

**WEBSITE USER AGREEMENT AND REGENCY AT MONTAINE AMENITY ACCESS POLICY
(COLLECTIVELY, THE “RESIDENT AGREEMENT”)**

Located at: 5335 Water Avens Drive, Castle Rock, CO 80104

Phone: 303-663-0225

Web Site: www.regencymontaineresidents.com

Last Revised: 03/29/24

This is an agreement between you and Regency at Montaine Community Association ("RMCA"), a Colorado non-profit corporation. In addition to the terms below, it specifically incorporates as though restated in full herein the Terms of Use established by Toll Brothers and its affiliates including all of the rights granted to Regency at Montaine.

By clicking ***“I agree” to the resident agreement*** you agree on behalf of yourself and all members and/or guests of your household, to accept and abide by all of the terms and conditions found in the User Agreement for use of the Web Site, as posted at www.regencymontaineresidents.com and updated from time to time.

The RMCA may change and/or add to their respective terms and conditions at any time, and any reference to the term “User Agreement” includes any such changes or additions. New or revised terms and conditions will be posted on the Web Site and will be effective immediately upon posting. Your continued use of the Web Site will serve as your agreement to abide by all such new or revised terms and conditions. If, at any time, any term or condition of this User Agreement is not acceptable to you, you (and all members and guests of your household) should immediately cease all use of the Web Site. Access to the Web Site is conditioned upon each resident’s acceptance of the User Agreement.

1. The Web Site is for Regency at Montaine residents and is designed to promote neighbor to neighbor interaction through an exclusive online Web Site. Only residents of Regency at Montaine and Toll Brothers authorized employees, representatives, agents, affiliates or service providers may access the Web Site.
2. The Web Site and its content is intended for personal use only and it will be managed and operated by RMCA. All content published on the Web Site will be subject to review, modification, and/or deletion by RMCA.
3. You are fully responsible for, and you agree to monitor and supervise, all use of the Web Site by guests and members of your household from your home or otherwise to ensure compliance with this User Agreement. THIS RESPONSIBILITY INCLUDES SUPERVISION OF ANY HOUSEHOLD MEMBERS AND GUESTS UNDER 18

YEARS OF AGE.

4. The Web Site provides access to information, software, photographs, audio, video, graphics, links and other material (collectively referred to as "Content") that is legally protected by RMCA and/or others under patent, copyright, trademark and other intellectual property laws. You agree to comply with all copyright notices and other restrictions contained in any Content available on, or accessed through, the Web Site.
5. RMCA has the right, in its sole discretion, to restrict, suspend, or terminate your access (and access by any member or guest of your household) to all or any part of the Web Site, at any time for any reason without prior notice or liability. RMCA may also change, suspend or discontinue all or any aspect of the Web Site at any time without prior notice or liability. In accordance with the Terms of Use, Regency at Montaine, in its sole discretion, has the right, immediately and without any prior notice, to suspend or terminate your registration with or ability to access the Web Site and/or any other service provided to you by Regency at Montaine. The RMCA does not have the right to override or appeal this decision on a user's behalf and will abide by Regency at Montaine's decision in this regard.
6. Your privacy is important to RMCA. The Privacy Statement is posted on the Web Site.

REGENCY

AT MONTAINE

Regency Clubhouse
Amenity Center Rules & Regulations





MONTAINE

Welcome to the Regency Clubhouse!

The Regency Clubhouse is far more than an amenity center. It's pool days all summer long. It's relaxing soaks in the hot tub. It's extra space during the holidays. It's a place to sit around the fire pit and enjoy the views. It's a comfortable space for gatherings, community events, and mingling with other Community members. It's the convergence of those simple moments in life, where being present is what matters most. And best of all, it's all in the neighborhood.

Inside the exquisitely appointed, 10,700 square feet, two story, multi-purpose amenity center is the perfect mix of flexibility, function, and fun.

- Great Room with Inviting Seating Areas
- Stunning Fireplace
- Catering Kitchen
- Exercise Studio
- Yoga/Group Fitness Studio
- Fitness Lounge
- Three Multipurpose Rooms (Dawson, Ridgeline and Legacy)
- Beautifully Landscaped Swimming Pool
- Relaxing Year-round Outdoor Hot Tub
- Tennis Pavilion & Tennis Court
- Pickleball Courts
- Bocce Ball Courts
- Elegant Outdoor Fire Pits
- Events Pavilion and Lawn
- Over 13 Miles of Walking/Biking Trails
- Expansive Decks with Stunning Views of the Front Range from Pikes Peak to Rampart Range.

There's nothing like resort-style living at home!

With the Regency Clubhouse, you don't have to save the best recreation for vacation; we believe you should be inspired to play every day.

The amenities we offer reflect your passion for an active life. Lounge poolside or soak in the hot tub; exercise in the state-of-the-art fitness center or outside on one of the sports courts. Regency at Montaine is a community with outstanding events, programs, and recreational opportunities, and our clubhouse is a place to call your home right outside your home.

Life's a journey; at Regency at Montaine you'll have tons of fun along the way.



MONTAINE

Community plays an essential role in our sense of belonging, purpose, and well-being. Those who maintain regular interaction and connection with friends and neighbors satisfy an instinctual human craving for connection. That's why the Regency Clubhouse includes quality amenities that encourage you and your community to connect and share life beyond the walls of your own homes.

Life is a journey; let's journey together.



Social Spaces

The Regency Clubhouse's design lends itself ideally to fostering community, inclusivity, and social connections. The Great Room is a great space to play cards, conduct a book club or just shoot the breeze with a beverage. Any of the three multipurpose rooms can host community events and are available for rent for private parties.

Think of the social spaces as an extension to your own home - your personal clubhouse and your second living room!



Catering Kitchen

Ready to host a holiday meal, but don't have enough space in your new home? Or just don't want to cook all day? Book one of the social spaces in the Clubhouse and have a caterer do the work! The catering kitchen is ideal for catering companies to come and serve your friends and family over the holidays. Or come attend one of the organized cooking demos!



Wellness

The Regency Clubhouse's commitment to a healthy lifestyle is evident in its Fitness Studio. This state-of-the-art facility features an exercise room and large workout areas filled with the latest muscle-building and cardio equipment as well as Fitness on Demand™. The studio will keep a full, active schedule, and residents are always notified of new events. Get healthy and meet new friends. Get inspired to be your best, fit self at Montaine. We promise there is a workout for everyone!



Hiking/Biking Trails

In a word, the Montaine vistas are magnificent. The community is set in a beautiful area of Colorado and is surrounded by mountain scapes, wildlife, and amazing views. Much of the land surrounding Montaine will be landscaped with indigenous flora, and wildlife habitats will be preserved.

Here, every day is the perfect day to explore the 13 miles of hiking or biking trails or snap a selfie with a heron at its hatchery.



MONTAINE



Tennis/Pickleball

Grab a racket and join in the fun. Whether your game is tennis or the fastest growing sport of pickleball, this is the place to get your game on!

From fun, organized community tournaments to relaxed one on one games, the tennis court and 4 pickleball courts are there for your enjoyment.



Pool

The Regency Clubhouse pool area is an oasis in your backyard. Take a dip in the zero-entry swimming pool to cool off on hot days, swim a few laps for a low impact cardio workout, or just sit poolside with a cold beverage and a good book.

The pool will be open Memorial Day Friday through Labor Day from 7am to 7pm.

Please see the Pool Rules and please remember, no lifeguard is present so swim at your own risk.



Event Pavilion & Lawn

Community concerts! Easter Egg hunts for the littles in your family! Community BBQs! Outdoor movie nights, Thai Chi, or Yoga! Holiday events! All with gorgeous views.

Or maybe you want to renew your vows, host a wedding, graduation, birthday, or anniversary party... Look no further than the Event Pavilion and Lawn.

Hot Tub



There are few things more relaxing than relaxing in the hot tub after a hike, bike ride, stressful day or on any given day to unwind. The hot tub is a soothing and therapeutic spot to relax in solitude or with friends.

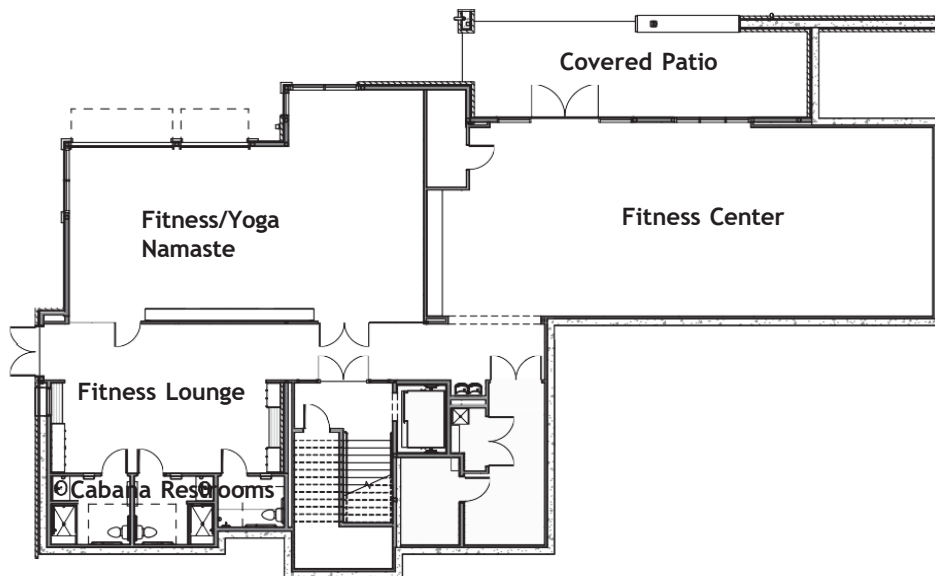
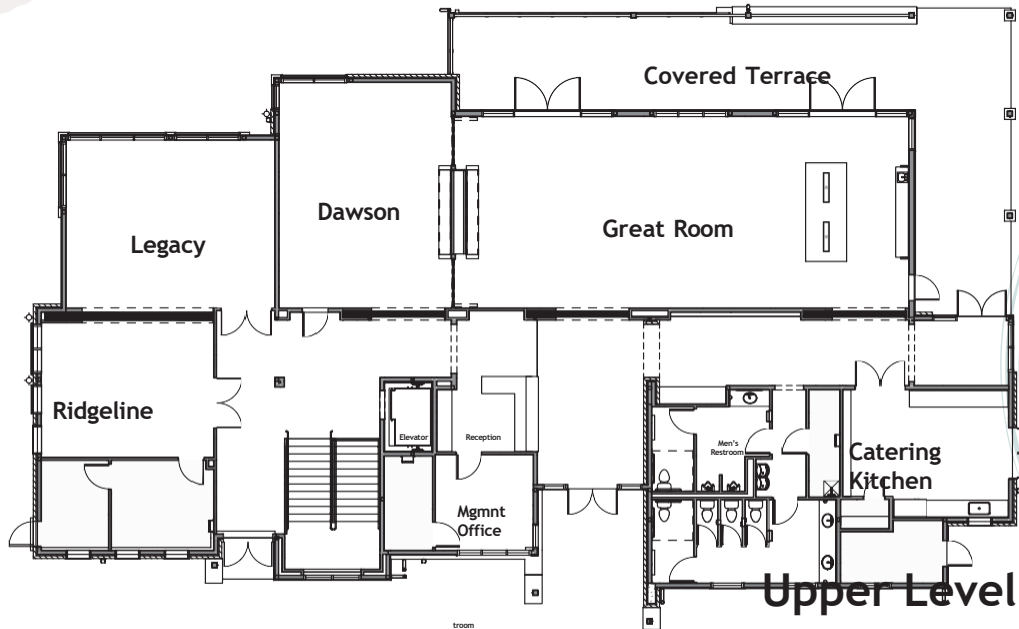
The Regency Clubhouse Hot Tub is open year-round from 9am to 10pm and accessible with your amenity center key fob.

Please see the Spa Rules for your safety and wellness.



MONTAINE

Regency Clubhouse Overview



Lower Level



MONTAINE

General Rules and Guidelines

1. Community members require an Association-issued key fob to enter the Amenity Center.
2. The Regency Clubhouse is exclusively for Regency Homeowners and their guests unless contractually rented out to an outside entity.
3. To maintain the 55+ atmosphere of our community, access is restricted to anyone under the age of 19 years, unless it is for a private event and the event space has been booked through the on-site manager.
4. The Amenity Center is open 9:00am - 5:00pm Monday - Friday and 10:00am - 5:00pm Saturday and 11:00am - 5:00pm Sunday.
5. The fitness rooms can be accessed with your key fob every day 5:00am - 10:00pm.
6. The pool is open from the Friday preceding Memorial Day through Labor Day. The hot tub is open year around. Please see the community calendar for hours and any special closure information.
7. Unless otherwise posted, dogs or other pets (with the exception of service dogs) are not permitted in the Clubhouse and adjacent athletic fields. Pets are permitted at the Community Parks, but must be leashed at all times, and pet owners are to pick up any waste their pets may produce when in the park(s) or along the path of travel to and from the park(s).
8. Vehicles, including golf carts, scooters and bicycles must be parked in designated areas. Unless designated otherwise, 4-wheel passenger vehicles and golf carts must be parked in the parking lots. Vehicles shall not be parked on grass lawns, or in any manner which blocks the normal flow of traffic.
9. Personal fireworks of any kind are not permitted anywhere within the Montaine Community.
10. No Patron or Guest is permitted in the service areas of the Clubhouse.
11. All lost or stolen key fobs should be reported immediately to the manager. A \$35.00 replacement fee will be applied.
12. Smoking is not permitted anywhere in the Clubhouse or other areas as designated by law.
13. All Guests must be registered and accompanied by a resident before entering the Amenity Center.
14. Disregard for any Clubhouse rules may result in suspension of Clubhouse access and/or loss of Clubhouse privileges.
15. The Board of Directors reserves the right to amend or modify these policies when necessary and will notify the residents of any changes.
16. Members of the Board, Management Team and authorized employees shall have full authority to enforce these rules and regulations.
17. Any exceptions to these Policies must be made in writing by the Management Team and approved by the Board prior to the time any such contrary action is taken.



MONTAINE

Pool & Spa Guidelines


Welcome to the Regency Pool and Hot Tub; an oasis in your backyard.

We hope you enjoy the great Colorado outdoors and sunshine relaxing by your pool.

In the interest of everyone's safety, please observe the following guidelines:

- **No lifeguard is present.**
- Swim at your own risk.
- No glass containers of any kind are to be brought into the pool area.
- Pool for use by Regency Homeowners and their guests only
- No animals (other than service animals) shall be permitted in the pool or spa areas
- Proper swimming attire required
- Showers are recommended before entering the pool
- No Smoking anywhere in the pool area
- No persons under the age of 19 are permitted in any portion of the Regency Amenity Center
- It is not advised to swim alone
- Pool visitors are responsible for their own personal belongings while in the pool area
- Please do not enter the pool if you have any major cuts, abrasions, open wounds, gastrointestinal illness, cough, fever, inflammation of the eyes, nasal or ear discharges.

Additionally, please follow the guidelines below for the Spa/Hot Tub.

- No Diving
 - Limit your soak time to 15 minutes
 - No Smoking anywhere in the pool area
 - Elderly persons and pregnant women should consult a physician before entering.
 - Anyone with diabetes, heart disease, high or low blood pressure, or any other serious illness should consult a physician before entering a hot tub
 - No soaps or oils permitted
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REGENCY AT MONTAINE AMENITY CENTER ACCESS & GUEST ACCESS POLICY

The following action is taken by consent of all of the members of the Board of Directors of Regency at Montaine Community Association, a Colorado non-profit corporation ("Association"), in lieu of a Meeting of the Board of Directors, pursuant to authority granted by the Declaration and Bylaws of the Association, and in accordance with Section 7-128-202 of the Colorado Revised Nonprofit Corporation Act.

This Amenity Access Policy has been approved by the Board of Directors of Regency at Montaine Community Association. This policy establishes the eligibility requirements for receipt of access fobs by various types of Regency at Montaine Owners, related individuals and guests for access to recreational amenities within Regency at Montaine.

This Amenity Access Policy is administered by the Association Management Office, which is located at the Outlook Clubhouse at 5335 Water Avens Dr., Castle Rock, CO 80104.

Effective Date: January 1, 2022

A. DEFINITIONS

The following defined terms are used in this Amenity Access Policy:

Access FOB: refers to a key fob which grants the holder access to the amenity center and pool areas

Association: refers to Regency at Montaine Community Association, a Colorado nonprofit mutual benefit corporation established for the benefit of the membership.

Children and Grandchildren of an Owner: a child or grandchild by blood, marriage or legal adoption.

Extended Family: the grandparents, parents, children and grandchildren of any owner, as well as the current spouses of any children or grandchildren, also includes all related by blood or marriage (i.e., in-laws, brothers, sisters, cousins, aunts, uncles, etc.).

Governing Documents: a collective term referring to the Association's Articles of Incorporation, Bylaws, the Declaration of Covenants and Restrictions (C&Rs), Association Rules and any other rules or regulations adopted by the association.

Guest-band: refers to a silicone wrist band provided by the Association of a specific color that does not hold a key fob

Guests: any individual seeking access to the amenities with the consent of an owner.

Immediate Family: the dependent children of an owner and one of the following: the owner's spouse, the owner's registered domestic partner, or one individual, unrelated to the owner by blood, marriage or legal adoption, who has maintained a common household with the owner for a period of at least six months. A designation of such unrelated individual, when approved, may not be changed for one year for access privileges. Owner must present verification of such cohabitation, satisfactory to the association upon request to the Management Office, (e.g., driver license, bank statement, tax form, insurance papers, utility bill, etc.). For spousal and registered domestic partner benefits, appropriate documentation establishing such status may be required of the owner (e.g., valid marriage license or certificate, Certificate of Registered Domestic Partnership issued by the Secretary of State).

Other Amenities: the bocce courts, grill center, event pavilion, amphitheater, tennis and pickleball courts owned by the association are "Other Amenities", (as defined herein), and the access FOBs defined in this policy afford the owner access to such facilities.

Owner: any owner of record who owns at least 30% of a residential parcel within the subdivision as described on a recorded grant deed.

Owner-band: refers to a silicone wrist band of a specific color which may or may not hold a key fob and grants the holder access to the amenity center and pool areas

Owner of Record: the person(s) who appears as the grantee on a recorded deed to a residential parcel as the owner(s) of that parcel. A person who holds title merely as security for a loan shall not be considered an owner of record.

Single-Family Renter: the lessee, and his or her immediate family, under a valid lease (at least 12 months in duration) of an owner's improved residential parcel.

Residential Parcel: a Lot or Condominium/Apartment unit within the Subdivision designated for residential purposes.

Subdivision: the Regency at Montaine common interest development, including any real property subsequently annexed to or acquired by the Association.

B. PROPERTY OWNER ACCESS FOBS AND OWNER-BANDS

1. **General:** Except as qualified in paragraphs 3-6 below, the following general rules apply to Access FOBs:
 - a) Each residential parcel shall be allotted a maximum of two (2) access FOBs and two nonowner-bands at no charge to the owner and shall entitle the holder full access of all amenities per the Governing Documents until the qualifying property is sold.
 - b) Each residential parcel shall have the option to purchase FOB'd owner-bands at a rate indicated on the rate sheet.
 - c) A valid Access FOB must be relinquished (or disabled) when receiving the FOB'd owner-band. Such that the residential parcel still only has two (2) FOBs granting access to the facility at any time.
 - d) The issuance of access FOBs is limited to owners of residential parcels and members of their immediate family and extended family residing within the same residential parcel. This does not apply to multi-parcel owners and owners who relinquish their rights to tenants.
2. **Multiple Owners of a Single Residential Parcel.** As specified, above, only two (2) no-charge Access FOB passes shall be issued with respect to any single residential parcel. When a residential parcel is owned by more than one person or couple, the owners of record of the residential parcel must designate the recipients of the parcel's two (2) allotted no-charge access FOBs.
3. **Multi-Parcel Owners.** A multi-parcel owner (an owner of more than one residential parcel) is entitled to two (2) access FOBs multiplied by the number of residential parcels owned, with the criteria for issuance being the same as set forth in paragraphs 81 (a-c) and 82 above. Regardless of how many residential parcels are owned by an owner, only one set of access fobs will be issued per owner. For example, an individual owner of record of three residential parcels would

be entitled to a total of twelve (12) access FOBs at no charge, with two (2) FOBs in this case, going to a husband and wife and ten (10) access FOBs available for distribution to immediate and extended family members. However, if the same owner has only six (6) persons in his or her immediate or extended family, access FOBs will not be issued in excess of the number of eligible persons.

4. **Partnerships and Corporations.** Partnerships and corporations which are the owners of record of a residential parcel may receive up to two (2) access FOBs for each residential parcel owned. The entity-owner must designate, on corporate stationary, which of its officers, directors or partners will receive the two (2) access FOBs.
5. **Trusts.** Trusts or trustees which are the owner of record of a residential parcel may receive up to two (2) access FOBs. The Trustee must designate in writing the names of the individuals entitled to receive IDs under the trust. Such designated individuals shall be entitled to purchase additional access FOBs for their immediate/extended family members up to a total of two per parcel. These additional two passes may be purchased at rates established by the current rate schedule and in accordance with 82. A trust document may be required for verification of the identity of the trustee(s).
6. **Issuance of Access FOBs to Single-Family Renters.** The two access FOBs issued to an owner pursuant to paragraph 81, above, may be relinquished to a single-family renter of the owner's improved residential parcel upon written request of the owner and presentation to the association of a lease which has a term of not less than twelve (12) consecutive months. All outstanding access FOBs and transferable guest cards issued to an owner or his or her immediate or extended family with respect to a leased residential parcel, must be returned to the association's Management Office before new access FOBs and transferable guest cards will be issued to a qualified renter/family or a per card fee per the rate schedule will be charged prior to issuing new access FOBs on this property. Similarly, access FOBs and transferable guest cards issued to any long-term renter/family must be relinquished to the Management Office if the owner wishes to regain his or her access FOB privileges upon expiration of the lease period. The right to assign access FOB privileges to a qualified renter/family shall be enjoyed by partnership, corporate and trust owners of record, subject to the limitation on the total number of access FOBs to which the residential parcel is entitled pursuant to paragraphs 85 and 86, above.
7. **Term.** All access FOBs are valid until such time that the property is sold (see 89 below) or rented to a qualified renter/family pursuant to paragraph 87, above. Designated access FOB holders may be changed upon presenting existing FOBs at the start of the recreation fee year or when the association re-issues access FOBs.
8. **Sale of Residential Parcels.** Upon the sale of a residential parcel, access FOBs can be issued to the new owners of the residential parcel and their immediate or extended family as provided in paragraphs 81 and 82, above. The access FOBs for the seller and family will be null and void in relationship to the sold property.
9. **Amenity Use Privileges.** All access FOB and owner- or guest-band holders are subject to all applicable association rules (see paragraph 06, below).
10. **Restriction on Transfer.** Access FOBs remain the property of the association and are only assigned to the person to whom the ID is issued, subject to the provisions of this policy. Access FOBs may not be utilized by, or transferred to, any other person. Fees for purchase of any access FOBs that are purchased by an owner in accordance with paragraphs 82 and 83 above are non-refundable.
11. **Attendants for Disabled Owners.** Subject to all other provisions of this policy, where an owner's reasonable use of an amenity is only possible with the assistance of an attendant, that attendant will be permitted access without charge for the purpose of providing such assistance. The

association may require satisfactory documentation regarding any claimed disability and the status of the attendant.

C. GUEST/TRANSFERABLE GUEST-BANDS

Transferable Guest-band - Privileges. Each property is entitled to up to three (3) transferable guest-bands, entitling guests access to the pool and tennis/bocce/pickleball court amenities as outlined below. These guest-bands will be identified to a specific residential parcel and do not require the user to be accompanied to an amenity by an access FOB holder. It is intended for these transferable guest-bands to be used by bona fide property owners, guests or renters. Any abuse may subject the owner to disciplinary actions.

General Rules Applicable to All Guest-bands. The following general rules shall apply to the use and enjoyment of these bands:

- a) Transferable guest-bands are valid until the property on which they are assigned is sold or transferred.
- b) No temporary guest-bands will be issued if an Amenity Access FOB is forgotten, lost or stolen.
- c) Owner(s) or designated persons of a property may replace a lost or stolen transferable band for a fee.

D. SPECIAL POOL, PICKLEBALL/TENNIS/BOCCE COURT ACCESS REQUIREMENTS

General. Wristbands are for identification purposes for amenities which can be accessed without a valid key fob. These areas include the pool, hot tub, tennis, pickleball and bocce courts.

- a) Owner-bands must be worn while utilizing the pool, hot tub, pickleball courts, tennis courts and bocce ball courts. Owner-bands are black.
- b) Guest-bands must be worn while utilizing the pool, hot tub, pickleball courts, tennis courts and bocce ball courts. Guest-bands are teal

E. GENERAL RULES APPLICABLE TO AMENITY USE

1. **Use of Facilities.** Individuals under the age of 19 will not be permitted to use, or have access to, any association amenities. See Association Rules.
2. **Personal Injury and Property Damage.** Amenity users assume all risk of personal injury to themselves, their family members and guests and for loss of, or damage to, the personal property of any such person, and hereby agree that the Association, its management, staff or any agent shall not be responsible for any loss or injury sustained by the owner, immediate or extended family member or guest of the owner. The association rules may require the execution of further waivers of liability as a condition to Amenity use.
3. **Unauthorized Use of Passes.** Any use of access FOBs or transferable guest-bands, which violates any provision of this policy, may result in revocation of the access FOB or guest-band.
4. **Lost, Stolen and Temporary Passes.** Any lost or stolen access FOBs or transferable guest-bands should be reported to the association's Management Office immediately. The association, at its discretion, shall be entitled to issue replacement access FOBs if the circumstances warrant such replacement and to charge a replacement fee of \$35, established in the rate schedule. Temporary wristbands may be issued to any owner who forgets his or her wristband and will be valid for the single day on

which it was issued. As set forth in paragraph C2(b), above there shall be no temporary guest-bands. Replacement transferable guest-bands can be replaced by owner request and charged a replacement fee as established in the current rate schedule.

5. **Verification of Owner Status.** Owners are responsible for furnishing the association Management Office with a recorded grant deed as proof of status as owner of record. The association, in its sole discretion, shall determine a person's status as an owner, or member of an owner's immediate or extended family. False or misleading information presented to obtain any access FOB or transferable guest-band will be grounds for disciplinary action against the owner.
6. **Observance of Association Rules.** Owners, other access FOB holders and their guests must abide by the association's governing documents and rules. A copy of these documents is available at the Front Desk of the Outlook Clubhouse. Discipline for violation of the rules may include fines, suspension or revocation of access FOB privileges and membership rights.
7. **Amendments to Amenity Access Policy and Rate Schedules.** The Board of Directors has the authority to amend, revise or modify all or any portion of this policy and the rate schedule. Any such amendment will be promptly communicated to the owners.

The foregoing Policies, Rules, and Regulations are adopted by the Board of Directors and will be ratified at the next meeting of Board of Directors and included as a part of the minutes of the meeting of the Board of Directors of the Association.

DocuSigned by:

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Chris Osler, Director

8/9/2022
Date

DocuSigned by:

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Robert Grundman, Director

8/9/2022
Date

DocuSigned by:

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Steven Brumfield, Director

8/12/2022
Date