2021086719 ELECTRONICALLY RECORDED Official Public Records 5/26/2021 9:38 AM





## FITNESS CENTER POLICIES AND RULES

Sienna Community Association Sienna Residential Association

## I. PURPOSE

The purpose of these policies and rules are to establish policies and rules for the operations and owner's (and their guests) use of the Brushy Lake Fitness Center and the Sawmill Lake Club Fitness Center.

# II. APPLICABILITY AND AUTHORITY

This Policy applies to the following entities:

- 1. Sienna Plantation Community Association, Inc., sometimes doing business as Sienna Community Association ("SCA") as referenced in the Sienna Plantation Amended and Restated Master Covenant (Sienna Plantation Community Association, Inc.), filed under Clerk's File No. 2019035843 in the Official Public Records of Fort Bend County, Texas ("Covenant"), as same has been or may be amended from time to time and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Sienna Plantation Community Association, Inc.
- 2. Sienna Plantation Residential Association, Inc., sometimes doing business as Sienna Residential Association ("SRA") as referenced in the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sienna Plantation (Sienna Plantation Residential Association, Inc.) recorded under Clerk's File No. 2012104699 in the Official Public Records of Fort Bend County, Texas (the "Declaration"), as same may be amended from time to time, and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Sienna Plantation Residential Association, Inc.

Any reference to "Board", "Boards", "Association" or "Associations" applies to all of the foregoing entities. Each Board is authorized by its respective dedicatory instruments to adopt policies pertaining to the governance of the Association that it serves. In the event of a conflict between the terms of this Policy and any previously adopted rules, regulations and/or policies addressing fitness center policies and rules, this Policy will control.

Invalidation of any one or more of the covenants, restrictions, conditions, or provisions contained in this Policy shall in no way affect any of the other covenants, restrictions, conditions, or provisions which shall remain in full force and effect.

## III. POLICIES AND RULES

The policies and rules are referenced in Exhibits A-B.

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Policy Name	Approved/Finalized	Revised
Fitness Center Policies and Rules		April 26, 2021; April 28, 2021
Fitness Center Facility Policies and Rules		April 23, 2018
Fitness Center Facility Policies and Rules		January 23, 2017
Brushy Lake Fitness Center Facility Policies and Rules		January 25, 2016
Brushy Lake Fitness Center Facility Policies and Rules		August 17, 2015
Brushy Lake Fitness Center Facility Policies and Guidelines	December 2, 2008	

[SIGNATURE PAGES FOLLOW]

-	TIFICATION TON/TOLL-GTIS PROPERTY OWNER, LLC
I hereby certify that, as Preside Association, Inc., the foregoing Fitness Cente	of the Sienna Plantation Community r Policies and Rules were approved on the 17th day of orum of the Board of Directors.
DATED, this the 17th day of May	, 2021.
·	By: Print Name: Jimmie F. Jenkins Title: President
STATE OF TEXAS	§
COUNTY OF FORT BEND	§ § §
or Storma's fantation Community 7 13300 action, 11	ppeared <u>Jimmie F. Jenkins</u> <u>Presiden</u> ic., known by me to be the person whose name is subscribed to she executed the same for the purposes herein expressed, deed of said corporation.
Given under my hand and seal this the	17th day of May, 2021.
DANA LYNN IPPOLITI  Notary Public, State of Texas  Comm. Expires 07-08-2025  Notary ID 125356755	Notary Public - State of Texas
APPROVED, this the 17th day of	May , 2021.
	TOLL-GTIS PROPERTY OWNER, LLC, a Texas limited liability company
	By: Printed Name:
THE STATE OF TEXAS	
county of <u>Fort B</u> end §	
This instrument was acknowledged be Jimmie F. Jenkins, Authorized liability company, on behalf of said company.	fore me this 11th day of May, 2021, by of Toll-GTIS Property Owner, LLC, a Texas limited
DANA LYNN IPPOLITI Notary Public, State of Texas Comm. Expires 07-08-2025 Notary ID 125356755	Notary Public - State of Texas

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# <u>CERTIFICATION</u> <u>SIENNA RESIDENTIAL ASSOCIATION</u>

I hereby certify that, as Secretary Treas of the Sienna Plantation Residential Association, Inc., the foregoing Fitness Center Policies and Rules were approved on the 14 May of May, 2021, electronically by a quorum of the Board of Directors.		
DATED, this the 14 th day of May		
STATE OF TEXAS	§ §	
COUNTY OF FORT BEND	Š	
BEFORE ME, on this day personally appeared <u>Derek Goff</u> , the <u>Secretcing</u> /Treasured of Sienna Plantation Residential Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.		
Given under my hand and seal this the	14th day of May, 2021.	
DANA LYNN IPPOLITI Notary Public, State of Texas Cemm. Expires 07-08-2025 Notary ID 125356755	Notary Public - State of Texas	

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### EXHIBIT A

#### BRUSHY LAKE FITNESS CENTER POLICIES AND RULES

## **Brushy Lake Fitness Center Hours**

Monday – Friday, 5:00 a.m. – 11:00 p.m. Saturday, 7:00 a.m. – 7:00 p.m. Sunday, 7:00 a.m. – 7:00 p.m.

#### Check In/Check Out

Each resident entering the Fitness Center must check in at the front desk with a current Sienna ID Card during all regular/staffed hours.

#### Guests

Occupants of a residence may collectively bring up to 5 guests maximum per visit and a Sienna Guest Card is required. Guests may only access facilities with the resident present. All guests must sign a current Waiver of Liability, Disclaimer and Indemnity Agreement.

#### Attire

We strive to create an environment that is visually pleasing, yet comfortable for all. We ask that residents use their best judgment in choices for attire at the Centers. Attire should not be overly revealing, and fabrics or accessories should not cause damage to the upholstery on fitness equipment.

Appropriate fitness attire including shirts and closed toe shoes are required at all times in the Center. During the summer, swimwear is permitted in the shared restrooms; however, they are not permitted in Fitness Centers.

Only non-marking, soft soled shoes are permitted in the group fitness classrooms. Removal of shoes for certain classes in the classrooms is acceptable.

#### Food & Beverages

Vending machines are provided in the lobby of the Fitness Centers for the enjoyment of residents. All food and beverage items, except water, are permitted in the lobby area only. Glass containers are not permitted.

#### Weight Training Room

Please adhere to a 20-minute time limit on all equipment when others are waiting.

Return all cardio equipment to zero speed and elevation (where applicable) after use. Never exit a treadmill with the belt still moving or step onto one with a moving belt.

Perform weightlifting exercises properly, and under control at all times. Please do not drop or slam weights and properly return all dumbbells, weight plates and equipment to their designated area after use. When performing more than one set on weight equipment, please allow others to "work in" between your sets.

As a courtesy, please use a disinfectant wipe to wipe down each piece of equipment or weight bench after use.

Fitness Center Attendants are there to help residents if they are unfamiliar with any piece of cardio or weight equipment and will be happy to show you how to use it properly. Attendants are not; however, certified trainers and can only provide basic instructions on use.

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Youth ages 14-15 are permitted to use the weight room without a parent/guardian after they have completed an orientation administered by a Fitness Center staff member. Youth ages 14-15 that have not completed an equipment training session are permitted in the weight room only when under the direct supervision of parent/guardian over 21. Youth under age 14 are not permitted in the weight room.

#### **Group Exercise Classroom**

The Fitness Centers are pleased to provide a highly experienced team of group exercise instructors. The group exercise schedule offers a wide variety of classes, offering something for all fitness levels and interests.

All group fitness classes require pre-registration. Registration for Jazzercise classes is done through the Jazzercise coordinators and registration for all other group fitness classes is handled through the Association's fitness management contractor. All group fitness participants need to check in with the Fitness Center staff.

All classroom equipment must stay in the designated classroom area.

Please wait for a class in progress to officially end before entering the classroom for the next class.

If you are just beginning an exercise program or have any medical concerns, please inform your instructor prior to class.

Please follow the instructor's direction and class format, with allowances for modifications due to physical limitations or fitness levels.

Group fitness class scheduled may be adjusted as necessary; classes may be canceled ore rescheduled due to low participation.

## General Fitness Center Policies

The Association has a contractual agreement with a specific company that provides a team of highly trained experts to provide healthy fitness training if a resident is interested in setting up one-on-one or in small group training sessions. Residents can obtain information regarding the scheduling of this level of training and payment for these services will be handled through the company providing the trainer services. **Instruction or training by unauthorized individuals is strictly prohibited.** 

Only approved promotional materials may be displayed in any interior or exterior areas of the Centers. Private business solicitation or displaying information regarding business services or products is not permitted unless specifically approved by Association management.

All Fitness Center patrons, staff, instructors and trainers are entitled to a respectful and courteous environment – loud, offensive, abusive, profane, or bothersome behavior will result in suspension from Fitness Center use.

Residents are reminded to only bring necessary belongings into the Center and to keep these belongings in their own safekeeping. The center staff and instructors are not responsible for the loss or damage to personal property brought into the center or on the Fitness Center complex property.

The Center will maintain a Lost & Found system. Please inquire at the Front Desk if you have lost something and please provide the staff with any lost items you have found. All found items will be held for a minimum of 14 days and beyond that period, items are subject to disposal at the discretion of staff.

Any resident failing to abide by these Fitness Center Policies and Rules may be subject to suspension or termination of rights to use the center facility or programs. This decision will be at the discretion of the Board of Directors.

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Smoking and alcoholic beverages are not permitted in the Fitness Center or on the grounds surrounding the Fitness Center.

Any person using the Fitness Center and its facilities must sign and have on file a release waiver. This waiver is presented for signature upon issuance of a Sienna ID Card.

### **EXHIBIT B**

#### SAWMILL LAKE CLUB FITNESS CENTER POLICIES AND RULES

#### Sawmill Lake Club Fitness Center Hours

5:00 a.m. – 7:00 a.m. (requires ID card access) 7:00 a.m. – 9:00 p.m.

9:00 p.m. - 11:00 p.m. (requires ID card access)

#### Check In/Check Out

Each resident entering the Fitness Center must check in at the Fitness Center front desk with a current Sienna ID Card during all regular/staffed hours. A Sienna ID Card must also be used for early AM and PM hours for access when staff is not present.

#### Guests

Occupants of a residence may collectively bring up to 5 guests maximum per visit and a Sienna Guest Card is required. Guests may only access facilities with a resident present. All guests must sign a current Waiver of Liability, Disclaimer and Indemnity Agreement.

#### Attire

We strive to create an environment that is visually pleasing, yet comfortable for all. We ask that residents use their best judgment in choices for attire at the Centers. Attire should not be overly revealing, and fabrics or accessories should not cause damage to the upholstery on fitness equipment.

Appropriate fitness attire including shirts and closed toe shoes are required at all times in the Center. During the summer, swimwear is permitted in the shared restrooms; however, they are not permitted in Fitness Centers.

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#### **General Club Policies**

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Any person using the Fitness Center and its facilities must sign and have on file a release waiver. This waiver is presented for signature upon issuance of a Sienna ID Card.

After Recording, Return To: Dana Ippoliti Sienna Associations 9600 Scanlan Trace Missouri City, Texas 77459

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