issued to an owner pursuant to paragraph 81, above, may be relinquished to a single-family renter of the owner's improved residential parcel upon written request of the owner and presentation to the association of a lease which has a term of not less than twelve (12) consecutive months. All outstanding access FOBs and transferable guest cards issued to an owner or his or her immediate or extended family with respect to a leased residential parcel, must be returned to the association's Member Services Office before new access FOBs and transferable guest cards will be issued to a qualified renter/family or a per card fee per the rate schedule will be charged prior to issuing new access FOBs on this property. Similarly, access FOBs and transferable guest cards issued to any long-term renter/family must be relinquished to the Member Services Office if the owner wishes to regain his or her access FOB privileges upon expiration of the lease period. The right to assign access FOB privileges to a qualified renter/family

shall be enjoyed by partnership, corporate and trust owners of record, subject to the limitation on the total number of access FOBs to which the residential parcel is entitled pursuant to paragraphs 85 and 86, above.

7. **Term.** All access FOBs are valid until such time that the property is sold (see 89 below) or rented to a qualified renter/family pursuant to paragraph 87, above. Designated access FOB holders may be changed upon presenting existing FOBs at the start of the recreation fee year or when the association re-issues access FOBs.

8. **Sale of Residential Parcels.** Upon the sale of a residential parcel, access FOBs can be issued to the new owners of the residential parcel and their immediate or extended family as provided in paragraphs 81 and 82, above. The access FOBs for the seller and family will be null and void in relationship to the sold property.

9. **Amenity Use Privileges**. All access FOB and owner- or guest-band holders are subject to all applicable association rules (see paragraph 06, below).

10. **Restriction on Transfer.** Access FOBs remain the property of the association and are only assigned to the person to whom the ID is issued, subject to the provisions of this policy. Access FOBs may not be utilized by, or transferred to, any other person. Fees for purchase of any access FOBs that are purchased by an owner in accordance with paragraphs 82 and 83 above are non-refundable.

11. **Attendants for Disabled Owners.** Subject to all other provisions of this policy, where an owner's reasonable use of an amenity is only possible with the assistance of an attendant, that attendant will be permitted access without charge for the purpose of providing such assistance. The association may require satisfactory documentation regarding any claimed disability and the status of the attendant.

C. GUEST/TRANSFERABLE GUEST-BANDS

Transferable Guest-band - Privileges. Each property is entitled to up to three (3) transferable guest-bands, entitling guests access to the pool and tennis/bocce/pickleball court amenities as outlined below. All Guests must be registered and accompanied by a resident before entering the Regency Clubhouse Amenity Center. Long-term guests need to be registered with management. It is intended for these transferable guest-bands to be used by bona fide property owners, guests or renters. Any abuse may subject the owner to disciplinary actions.

General Rules Applicable to All Guest-bands. The following general rules shall apply to the use and enjoyment of these bands:

a) Transferable guest-bands are valid until the property is sold or transferred.

b) No temporary guest-bands will be issued if an Amenity Access FOB is forgotten, lost or stolen.

c) Owner(s) or designated persons of a property may replace a lost or stolen transferable band for a fee.

D. SPECIAL POOL, PICKLEBALL/TENNIS/BOCCE COURT ACCESS REQUIREMENTS

General. Wristbands are for identification purposes for amenities which can be accessed without a valid key fob. These areas include the pool, hot tub, tennis, pickleball and bocce courts.

a) Owner-bands must be worn while utilizing the pool, hot tub, pickleball courts, tennis courts and bocce ball courts. Owner-bands are black.

b) Guest-bands must be worn while utilizing the pool, hot tub, pickleball courts, tennis courts and bocce ball courts. Guest-bands are teal.

E. GENERAL RULES APPLICABLE TO AMENITY USE

1. **Use of Facilities.** Individuals under the age of 19 will not be permitted to use, or have access to, any association amenities. See Association Rules.

2. **Personal Injury and Property Damage.** Amenity users assume all risk of personal injury to themselves, their family members and guests and for loss of, or damage to, the personal property of any such person, and hereby agree that the Association, its management, staff or any agent shall not be responsible for any loss or injury sustained by the owner, immediate or extended family member or guest of the owner. The association rules may require the execution of further waivers of liability as a condition to Amenity use.

3. **Unauthorized Use of Passes.** Any use of access FOBs or transferable guest-bands, which violates any provision of this policy, may result in revocation of the access FOB or guest band.

4. **Lost, Stolen and Temporary Passes.** Any lost or stolen access FOBs or transferable guest bands should be reported to the association's Member Services Office immediately. The association, at its discretion, shall be entitled to issue replacement access FOBs if the circumstances warrant such replacement and to charge a replacement fee established in the rate schedule. Temporary wristbands may be issued to any owner who forgets his or her wristband and will be valid for the single day on which it was issued. As set forth in paragraph C2(b), above there shall be no temporary guest bands. Replacement transferable guest-bands can be replaced by owner request and charged a replacement fee as established in the current rate schedule.

5. **Verification of Owner Status.** Owners are responsible for furnishing the association Member Services Office with a recorded grant deed as proof of status as owner of record. The association, in its sole discretion, shall determine a person's status as an owner, or member of an owner's immediate or extended family. False or misleading information

presented to obtain any access FOB or transferable guest-band will be grounds for disciplinary action against the owner.

6. **Observance of Association Rules.** Owners, other access FOB holders and their guests must abide by the association's governing documents and rules. A copy of these documents is available at the Front Desk of the Outlook Clubhouse. Discipline for violation of the rules may include fines, suspension or revocation of access FOB privileges and membership rights.

7. **Amendments to Amenity Access Policy and Rate Schedules.** The Board of Directors has the authority to amend, revise or modify all or any portion of this policy and the rate schedule. Any such amendment will be promptly communicated to the owners.