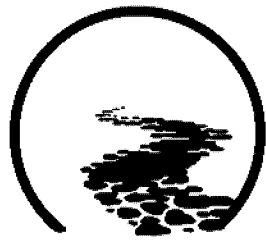


HIDDEN  TRAILS

FACILITY USE POLICY GUIDELINES





HIDDEN TRAILS

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Terms used but not defined in this policy will have the meaning subscribed to such terms in that certain Hidden Trails Master Covenant [Residential] recorded in the Official Public Records of Comal County, Texas, as the same may be amended from time to time (the "Covenant").

INTRODUCTION

This Facility Use Policy Guidelines (these "**Facility Use Guidelines**"), were established by the Board of Directors (the "**Board**") of the Hidden Trails Homeowners Association (the "**Association**") under the authority described in the Documents.

USE OF ASSOCIATION FACILITIES AND ASSUMPTION OF RISK

These Facility Use Guidelines are established to preserve the recreation facilities of the Association and other Common Areas for the use and enjoyment of Owners, Occupants and their guests and invitees (collectively, "**Facility Users**"). These Facility Use Guidelines apply to all Facility Users. While Facility Users are entitled to enjoy certain facilities of the Association including, but not limited to, the Community Room, Patio Corridor, Pool, Fitness Center, and other Common Areas (collectively, the "**Association Facilities**"), they must do so while respecting the rights of others using the Association Facilities, and shall be courteous and reasonable when using the Association Facilities.

All use of Association Facilities, and participation in Association programs is purely voluntary. The recreational nature of all Association activities and programs and use of the Association Facilities involves personal or physical risk on the part of the Facility Users. Program participation by a Facility User is therefore interpreted as tacit acknowledgement and acceptance of the inherent risks. Injuries, accidents or other serious incidents should be immediately reported to the Manager for an incident report to be completed and any needed action to be taken.

Facility Users, by mere use of the Association Facilities, have agreed that the Association, the Manager, the Board and/or the Declarant, and their respective owners, managers, directors, officers, representatives, agents and employees, are not liable for bodily injury, personal injury or inconvenience sustained during the use of the Association Facilities, and any programs presented therein. Further, the Association, the Manager, the Board and/or the Declarant, and their respective owners, managers, directors, officers, representatives, agents and employees, are not responsible for the loss of any personal belongings of any Facility User, vendor, staff member or visitor to any Association Facilities.

In ensuring that Facility Users are provided with a safe and enjoyable experience while using the Association Facilities, these reasonably comprehensive Facility Use Guidelines have been developed. Prior to participating in any Association activity or program, Facility Users are encouraged to familiarize themselves with these Facility Use Guidelines and the layout of the Association Facilities.

AUTHORITY

The authority granted to the Board to adopt these Facility Use Guidelines is provided in the Documents of the Association. These Facility Use Guidelines shall be binding upon all Facility Users. In addition, the Documents provide the Board the means to ensure compliance of these Facility Use Guidelines and the following rights for violations or abuse of these Facility Use Guidelines:

1. The right of the Board to levy reasonable monetary fines.
2. The right to suspend a Facility User's right to use any of the Association Facilities and the Common Area.
3. Members may be requested to appear before the Board to discuss an infraction of these Facility Use Guidelines by the Member, his guest or Occupant of his residence. Members also have the right to appear before the Board if disciplinary action is being considered.

MEMBERSHIP

Pursuant to the Documents, each Owner of a Lot shall be a Member of the Association. A Member may invite guests to the Association Facilities in accordance with the provisions of these Facility Use Guidelines. A Member who leases his home to others thereby relinquishes to the Occupant(s) of the leased residence his rights to use the Association Facilities.

GENERAL RULES AND ETIQUETTE

1. Facility Users shall abide by the Documents and all other Rules posted in respective areas, or adopted by the Board.
2. Facility Users shall conduct themselves in a courteous and respectful manner at all times; refrain from any verbal harassment of any other Facility User, Manager, volunteer, vendor, etc.; shall obey all safety rules, and not compromise the safety of others by their actions. Actions that jeopardize or interfere with the safety, rights and privileges of others, use of profanity, abusive or disruptive behavior, etc. may result in loss of privileges to use the Association Facilities.
3. No noxious or offensive activities shall be carried on in any portion of the Association Facilities, nor shall anything be done therein which may be or become an annoyance or nuisance to other Facility Users, as determined in the reasonable discretion of the Board.
4. Facility Users use the Association Facilities, including the Common Area, at their own risk. The Association, the Board, the Manager and/or the Declarant, and their respective owners, managers, directors, officers, representatives, agents and

employees, are not liable for any personal or accidental injury, damage, and/or loss or theft of property, occurring in or around the Association Facilities.

5. The Association Facilities and Common Area are open to all Owners, Occupants and their guests, and may not be used for any commercial, political or religious purpose without the prior written approval of the Association.
6. Owners and Occupants must accompany their guests at all times when visiting the Association Facilities or Common Area. Children must be supervised by an adult eighteen (18) years of age or older.
7. Soliciting is only permitted by approved vendors during social and educational events planned for the Development. Owners and Occupants may not post notices or advertisements of any kind at any of the Association Facilities or Common Area without the prior written approval of the Association.
8. Use of the Association Facilities and Common Area are subject to the Declarant's promotions for the sales and marketing of homes during the Development Period, free of charge.
9. Owners, Occupants and their guests shall respect, protect and preserve the property, furniture, furnishings and equipment of the Association Facilities and Common Area. Each Owner and Occupant is strictly liable for any damage to any property of the Association caused by the Owner or Occupant, their family or guests, including any and all expenses, collection costs, charges and attorneys' fees incurred to repair the damage or replace the property. Furniture, furnishings, decorations, equipment, etc. shall not be removed from their respective locations unless otherwise stated in these Facility Use Guidelines.
10. When using photographic equipment of any kind, Owners, Occupants and their guests shall not include in the photo or video any person who has expressed a wish not to be included. Use of photographic equipment of any kind is not permitted inside the restrooms.

GUEST USAGE

1. An Owner or Occupant the age of eighteen (18) years of age or older must accompany all guests while using any Association Facility. Guests must remain with the Owner or Occupant at all times. Guests are required to sign the Board approved waiver before utilizing the Association Facilities.
2. An Owner or Occupant the age of eighteen (18) years of age or older is limited to two (2) guests per day at the Pool and the Fitness Center. The Association

reserves the right to make further accommodations upon receipt of an advance written request from an Owner or Occupant.

ACCESS CONTROL SYSTEM

Facility fobs are required to access certain Association Facilities and are issued through the Manager (the “**Facility Fob**”). Only Owners or Occupants possessing valid Facility Fobs are entitled to use the Association Facilities, subject to these Facility Use Guidelines. A fee, in an amount as approved by the Board, will be charged for any replacement of lost or damaged Facility Fob. No refunds will be issued for Facility Fobs. Facility Fobs must be returned to the Manager at move-out.

Owners and Occupants seeking to obtain a Facility Fob must comply with the following:

1. Submit proof of residency (i.e. government-issued identification card, driver’s license, title company document, copy of a lease agreement or a combination thereof).
2. Submit the Board approved Facilities Use Agreement, a copy of which may be obtained from the Manager.
3. Submit the Facility Fob Information Form, a copy of which may be obtained from the Manager.

In order for the Facility Fob to be issued and remain valid, the Owner must remain a Member in good standing of the Association. Facility Fobs may be suspended or revoked for the following actions by the Owner or Occupant of their respective households:

1. Use of false information to obtain a Facility Fob;
2. Unauthorized use of a Facility Fob;
3. Violation of the Documents, including Rules; or
4. Non-payment of Assessments or other charges.

ALCOHOLIC BEVERAGES

1. Intoxication is strictly prohibited.
2. Alcoholic beverages are permitted at the Pool, provided that they are not in glass containers (i.e. wine/beer/liquor bottles and wine glasses are not allowed).
3. Alcohol may be served only to persons twenty-one (21) years of age or older. Persons under the age of twenty-one (21) years are prohibited from consuming alcohol on or in the Association Facilities.
4. Any Owner or Occupant who rents the Association Facilities for a private event must adhere to the following Rules pertaining to alcohol service and consumption during their event:

Alcohol Regulations

Alcohol may not be sold at the Association Facilities, and cash bars are not permitted. If the professional bartending service leaves prior to the event ending, no further liquor can be served.

TABC Certified Bartenders

Owners and Occupants must hire a TABC certified bartender if serving alcohol at their event. Owners and Occupants may purchase and provide the alcohol to the bartender, but all drinks must be prepared and served by the TABC certified bartender.

Liquor Liability Insurance

Owners and Occupants may use either a licensed and insured bartending service or purchase a liquor liability policy through their homeowners insurance or any private event insurance company. A Host Liquor Liability Insurance Certificate, in the amount of \$1,000,000 is required for the day of any private event serving alcohol at the Association Facilities. A copy of the catering/bartending service's Certificate of Insurance must be provided to the Manager no less than fourteen (14) days before the event date. The Manager can provide suggestions for bartenders who possess all necessary certifications and insurance required by the Association.

FITNESS CENTER AND STUDIO RULES

1. The gym and yoga studio (collectively, the "**Fitness Center**") is intended for the private use of Owners, Occupants and their guests only.
2. The equipment in the Fitness Center presents hazards which, if not utilized properly, could cause serious injury or death. Prior to using the fitness

equipment, Facility Users should read the warning labels and instruction placards affixed to each machine. Facility Users assume full risk of loss and responsibility for bodily injury or damage to property related to and/or resulting from the use of the Fitness Center.

3. Facility Users should NOT attempt to use or fix any piece of equipment that is not functioning properly. Facility Users shall immediately report any piece of equipment that is not functioning properly to the Manager so that it may be evaluated and serviced promptly.
4. No person under the age of thirteen (13) years is permitted to utilize the Fitness Center without adult supervision.
5. Infant carriers, strollers, etc. are not permitted in the Fitness Center. Due to safety and liability, no infants, toddlers, or young children are permitted in the Fitness Center.
6. Facility Users using the Fitness Center and its equipment do so at their own risk, and should consult with their physician prior to using the Fitness Center and its equipment. It is recommended that Facility Users using the Fitness Center and its equipment be in good physical condition, and not have medical or psychological conditions, disabilities, impairments or ailments, chronic or otherwise which would preclude, impair or prevent them from using the Fitness Center or engaging in exercise.
7. Only proper workout attire and closed-toed athletic footwear is allowed. No bathing suits, bare feet, flip-flops, sandals, street clothes, or attire with metal or plastic adornments are allowed. Shirts must be worn at all times that fully cover the torso.
8. Cell phone use is permitted, provided that such use must not be noisy or distracting to others. The speaker setting on a cell phone must not be used in the Fitness Center.
9. No radios or other listening devices other than portable devices with headsets may be used.
10. Only water in plastic, non-spill containers is permitted in the Fitness Center. Other drinks, alcohol, tobacco, food, chewing gum, and glass containers are prohibited.
11. Use of the cardiovascular equipment is limited to thirty (30) minutes, except when no other Facility Users are waiting.

12. All cardiovascular equipment to be returned to zero speed and elevation, if applicable, after use. A treadmill should not be stepped onto or exited with a moving belt.
13. Weightlifting exercises should be performed properly, safely, and under control at all times. Weights should not be dropped or slammed.
14. All weights must be kept in the Fitness Center. Dumbbells, weight plates, and handles should be returned to their racks after use. No outside weights may be stored at the Fitness Center. Any moveable equipment must be returned to its regular location upon completion of use. Medicine balls must not be tossed against any walls.
15. After completing their work out, Facility Users should be considerate of others by wiping down equipment and picking up after themselves.

POOLS

The swimming pools and pool area are private Association Facilities (collectively, the “Pool”), and to be used by Owners, Occupants and their guests only. Use of the Pool is at the Facility User's risk. Lifeguards are not provided unless otherwise stated. Facility Users are strongly encouraged not to utilize the Pool alone.

1. Pool hours are as posted on signage on the perimeter of the Pool. The Association reserves the right to close the Pool as needed. Use of the Pool after hours is strictly prohibited and can result in the revocation of an Owner's or Occupant's Facility Fob.
2. Guests must be accompanied by an Owner or Occupant the age of eighteen (18) years of age or older at all times, and each Owner or Occupant may have no more than two (2) guests at the Pool per day. The Association reserves the right to make further accommodations upon receipt of an advance written request from an Owner or Occupant.
3. Facility Users are required to shower before entering the Pool. If suntan lotions or other similar preparations are used, showering is required before each use of the Pool.
4. Appropriate swimming attire must be worn at all times. Cut-offs are prohibited in the Pool.
5. All infants/toddlers must wear swim diapers. No regular disposable diapers or other diapers are allowed at ANY time.

6. Those with health problems such as: diarrhea, nausea, infections, wounds, or open cuts are not allowed in the Pool.
7. Running, jumping or diving into the Pool is not allowed.
8. Music/sound producing equipment (i.e. personal radios, iPods, CD players, boom boxes, etc.) is not permitted at the Pool. Earphones are required for any personal music/sound producing equipment.
9. Food and beverages may be consumed in areas provided with tables and chairs. Only beverages in plastic bottles or cans are allowed at the Pool. Food and beverages may not be consumed while in the Pool.
10. Glass containers of any kind and chewing gum are strictly prohibited.
11. Only Coast Guard approved flotation devices are permitted in the Pool. Water toys and inflatables are not permitted during periods of peak activity. The Manager reserves the right to determine what is considered "peak activity". A minor's use of such flotation devices does not eliminate the need for direct supervision by an adult. Plastic swim goggles are acceptable.
12. Water guns and water balloons are strictly prohibited.
13. Any lifestyle programming or Pool maintenance takes precedence over the Pool schedule, and will determine the times for open swimming.
14. During thunder and lightning storms or other inclement weather conditions, the Manager will close the Pool until inclement weather conditions pass. Facility Users must immediately exit the Pool if directed to do so. If the Manager is not present to direct Facility Users to exit the Pool, it is the Facility Users' responsibility to exit the Pool at the first indication of thunder or lightning.
15. Facility Users are required to comply with all Rules governing the use of the Pool, and at no time should they harass, become a nuisance to, inconvenience or detract from the enjoyment of, another Facility User. Any Facility User failing to abide by this Rule may be required to leave the Pool at the Manager's request.
16. Any Facility User failing to abide by the Rules will be asked to leave the Pool. The judgment of the Manager with respect to safety, decorum and sanitation will prevail.
17. Chemicals are used in the Pool to ensure a sanitary and safe water environment, and conditions are tested and documented on a regular basis. If unacceptable

conditions occur, the Manager reserves the right to close the Pool at any time to preserve the health and well-being of all Facility Users.

18. Pets are prohibited from entering the Pool except those assisting disabled persons. The Association reserves the right to plan pet-related events at the Pool outside of the designated swimming season.
19. Climbing on the surrounding fenced areas or in the landscaping beds is strictly prohibited.
20. Furniture, equipment and supplies that are the property of the Association shall not be removed from any Association Facility or placed in the Pool.

PARKS, PLAYGROUNDS AND SPORT COURTS

1. The use of the parks, playgrounds, and sport courts within the Development is for the exclusive use of Owners, Occupants and their guests.
2. The parks, playgrounds, and sport courts located in the Development are available for use by Facility Users from dawn until dusk. Exceptions may apply for reserved and Association sanctioned events. Parks, playgrounds, and sport courts are not included in event reservations.
3. Glass, ceramic, or other breakable products of any kind are prohibited. Plastic and paper products are recommended.
4. All trash must be disposed of in appropriate trash receptacles. Pet waste must be collected and properly disposed of in appropriate trash receptacles.
5. Parks, playgrounds, and sport courts are smoke-free environments.
6. Consumption of alcoholic beverages is only permitted at the parks, playgrounds, and sport courts during Association sanctioned events or approved resident reserved events, and must adhere to the alcoholic beverages Rules stated in these Facility Use Guidelines.
7. All tables, chairs, benches, etc. must be left in a neat and orderly fashion. Tables and chairs that are not secured to the ground may be rearranged, but must be placed back in their original locations.
8. Use of skates, skateboards, bicycles, and similar devices are prohibited in the basketball court area.

PONDS AND LAKES

1. Facility Users shall abide by posted signage at all times.
2. No swimming, diving or water contact. Facility User shall not allow pets to enter the water.
3. The fishing pond is available for use by Owners, Occupants and their guests from dawn until dusk. Exceptions may apply for Association events. No fishing is permitted after dark.
4. Catch and release fishing only. All fishing must be done with barbless hooks.
5. Facility Users shall not approach, feed or interact with any wildlife.
6. No watercrafts of any kind are permitted in any pond. Exceptions may apply for Association maintenance personnel and vendors.

HIKE AND BIKE TRAILS

The hike and bike trails as well as sidewalks adjacent to all Association Facilities are for foot and bicycle traffic only. No motorized vehicles of any kind are permitted, including golf carts. Motorized vehicles are permitted for use by Association staff and by construction employees. Access to portions of the hike and bike trails may need to be denied from time to time due to weather, trail conditions or other precautions as deemed necessary.

COMMUNITY ROOM AND KITCHEN

The Community Room is a mixed use space, open to all Owners and Occupants to use at their leisure during regular office hours. The Manager, Association and/or Board reserve the right to close the Community Room, or any other Association Facility for special events or private functions. No meetings, clubs, parties, or private events are permitted to gather in the Community Room without prior written approval and completion of appropriate forms deemed necessary by the Manager.

The Community Room's kitchen and/or pantry is to be used only by the Manager and Owners or Occupants who have rented the Community Room. Storage of any food/beverage or use/consumption of any of the items contained in the kitchen or pantry is strictly forbidden. Use of the kitchen appliances, unless reserved, is strictly forbidden. Violation of any Rules regarding the Community Room and kitchen could result in revocation of an Owner's or Occupant's Facility Fob.

FACILITY RENTALS

Certain Association Facilities can be reserved and rented by Owners or Occupants at a cost determined by the Board. Private use of the Association Facilities without an approved Facility Rental Agreement is prohibited.

Rentals may be requested **no earlier than ninety (90) days prior to the event date**. Rentals and reservations must comply with the Facility Rental Policy, and a Facility Rental Agreement and Security Deposit Agreement (if applicable) must be submitted and approved by the Manager no later than **fourteen (14) days prior to the event date**. All applicable rental fees must be paid in full no later than **three (3) days, seventy-two (72) hours, prior to the event date**.

Further information pertaining to renting the Association Facilities is available by contacting the Manager. The Association reserves the right to block off certain dates for Association, Board or Declarant hosted events, meetings, or other activities.