

RIGHTS IN THE COMMUNITY FACILITIES (CC&R's Article XII)

Section 1 – Members Right of Enjoyment: Every member and their family and guests of a member shall have a right of enjoyment in and to the Community facilities if any, and such right shall be appurtenant to and shall pass with the interest required to be an owner to every lot, subject to the following provisions:

- a) The right of the Association to limit the number of guests of Members and to limit the use of the recreational facilities on the community facilities by persons not in possession of a lot, but owing a portion of the interest in a lot required membership.
- b) The right of the Association to establish reasonable Rules Regulations pertaining to the use of the community facilities.
- c) The right of the Association in accordance with its Articles and Bylaws to borrow money for the purpose of improving the community facilities and in aid thereof, to mortgage said property, provided that the right of such mortgages shall be subordinated to the rights of the members.
- d) The right of the Association to dedicate or transfer all or any part of the community facilities to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument is signed by members entitled to cast two-thirds (2/3) of the voting power of the membership has been recorded, agreeing to such dedication or transfer, and unless written notice of the proposed action is sent to every member not less than thirty (30) days nor more than sixty (60) days in advance.

Section 2 – Delegation of Use: Any member may delegate, in accordance with the Bylaws, his right of enjoyment to the community facilities to the members of his family his tenants or contract purchases who reside on his lot.

Section 3 – Waiver of use: No members may exempt himself from personal liability for Assessments duly levied by the Association, nor release the lot owned by him or/her from the liens and charges hereof, by waiver of the use and enjoyment of the community facilities, or the abandonment of his lot.