**2500 E. Pepperwood Dr., Sandy, UT 84092 Phone: (801) 278-5060**

# PEPPERWOOD HOA COMMON AREA AND RECREATIONAL USE POLICY

Pepperwood is a unique Community with its own Common Areas and Recreational Facilities that are available for the use of Pepperwood residents. To provide equity and fairness in the use of the Common Areas and Recreational Facilities and to provide uniform policies in their use, the Pepperwood Homeowners Association Board of Trustees ("**Board**") considered and adopted the following:

## Use of Common Areas and Recreational Facilities by Pepperwood residents

The Pepperwood CC&R's provide the following:

- **Article III-Section 1** states: Every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessment by the Association, shall be a member of the Association.
- **Article IV-Section 1** states: "Every member shall have a right and easement of enjoyment in and to the common area and such easement shall be appurtenant to and shall pass with the title to every assessed lot subject to the following provisions:

  (a) The right of the Association to establish uniform rules and regulations pertaining to the use of the common area including but not limited to private streets and the recreational facilities thereof"
- **Article IV-Section 2** states: "Any member may delegate, in accordance with the By-laws, his right of enjoyment to the common areas and facilities to members of his family, his tenants or contract purchasers who reside on the property."

The Board hereby defines "Family" as the following:

1) Any Pepperwood Lot owner or the Lot Owner's tenant or tenants who reside on the premises,
2) A Parent or Parents who are members by ownership of a lot within Pepperwood, the parent or parent's children and the parent or parent's grandchildren whether or not they reside on the premises"
3) Two unrelated adults who reside on the premises and any minor children related to them who may or may not reside on the premises.

**Use of the Pavilion**

The Pavilion may be used by any Family, as defined above, on a non-exclusive basis at any time during the day from 8:00 a.m. to 10:00 p.m. that the Pavilion is not reserved for exclusive use as provided for below.

The Pavilion may also be reserved for exclusive use by a Family and its guests on a rental basis and on a first come, first serve basis. The Pavilion may be reserved any day of the week between 8:00 a.m. and 10:00 p.m. All exclusive usage requires a paid rental agreement issued through the Pepperwood Office. The Reserved rental rate is $15.00 per hour with a 3 hour minimum. In addition, a $100 deposit shall be required which is refundable to the family if the Pavilion is left clean and in order. The rental agreement must provide that the authorized renter is personally liable for all damages caused by the renters to the Pavilion and related facilities. Rental rates are subject to change by action of the Board. Application is to be made through the Manager. The Family and its guests reserving the Pavilion may use the tennis courts, basketball courts, playground and park grounds and pool upon availability during regular hours on a non-exclusive basis. However, if other pool activities such as swim team, swim lesson, etc. have been scheduled, the pool will not be available. The Family reserving the Pavilion will have first priority on volleyball courts. The guests of the Family and Family members shall adhere to all rules and requests from the Manager and lifeguards while using the facilities. Loud music and other disturbances are not permitted and will be handled in accordance with Sandy City ordinances. Pavilion barbeque grills are available for use for an additional $10.00 fee. Personally owned barbeques must be placed on the lawn area away from the Pavilion. Any group larger than 50 individuals requires the advance approval of the Board of Directors.

**Use of the Swimming Pool**

Pepperwood's swimming pool traditionally opens Memorial Day weekend and closes shortly after Labor Day. Pool hours are posted at the pool and also on the website. Pool rules are also posted at the site. The use of the pool is available to Family members and up to 3 guests per individual family member on a non-exclusive basis. Pepperwood has a competition swim and dive teams, which Family children and teenagers are encouraged to participate on. Private and group swim lessons are also offered. Scheduled events for these special groups will always take priority over Family member use.

**Use of Tennis Courts, Basketball Courts and Volleyball Courts**

Pepperwood's tennis courts, basketball courts, and volleyball courts are available for Family member use and up to 3 guests per individual family member on a first come first serve basis. The hours during spring, summer, and fall are 6:00 a.m. to 11:00 p.m. When the courts are fully occupied, and others are waiting to play, the players are asked to limit their use of the courts to 1 hour so that those waiting can have a turn.

**Use of Pepperwood Park and Footpaths**

Pepperwood Park and Playground equipment are available for use on a non-exclusive basis by Family members and up to 3 guests per individual family member from dawn to dark. The Playground area is for young children. There are many footpaths between streets and along Pepperwood Drive. They are used for walking and jogging as well as bicycles. No motorized vehicles of any kind are permitted on these paths. Skate boards, long boards, go-carts, golf carts and all non-licensed vehicles are not authorized on any streets within Pepperwood.

**Use of Pepperwood Common Areas and Facilities by other Groups**

The use of Pepperwood's Common Areas and Facilities by other groups not defined above may be allowed but shall require the approval of the Board.

The above policies were adopted by the Pepperwood Homeowners Association Board of Trustees on May 19, 2011.