

**AMENDED AND RESTATED
POLICIES AND PROCEDURES GOVERNING THE
RECREATION AMENITIES
OF
LINCOLN PARK METROPOLITAN DISTRICT
D.B.A. STONEGATE NORTH VILLAGES METROPOLITAN DISTRICT**

*Adopted and Enforced
By The Board of Directors
of
Stonegate North Villages Metropolitan District*

Effective: May 1, 2021

Preamble

The Board of Directors of Stonegate North Villages Metropolitan District (the “**District**”) has adopted the following Amended Policies and Procedures Governing the Stonegate North Villages Park Recreation Amenities (“**Policies and Procedures**”) pursuant to Section 32-1-1001(1)(m), C.R.S., by Resolution dated April 1, 2021, to provide for the orderly and efficient conduct of construction, management, operation and control of the public facilities and services of the District. The District, pursuant to the provisions of its Service Plan approved by Douglas County (“**Service Plan**”), as it has been and may be amended from time to time, has constructed certain recreation amenities to serve the community commonly known as Stonegate North Villages (the “**Community**”) including a pool, tennis courts, and landscaped common areas (collectively, the “**Recreation Amenities**”).

Unless otherwise specified, all references to the “District” made herein shall refer to Stonegate North Villages Metropolitan District, as well as its respective Board of Directors. All references herein to “District Manager” shall refer to an independent contractor engaged by the District to perform such services, with and to the extent authorized by the District, by contract or other valid allocation of authority.

ARTICLE I

ACCESS TO AND USE OF THE RECREATION AMENITIES

I.1 Persons within the District’s Boundaries. All residents and property owners of property within the legal boundaries of the District, as amended from time to time (“**District Residents and Property Owners**”), and those within the Stonegate North Villages Metropolitan District, as agreed upon six (6) members shall be entitled to use the Recreation Amenities as permitted herein and pursuant to the District’s Amended and Restated Rules and Regulations Governing Lincoln park (“**Rules and Regulations**”), as has been and may be amended. *All persons over the age of 16 claiming status as a District Resident or Property Owner shall present proof of such residency or property ownership to the District Manager upon submission of the District application process hereof in order to receive access for use of the Recreation Amenities. If required, acceptable proof of residency or property ownership shall include, but not be limited to, a valid Colorado*

driver's license or I.D. issued by the Colorado Department of Motor Vehicles or a deed or lease for any such property. The District Manager shall accept or reject any such proof of residency or property ownership at its discretion. Use of the Recreation Amenities by District Residents and Property Owners is subject to timely payment of all of the District's fees, charges and taxes. In the event that such fees, charges and taxes are not timely paid, such resident or property owner shall not be issued access to the Recreation Amenities, and any privileges for use of the Recreation Amenities pursuant to a previously issued Access shall be suspended or revoked, in the District's discretion.

I.2 Persons outside of the District's Boundaries. All persons not residing or owning property within the legal boundaries of the District, as such boundaries may be adjusted from time to time via the inclusion and/or exclusion of property ("**Non-District Property Owners and Residents**"), shall be entitled to use the Recreation Amenities as permitted herein and pursuant to the District's Rules and Regulations. Charges for use of the Recreation Amenities by Non-District Property Owners and Residents shall equal, at a minimum, the estimated annual mill levy payments and other annual fees, for which such property would be responsible if it were included in the District. All persons desiring access to the Recreation Amenities under this Section 1.2, shall pay in full all applicable annual charges and fees, as determined by the District's Board of Directors, and subject to adjustment in its sole discretion, from time to time, prior to being allowed access to the Recreation Amenities for the year in question. The District retains the right to limit access to the Recreation Amenities to Non-District Property Owners and Residents based upon the safe and reasonable capacity of the Recreation Amenities, as determined by the District's Board of Directors, in their discretion. Use of the Recreation Amenities by Non-District Property Owners and Residents shall be allowed on a first-come, first serve basis in the event of any such limitations.

I.3 Use of the Recreation Amenities. All persons entitled to use the Recreation Amenities under this Article 1 ("**Users**") shall be required to utilize the online registration process, to submit the same to the District Manager. All Users shall be issued a mobile access pass by the District. The mobile access pass shall be utilized by all Users for access to the Pool, Tennis Courts, and Recreation Center (as applicable) during permitted times.

All mobile access passes issued are the sole property of the District and may not legally be assigned, sold, loaned or otherwise transferred without the prior written authorization of the District. Any transfer without the District's approval shall be immediately and completely void for all purposes and the District shall retain the right to suspend or revoke any User's privileges to the Amenities for such violation. If, at any time, a District Resident or Property Owner moves outside of the District's boundaries or ceases to own property therein, he or she shall promptly notify the District.

I.4 Children. No children under the age of 10 may use the pool unless accompanied by a parent, legal guardian or other adult over the age of 14, as authorized by the parent or guardian. Children under the age of 14 years old shall be permitted use of the tennis courts. Children between the ages of 14 and 18 may use the pool or tennis courts upon a parent or guardian's release as provided when the User applies for the mobile access pass.

I.5 Limitation on Number of Guests Per User. Each User shall be allowed up to five (5) guests per day at no charge for use of the Recreation Amenities (pool only during the pool season).

There is no charge for the first five (5) guests per pool season. However, each Household, regardless of how many Users reside therein, is limited to five (5) guests per day for the pool only during the pool season. Additional guest passes can be purchased for \$10.00 per guest. The general guest fee is \$10.00 per person per day with a maximum of 10 guests per pool season. All guests must be accompanied by the User at all times during their use of the Recreation Amenities. All guests under the age of 18 must be accompanied by a User over the age of 18. All Users shall be responsible for their guests' actions, and shall be jointly and severally liable with such guest for any damages caused by such guest to the Recreation Amenities and/or any violations of these Policies and Procedures and/or any injuries caused by such guest whether negligent, accidental or intentional.

I.6 Recreational Amenities Rental: The District may, from time to time and within its sole discretion, rent the Recreation Amenities for private use to Users. Those persons renting the facilities are not subject to the limitation on the number of guests allowed per user. The rental amount shall be determined on a case-to-case basis by the District Manager.

I.7 Hours of Operation. The Recreation Amenities facilities shall have the following hours and dates of operation:

Pool shall be open from Memorial Day to Labor Day as follows:

10:00 a.m. to 8:00 p.m. Monday through Friday

9:00 a.m. to 8:00 p.m. on Saturdays and Sundays

Adult Swim 6:00 a.m. to 10:00 a.m.

Tennis Courts shall be open year-round as follows:

Sunday through Saturday from dawn to 11:00pm

The tennis courts have lights that are available from dusk to 11:00pm

The Recreation Amenities' hours of operation shall be subject to seasonal adjustments or changes deemed necessary and appropriate by the Board of Directors in its discretion. Users may contact the District Manager to obtain up to date information relating to the hours of operation for any of the Recreation Amenities. Additionally, the District reserves the right to close any of the Recreation Amenities due to weather conditions, preparation for major events, temporary staffing problems or other reasons. Any such required closing will not result in any adjustments to User fees.

ARTICLE II

MISCELLANEOUS

II.1 Lost Articles. The District is not responsible for any lost or stolen articles or for accidents on the premises. All personal articles should be locked or secured as appropriate to avoid loss to the owner. There will be a collection spot for all lost articles designated in the Recreation Amenities. All lost articles which are not claimed shall be donated to a non-profit collection agency on a monthly basis, as determined at the District's sole discretion.

II.2 Limitation of Liability Of District. Use of the Recreation Amenities is at the sole risk of any User. Except as provided by the Colorado Governmental Immunity Act, Section 24-10-101 *et seq.*, C.R.S., the District shall not be responsible for any claims for damage by reason of any action or inaction of the District or its agents or representatives in connection with any of the Recreation Amenities.

II.3 Equipment. All recreational items and equipment located on or around the Recreation Amenities are the property of the District and shall not be taken from the premises without prior written consent of the District Manager. Any violations shall result in criminal prosecution by the District.

II.4 Smoking, Drugs and Alcohol. Smoking of any kind, including, but not limited to tobacco, marijuana, and use of electronic smoking devices, and use of illegal drugs is not allowed and shall not be permitted on or around the Recreation Amenities. Use of alcohol is permitted by adults over the age of 21. Notwithstanding any of the foregoing, no glass containers of any sort are permitted at any time in the pool, parks, common areas, or any of the other Recreation Amenities.

II.5 Weapons. With the exception of squirt guns, no weapons of any kind shall be allowed on or around the Recreation Amenities, including but not limited to pocket knives or guns.

II.6 Food and Drink. Food and drink are permitted in the Recreation Amenities. Glass containers are absolutely prohibited in the pool and tennis court areas. Users must clean up after themselves.

II.7 Pets. Pets are not allowed in the pool area or in the tennis courts except those specifically trained to help a person with a disability, however, pets are allowed in the common area park and picnic areas. All pets must be accompanied and must be on a leash. All Users are responsible for cleaning up after their pet.

II.8 Commercial uses of the Pool and Recreational Facilities. No commercial activities are permitted at the pool or other recreational facilities.

ARTICLE III

SWIMMING POOL

III.1 Pool Rules. Pool rules, **Exhibit A**, are also posted in the swimming area and may be obtained directly from the District Manager. All Users shall be required to sign a copy of the pool rules at the time that application or re-application is made for mobile access pass. All Users entering the pool may be required to show a picture ID that includes their name and address. If User is under 18 and does not have a picture ID, a parent or guardian with a proper picture ID must accompany User to pool to check in with pool attendant.

III.2 Pool Attendant. The Districts shall contract with a pool attendant on an annual basis which shall be responsible for all aspects of operations and maintenance of the pool and pool area.

III.3 Flotation Devices. No swimmers dependent upon any flotation device shall be permitted in the pool unless accompanied (in the water) and directly supervised by a responsible adult over the age of 18.

III.4 Children. Children under the age of 14 years old shall be permitted use of the pool subject to the requirements of Sections 1.4 hereof.

III.5 Pool and Water Toys. The only play balls allowed in the pool shall be Nerf™ type balls and inflatable plastic beach balls. Tennis ball, golf balls, footballs, basketballs, etc. will not be allowed. Squirt guns, diving toys and reasonably sized flotation devices shall be allowed.

III.6 Attire. Proper and appropriate attire should be worn by all Users and their guests when utilizing the swimming pool facilities. Swim diapers must be worn in the pool at all times by anyone that does not have complete bodily function control.

ARTICLE IV

TENNIS COURTS

IV.1 Tennis Court Rules. Tennis court rules are posted in the tennis areas and may be obtained directly from the District Manager (Please see **Exhibit B**). All Users shall be required to sign a copy of the tennis court rules at the time that application or re-application is made for a mobile access pass..

IV.2 Use of the Tennis Courts. Tennis courts are available to Users and their guests and are open on a first-come, first-served basis, until the District deems reservations are warranted. Use of the courts is limited to one ½ hours when there is a wait for the courts.

IV.3 Equipment. Proper and appropriate attire should be worn by all Users and their guests when utilizing the tennis court facilities. Users shall not adjust nets or any equipment but shall notify the District Manager if any such adjustments are necessary.

IV.4 Skateboards, Skates or Bikes. The tennis courts shall only be used for playing tennis or other authorized uses as determined by the Board of Directors in its discretion. No skateboards, in-line skates or other types of skates, bikes, lacrosse or other unauthorized uses shall be tolerated.

IV.5 Children. Children under the age of 14 years old shall be permitted use of the tennis courts pursuant to Section 1.4 hereof.

ARTICLE V

LANDSCAPED COMMON AREAS

V.1 Park and Picnic Areas. The open green areas (“**Common Areas**”) are intended for general play, recreational use, and picnics (Please see **Exhibit C**). Users shall report all broken or damaged equipment to the District Manager, as well as any other items, such as broken glass, which could be hazardous or harmful to persons utilizing these areas. ***No organized sports or related***

activities are permitted on the open space areas. No motorized bikes or vehicles are allowed in the park areas or on the bike or trail paths.

V.2 **Neighborhood Activity Centers.** Several neighborhood activities centers (“**Activity Centers**”) will exist in Stonegate North Villages, containing playground equipment intended for general use by the District’s residents and property owners.

V.3 **Children.** Children under the age of 18 shall be permitted use of the Activity Centers pursuant to Section 1.4 hereof.

V.4 **Use of Common Areas and Activity Centers.** Common Areas and Activity Centers are available to Users and their guests and are open on a first-come, first-serve basis, unless and until the District deems reservations are warranted.

ARTICLE VI

ENFORCEMENT

VI.1 **Disorderly or Offensive Conduct.** The District and its authorized representatives may request any User and/or guest to cease conduct that is:

- (a) In violation of any of the District’s Rules and Regulations or these Policies and Procedures.
- (b) Interferes with, or is abusive, toward any of the District’s representatives in the normal operation of the facility.
- (c) Interferes with any User or guest’s use or enjoyment of the facilities, or is abusive to any such person.

VI.2 **Remedies Available for Disorderly or Offensive Conduct.** In the event that the offending party fails to cease such conduct after being requested and warned to do so, the attendant or District Manager is authorized to use any and all reasonable means he or she deems necessary to stop such conduct. This includes, but is not limited to, having the offender removed from the Recreation Amenities and barred from further privileges at the Recreation Amenities.

VI.3 **Violation of Recreation Amenities Policies.** If anyone is found abusing the equipment, furniture, or disobeying the District’s Rules and Regulations, these Policies and Procedures, Pool Rules, disciplinary measures will be administered by the District Manager as follows without the necessity of any action of the District’s Board of Directors:

- | | |
|-----------------|--|
| First offense: | Verbal warning |
| Second offense: | Restricted from the Recreation Amenities for one (1) month |
| Third offense: | Restricted from the Recreation Amenities for one (1) year. User must apply for reinstatement. The District’s Board of Directors shall determine whether the reapplication is approved. |

The District's Board of Directors shall be notified of all disciplinary measures by the District Manager and shall, in its discretion, have the ability to impose other disciplinary measures it deems appropriate at any point in time, which may include revocation of Recreation Amenities privileges for a User and/or User's family members. Any violations and disciplinary measures taken will be recorded in writing and kept on file by the District Manager. All violations may be reported to local law enforcement authorities as deemed necessary by the District Manager or the District's Boards of Directors.

VI.4 Restitution for Violation. If any User or guest commits an act or omission that constitutes a violation of these Policies and Procedures, and the Violation causes the District to incur expenses, the User who commits the Violation, or who is responsible for the guest who commits the Violation, shall be liable to the District for all such expenses and shall repay the same to the District upon request. Such expenses may include, but shall not be limited to, reasonable attorneys' fees incurred as a result of the Violation, as well as reasonable costs and/or attorneys' fees incurred in obtaining and collecting a judgment against a User who commits a Violation or is responsible for a guest who commits a Violation.

VI.5 Video Camera Surveillance. Disclosure: Please note that any video cameras in the Recreation Facility or outside the Facility are for surveillance use only and not provided for security of any User(s), or their respective guest(s).

EXHIBIT A

POOL RULES AND REGULATIONS

1. Obey the lifeguards at all times.
2. A valid pool pass (mobile access pass) is required for entry.
3. Use the pool facility as intended and be respectful.
4. Your health and safety are vital. -No glass, smoking/tobacco use, running, pushing, dunking or other harmful behavior is permitted
5. Leave all bikes, scooters, motorized transportation and wheeled toys outside of pool gates.
6. Children under ten (10) must be accompanied by an adult or a responsible caretaker aged fourteen (14) years or older.
7. Failure to adhere to pool rules may result in the loss of pool privileges.

A complete list of regulations can be found on the District's website located at www.StonegateNorthVillages.org and must be observed at all times while visiting our beautiful facilities. If you have any questions, please contact 720-851-8178 or visit the website noted above.

EXHIBIT B

TENNIS COURT RULES AND REGULATIONS

1. Guests must be accompanied by a Stonegate North Villages resident.
2. Please wear appropriate tennis shoes on the court.
3. Please use the tennis facility as intended. No skateboarding, lacrosse, bicycles, or other sports allowed.
4. Your health and safety are vital. No glass, food, smoking/tobacco use, or other detrimental conduct on the courts.
5. Please exercise respectful conduct and limit play to 1 ½ hours if others are waiting
6. Children under the age of fourteen (14) must be accompanied by an adult resident.
7. Failure to adhere to pool rules may result in the loss of pool privileges.

A complete list of regulations can be found on the District's website located at www.StonegateNorthVillages.org and must be observed at all times while visiting our beautiful facilities. If you have any questions, please contact 720-851-8178 or visit the website noted above.

EXHIBIT C

Recreation Area Rules and Regulations

For your protection and enjoyment, the following activities are PROHIBITED unless specifically permitted in writing by the Stonegate North Villages Metropolitan District (SNVMD):

- Please help keep our open spaces beautiful and clean, dispose of trash.
- Please keep your Pets on a Leash and Clean up your Animals Waste
- No Commercial Activity or Organized Sports
- No Smoking, Fireworks, or Projectiles of any sorts.
- No Open Fires. Fires Only Allowed in installed BBQ Grills with Supervision
- No Overnight Parking or Camping.

A complete list of Policies and Rules and Regulations can be found on the Stonegate North Villages Metropolitan District website located at:

www.StonegateNorthVillage.org

For Further Questions Please Contact the Stonegate Villages North Metropolitan District at (720) 851-8178 or visit www.StonegateNorthVillages.org