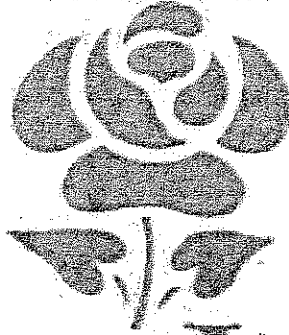


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*Club*  
**BELLAVITA**

**RULES AND  
REGULATIONS**

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*Stuart Stewart*  
County Clerk, Harris County, Texas

PREPARED BY THE CLUB HOUSE COMMITTEE  
AND APPROVED BY THE BVHOA BOARD OF DIRECTORS  
October 26, 2011

These Rules and Regulations may be amended or repealed at any  
time by the BellaVita HOA Board of Directors

# CLUB BELLAVITA RULES AND REGULATIONS

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# Club BellaVita Rules and Regulations

## I. STATEMENT OF RESPONSIBILITY AND RESPECT

Club BellaVita is owned by all BellaVita homeowners for your use and enjoyment. It is not owned individually, but jointly. Activities and use of the Club and Club equipment should happen with all Club members in mind. While the rights of individuals must be respected, the rights of all Homeowners as a group must also be respected. All revenues taken in by the Club go to the Club through the BellaVita Homeowners Association and are used to pay expenses and offset dues. All costs associated with the Club are paid by the HOA and passed on to homeowners in your dues. Club BellaVita will be as successful and fun as the residents of BellaVita make it. We also ask for you to help keep the Club's expenses low by taking care of the equipment. Please use the Club as if it were an extension of your own home.

The Rules and Regulations for the Club BellaVita have been developed by the Homeowners Board in conjunction with the Club House Committee to reflect the desires of the community as a whole. The rules are established to administer a common set of guidelines to all of the common areas (i.e. clubhouse, pool, patio, lakes areas, golf putting green, and nature areas) within the BellaVita community. These R&R's are set up to provide as much flexibility as possible to accommodate the diverse interests of the active adults in BellaVita. The Board is the final authority on rules and has delegated the administration of the rules to the BellaVita clubhouse staff and the clubhouse committee. Please respect the clubhouse staff when they ask for your assistance with respect to any rule. Any concern with respect to one of these rules should be brought to the attention of the Board via a homeowner concern form available at the club desk.

THESE RULES AND REGULATIONS MAY BE AMENDED,  
OR REPEALED AT ANY TIME BY THE BELLAVITA HOA BOARD

# Club BellaVita Rules and Regulations

## 2. HOURS OF OPERATION

### Interior of Clubhouse:

Monday	11:00 am. - 10:00 pm
Tuesday	10:00 am. - 10:00 pm
Wednesday	10:00 am. - 10:00 pm
Thursday	10:00 am. - 10:00 pm
Friday	10:00 am. - 10:00 pm
Saturday	10:00 am. - 10:00 pm
Sunday	12:00 pm - 6:00 pm

### Swimming Pool and Spa:

Monday	6:00 am - Midnight
Tuesday	6:00 am - Midnight
Wednesday	6:00 am - Midnight
Thursday	6:00 am - Midnight
Friday	6:00 am - Midnight
Saturday	6:00 am - Midnight
Sunday	6:00 am - Midnight

### Children's Hours for Pool

Tuesday, Thursday	3:00 pm - 6:00 pm
Saturday, Sunday	1:00 pm - 6:00 pm

### Pool & Fitness Center Hours

Open 6:00 am – closed at Midnight

### Holidays

The Club House will be closed on the following holidays: New Years Day, Easter, Mother's Day, Father's Day, Thanksgiving, Christmas Eve Day and Christmas Day. On Memorial Day, Fourth of July, and Labor Day the Club House will only be open to facilitate the holiday events sponsored by the Club.

## 3. GENERAL RULES

A. In order to insure every members' enjoyment of all Club facilities, all persons using the Club's facilities shall conduct themselves in a courteous manner with due regard for the rights of others to use and enjoy the facilities. Violations of rules and regulations could result in suspension of the Club Membership for a period prescribed by the Board of Directors.

B. The number of persons using any or all of the recreational facilities at a given time may be limited as determined by the Clubhouse Manager.

C. All persons using the clubhouse facilities will follow the instructions and decisions of the Clubhouse Manager or members of the Clubhouse Staff regarding the use of the facilities, priority use, and the length of time.

## Club BellaVita Rules and Regulations

- D. Supplemental rules and regulations will be posted in specific areas, rooms or facilities as needed. All residents and their guests will be responsible for reading and abiding by these rules.
- E. All persons using the clubhouse facilities will comply with any instructions, directions or requests received from the Clubhouse Manager or Staff. Persons who fail to comply with the rules will be asked to leave the premises.
- F. The Clubhouse will not be responsible for lost, stolen or damaged personal items, either left unattended or in lockers. The staff will also not be able to hold or watch personal items while members are using the club facilities.
- G. All new members are required to complete a new member orientation upon first use of the club facilities.
- H. Guests must have a club ID visible. Club members should wear their ID badges at all times when using the facilities.
- I. The Club and facilities including pool and spa are designated as NO SMOKING OR TOBACCO PRODUCTS.
- J. No pets are permitted in the Clubhouse or on the pool deck.
- K. Casual attire is permissible until 6:00 p.m. After 6:00 p.m., tank tops are not acceptable except in the fitness center. All persons are required to wear shoes, shirt, or other covering garment over their bathing suits in the Clubhouse at all times. Proper attire for special events will be specified for each event.
- L. Food and drink will be permitted in the Ballroom, the Arts & Crafts Room, and in the Swimming Pool area. Glassware is not allowed in the pool area. Plastic water bottles only will be permitted in the fitness room. Food or drink will not be permitted in the Billiard Room, the Library, or in the Computer Room.
- M. Alcoholic Beverages may be brought in to Club BellaVita, but only in facilities where eating or drinking is permitted.
- N. Lennar Associates may use the clubhouse facilities during the active construction of the Community and are subject to the same rules as Club members.
- O. The staff of BV is authorized to utilize the Club facilities before scheduled work hours, after scheduled work hours, and anytime after 5 p.m. if they are not working.

### 4. I.D. Badge Information:

A. *Resident/Owner I.D. badge* – ID/ badges are available from the Clubhouse during posted hours. Homeowners should wear badges at all times when using the Clubhouse. In order to obtain an ID badge, each member is required to attend an orientation. At this time, proof of ownership (warranty, deed, or closing letter) as well as personal identification (driver's license, voter registration, credit card, etc.) must be submitted. **Every household will receive two (2) badges.** Up to two (2) additional passes may be purchased for residents of the household for a maximum of four (4) total per household. See Section 5 for fees.

## Club BellaVita Rules and Regulations

B. *Houseguests* – A “houseguest” is a guest staying on-site at a member’s home. Houseguests may be sold an I.D. badge for a period of a week or 30 days, not to exceed 60 days. Club members must accompany guests to the Clubhouse Service Desk in order to obtain an I.D. badge. A photo I.D. will be required as ‘proof of guest’s age as being 19 years or older. See Section 5 for fees. The houseguest with the I.D. badge may use the Club Facilities without be accompanied by a Club Member if they have received orientation

C. *Visitors* –A “visitor” is a guest not staying on-site. Visitors are permitted to use the clubhouse facilities (card room, billiard room, pool, whirlpool, and fitness room) and must be accompanied by the resident. A visitor must sign in at the Clubhouse Service Desk and obtain a pass in order to use the facility. They must sign out and return the badge when finished using the facility. See Section 5 for fees and Section 7 for age limitations.

D. *Children* – Children are permitted only in the pool and outside area. Club members must obtain a wristband for the children from the Clubhouse Service Desk and must accompany children at all times. See Section 5 for fees.

E. *Single Resident guest I.D. badges* –

1. All Club members with single status can obtain one reusable guest pass from the Clubhouse Service Desk. This pass will enable you to bring one guest at any time to the clubhouse at no additional charge.
2. You must surrender your second resident I.D. badge to the Clubhouse Service Desk prior to receiving a single resident guest pass or a new resident pass.
3. Single residents with a resident guest pass are able to purchase an additional ticket for an event during the entire time of ticket sales.
4. Class registration will be available for the guest of the single resident (one guest at a time per Class) at the same existing fees as residents.
5. I.D. badge is not to be used by anyone other than the guest of the single resident.

F. Club Members are responsible/liable for the actions of their guests (Houseguests, Visitors, Children, and Single Resident guests) at all times when using the Club House facilities. (See the Villas Master covenants, Section 4.)

G. When a caretaker is required to accompany a member, the guest fee will be waived and a badge will be provided with the title “caretaker”. The generic term “caretaker” will be used on the badge to facilitate usage by more than one named caretaker. The club manager is authorized to issue the badge when requested by a member with details of the reason for the visitor. The caretaker must be over the age of 19 years and may participate in the activity of the member as long as it does not restrict usage by other members desiring to use the devices such as pool table, treadmill, etc. The badge will be surrendered after its usage is no longer needed.

## Club BellaVita Rules and Regulations

### 5. FEES:

- A. Club BellaVita and the BellaVita Homeowners Association is a non-profit organization.
- B. Fees may be assessed for various clubhouse activities such as parties, trips, activities or classes that have outside fees associated with them. These fees will be based on cost and overhead and paid to the BellaVita Homeowners Association.
- C. Club Member I.D. badges will be replaced for a \$5.00 fee at the Clubhouse Service Desk.
- D. The fee for each additional Club Member I.D. badge will be a prorated share of the annual assessment allocated to the clubhouse.
- E. Fee for replacing or exchanging a resident guest pass will be \$5.00 (no exceptions). Defective Pool Key Cards will be replaced at no charge at the Clubhouse Service Desk. Lost or damaged Pool Key Cards will be replaced for a \$20 fee.
- F. Lost or damaged gate openers can be replaced for \$30 each. If a household has more than two vehicles, they may purchase up to two additional openers for \$30 each. To preserve the security of our community, gate openers must not be given to non-residents. Please report a lost or stolen Pool Key Card or Gate opener to the Clubhouse Service Desk as soon as possible. New club members receive I.D. badges, Pool Keys cards, and Gate Openers at no charge as part of their orientation.
- G. Houseguests will be charged a non-refundable fee of \$15.00 per week, or \$30.00 for up to 30 days to use Club BellaVita.
- H. Children under 19 will be charged for a wristband at the same rate as houseguests and visitors.
- I. Visitors will be charged \$3.00 per day.
  - 1. The maximum number of visitors allowed per household per day is 15. More than 1 visitors per household will be considered a special event and rental rules and fees apply.
  - 2. When a visitor is attending a private event whereby a rental fee has been collected or the visitor purchases a ticket for the special event, the \$3.00 guest fee will be waived. The visitor will only have access to the area where the event is being held and for the scheduled time period of that event.

### 6. CLUB MEMBER RENTALS

- A. Club members may rent the ballroom and/or the Arts and Crafts Room for personal events. See the Clubhouse Manager for reservation procedures and fee information. Room Reservation requests by club members must be approved by the Clubhouse Manager. Any variation from BellaVita Rules must be approved by the BVHOA (BellaVita Homeowners Association) Board of Directors. [See paragraph 6.B.]

## Club BellaVita Rules and Regulations

1. Club members must fill out the appropriate paperwork and make all necessary arrangements with the Clubhouse Manager to receive the club member rental rate. Club members may rent the facilities for an adult event for themselves and/or for their **immediate family** only at the discounted club member rate. The penalty for falsification of information to obtain the lower rental rate will be the forfeiture of the deposit in addition to being charged the full outside rental rate. If a club member is not present for the entire event, including set-up and clean-up, the deposit will be forfeited. *No exceptions.* Hours for the rental are not to exceed 12:00 am. Rental fee is \$80 per hour for the ballroom, which includes use of the kitchen, and \$20 per hour for the use of the craft room. Set-up time and clean-up time is to be counted in the total number of hours rented. A \$1000 deposit is required for the ballroom and \$250 for the craft room and will be held until final inspection is completed. When a Club Member rents the ballroom, they are entitled to one hour set up and one hour clean up without charge.
2. Any club member renting for any purpose other than the above will have to pay the rental rates contained in paragraph 6.B.
3. A reservation is not considered confirmed until the official "Application for Exclusive Use Form" has been completed, the required deposit paid and an approved copy of the form is in their possession.
4. Acceptance of all reservations is subject to the club member's agreement to abide by the rules for using the facilities and assuming full responsibility for the actions of their guests.
5. The BellaVita Homeowners Association Board of Directors retains the right for final interpretation of the rules and policies governing the use of the facilities.
6. Renting party and guests have exclusive use of the room being rented and kitchen. The use of the Restrooms will be shared with homeowners. Billiard Room, Fitness Room, Computer Room and Library are not available for the use of guests during the rental party.
7. A cancellation fee of \$200 will be charged for any event cancelled within 60 days of the event.
8. If a Club Member that is renting the ballroom wants to use the A/V System it can only be operated by a Club House employee or a trained club member. A \$25.00 per set up fee will be assessed for anything other than cable music. Use of the A/V system requiring an authorized employee in attendance will require a \$25.00 per use and \$15.00 per hour of operation with a minimum of 1 hour fee. The Club House Manager will identify when an employee is required for the A/V operation.
9. Table cloths and chair covers will not be available for rental.
10. Usage of the facilities for organizations whereby a member is a member of the organization will be considered on a one time basis and must be submitted by the Club House Manager with rental details to the BellaVita HOA Board for appropriate actions at least 30 days before the facility is to be used. Consideration will involve details about the function, type of organization, quantity of people attending, time desired, impact on other club events and room desired. Kitchen facilities are limited to refreshment type usage and all disposable and consumable products are the responsibility of the member. The member will be responsible for set up and clean up. The age restriction of Sections 7 applies. Rental under this situation will not include the pool, game room or fitness room and member usage fees will apply.



# Club BellaVita Rules and Regulations

B. Club facilities will not be rented to outside individuals or organizations.

## C. Club Member Bereavement Usage

Club members may utilize the Clubhouse for Funeral/Memorial events for deceased BellaVita homeowners/residents at no cost. Arrangements must be made with the Clubhouse Manager and/or staff for the use of a room for the funeral/memorial event. Every effort will be made to accommodate requests. The party using the club house can use any one room that is of adequate size for the expected party as determined by the club house manager and may use the kitchen facilities and kitchen appliances. The member or family shall provide disposable items and utensils. Facility usage will not include access to the pool or fitness and game room.

D. A full-time employee may rent Club facilities at the discretion of the BVHOA Board of Directors. The rental fees and rules that apply to homeowner's rentals will apply.

## 7. AGE RESTRICTIONS:

Within Club BellaVita, the Billiard's Room, Fitness Room, Computer Room and Library will be available to club members and guests 19 years and older only. Children under 19 will be permitted to use the putting green, pool and spa facilities during designated hours and **must be accompanied** by a club member. Children will be permitted to attend events specifically planned for them. Flyers and postings will designate events where children will be permitted.

## 8. POSTERS AND SIGNS

No signs of any sort may be posted at the clubhouse or upon the clubhouse facilities nor may any advertising leaflets, papers, or written material be distributed within the community facilities without the consent of the Clubhouse Manager and/or Staff.

## 9. CLUBHOUSE SERVICE DESK

A. The Clubhouse Service Desk will be open for general information, services and ticket sales from opening until 1 hour before closing of the clubhouse.

B. Clubhouse Staff will be on premises and available at all times during regular Clubhouse hours.

C. The Copy Center copying guidelines for the BVHOA Board, Board Committees and Clubs and Organization Officers are at no charge as follows:

1. Maximum of 25 pages – immediate copying
2. Maximum of 400 pages – 24-hour copying
3. Over 400 pages – one week copying
4. Any specialty services (stapling, binding, hole punching, etc.) is the responsibility of the requester.
5. All copies are black and white on white paper only.
6. All specialty papers are to be provided by the requester.

D. The Service Desk will provide the following FAX and Notary and copy services:

## Club BellaVita Rules and Regulations

1. Local Faxes – no charge
2. Long distance faxes - \$1 for each page
3. International faxes - \$6 for the first page and \$1 for each additional page
4. Receiving Faxes – 5 cents per page
5. Notary services are free when a Notary is available.
6. Copy Services – 5 cents per page

### 10. FITNESS ROOM:

- A. You will receive an introduction to the fitness room during your orientation. If further assistance is needed, please see the Clubhouse Manager and/or Staff.
- B. Please limit your time on the cardiovascular equipment to 30 minutes when other club members are waiting.
- C. The dress code established for the Fitness Center is for your comfort and safety as well as the protection of fitness equipment. Please observe the following guidelines. The determination of appropriate dress will be left to the discretion of the Clubhouse Management and enforced by the Clubhouse manager and/or staff. If your attire is determined to be unacceptable, you will be asked not to exercise. The dress code includes:
  1. Athletic shoes (Tennis, Jogging, Walking, Running, Aerobic etc.)
  2. T-shirts and Athletic wear or jogging shorts/pants are recommended.
  3. Absolutely no bathing suits. Street clothes (denim or dress shorts/pants) with buttons, zippers or belts are not recommended.
- D. No one under the age of 19 will be permitted in this room.
- E. Please bring a towel.
- F. Wipe down machines after use. Disinfectant and paper towels will be available within the Fitness room.
- G. Description of equipment use is located on the individual machines.
- H. A phone is available for emergency use only and is located outside of the Fitness Room in the swimming pool area above the water fountain by the outside bathroom entrances. The emergency phone, when activated directly contacts the 911 Emergency Operator.
- I. Water bottles are permitted in the Fitness Room. Please no food or other drinks.
- J. The television is for your viewing pleasure. Do not remove the remote from the room. You may turn to any channel, but please keep the volume to a respectable level.
- K. Please consult with your physician prior to starting an exercise program
- L. For safety reasons it is recommended that individuals not exercise alone in the Fitness Room.
- M. Defibrillator is located in the fitness room.

## Club BellaVita Rules and Regulations

### 11. THE BILLIARDS ROOM:

- A. No one under 19 is permitted in this room.
- B. No food or drink is permitted in the Billiards Room at any time.
- C. Return balls to the rack on the table at the conclusion of your play and return cue sticks and chalk to the wall racks. If any equipment is missing or broken, please notify the Clubhouse Service Desk.
- D. Please refrain from sitting or leaning on tables.
- E. When all tables are occupied and others are waiting, we request that you limit your time to one hour.
- F. Please use caution when using the darts, and return them to the Clubhouse Service Desk when finished.

### 12. LIBRARY:

- A. The library books are there for your enjoyment. If you wish to take a book home you may do so. When you are finished, please return the book to the drop off box located in the library.
- B. If you wish to donate books to our library collection, please contact the Clubhouse Service Desk or Resident Library Coordinator.
- C. Please return all magazines and newspapers to their proper racks when you are finished.
- D. The television is for your viewing pleasure. Do not remove the remote from the room. You may turn to any channel, but please keep the volume to a respectable level.

### 13. COMPUTER ROOM:

A. As part of the Clubhouse amenities enjoyed by homeowners, the computer room is a community utilized facility. As with all other community-utilized facilities, its continued maintenance and condition depend on the responsible behavior of individuals using these resources. Users should be sensitive to the public nature of the shared facilities. As caretakers of the Computer Room, Club BellaVita Management expects and requires ethical, legal and responsible behavior from its users. Club BellaVita expects that no individual homeowner, group of homeowners, their guests or the staff at Club BellaVita will engage in any inappropriate or illegal use of hardware, software or Internet access. Any violation of this policy may result in loss of computer privileges, legal action, or termination of employment, where applicable.

- 1. Users may not break into, tamper with or otherwise alter computer software and hardware.
- 2. Users may not copy, steal, or damage software or hardware owned by Club BellaVita.
- 3. Users may not intentionally introduce viruses or computer programs into Club

## Club BellaVita Rules and Regulations

BellaVita computers.

4. Users may not modify system configurations or hardware.
5. Users may not disrupt system operations.
6. Users may not misrepresent oneself on the Internet while using Club BellaVita computers.
7. Users may not utilize Club BellaVita computers for their financial gain.
8. Users may not load, download or upload any software or files.
9. Users may not use computers to harass another or violate another's rights.
10. Users may not access or view pornography or other offensive or inappropriate material and the display of Internet content should comply with Club BellaVita Management harassment policies and State and Federal laws.
11. Users may not violate authorial integrity, including plagiarism, invasion of privacy, unauthorized access and trade secret and copyright violations.
12. When classes or Computer Club meetings are in progress, members must wait for use of computers.
13. Computers and printer will be turned on and off by clubhouse staff only. Please log in and out when using the computers. No food or drink is allowed in the Computer room.
14. Limit time to 60 minutes (from signing in) when fellow homeowners are waiting.
15. The Computer Room computers will print at the copy machine at the Service Desk. A 5 cents per page fee will apply.
16. If you would like to learn how to use a particular application, please contact the Clubhouse Service Desk for class information
17. If you have any problems or questions, please contact the Clubhouse Service Desk.

### 14. GRAND BALLROOM:

- A. Food and drink are permitted in the grand ballroom, craft room and kitchen only.
- B. This room may be divided into smaller rooms for various uses. Please check with the Clubhouse Manager and/or Staff for a current room schedule if you would like to reserve the room or a section of the room.
- C. The audiovisual control center is to be operated by trained, authorized personnel only—*No Exceptions*. The Clubhouse Manager and/or Staff have a list of trained, authorized personnel.

## Club Bella Vita Rules and Regulations

D. The jukebox is for your use and enjoyment. If you need assistance with operation, please contact the Clubhouse Manager and/or Staff.

E. No equipment and/or furnishings may be removed from the Clubhouse for private use.

### 15. THE KITCHEN AND PANTRY:

A. Kitchen facilities may be used by Club members.

B. Overnight storage of items for rentals is not permitted without authorizations by the Clubhouse Manager and/or Staff.

C. Clubhouse equipment and/or furnishings may be used by club members at no cost during rentals by club members. A list of desired items should be provided to the Clubhouse Manager and/or Staff in advance. The equipment will be inspected by the Clubhouse Manager and/or Staff at the beginning and end of the rental. If any equipment and/or furnishings are missing or damaged, the club member will be responsible for replacement or repair.

D. Clean up of the Kitchen. At the beginning of the rental, the Clubhouse Manager and/or Staff will provide the Club member a check list of the condition of the kitchen to verify that the room is in proper condition before renting. At the end of the rental period, the Clubhouse Manager and/or Staff will use the checklist to verify that the kitchen has been left in the same condition as it was prior to the rental.

E. Dishwasher is for clubhouse staff usage only.

F. Washer and Dryer are for clubhouse staff usage only.

G. No equipment and/or furnishings may be removed from the Clubhouse for private use.

### 16. THE POOL, SPA, AND DECK:

A. Observe posted pool cleaning restricted hours and closings.

B. Children will be permitted in the pool area (see page 3 for hours).

C. Scheduled pool classes have exclusive use during reserved times.

D. There is no lifeguard. **SWIM AT YOUR OWN RISK!** Observe posted pool rules and hours.

E. Clubhouse staff is available during clubhouse hours only.

F. Pool area lights will remain on during evening pool hours only.

G. The pool shall be heated as necessary to maintain a minimum temperature of 80 degrees from April 15 through November 15.

H. Emergency phone is located in the pool area over the drinking fountain.

## Club BellaVita Rules and Regulations

- I. Please have ID badges or wristbands visible at all times (If swimming, club members should keep ID badges visible on chair).
- J. Visitors and children using the pool/and or pool area must have wristbands purchased before entering. They must be accompanied by a club member when purchasing the wristband and when using the pool and/or pool area.
- K. Showers are recommended before entering the pool.
- L. No glass items permitted in the pool area. No food or drink within 4 feet of pool or spa. Members and guests are required to clean up their area when finished.
- M. No diving, jumping or horseplay is permitted.
- N. All persons using facilities will conduct themselves in a courteous manner, with regards to the rights of others.
- O. All members or guests who do not follow the rules will be asked to leave the pool area.
- P. Large flotation devices are not permitted at any time.
- Q. Children who are not toilet trained must wear swimming specific diapers under their bathing suits.
- R. No pets in pool or on deck area.
- S. During a thunderstorm the pool will be closed.
- T. Positively no reservation of chairs or lounges. One chair or lounge per person.
- U. Proper bathing attire only. No cutoffs.
- V. If feces are found in the pool, any resident present should:
1. Try to remove the feces from the pool.
  2. Advise everyone in the pool that the water is contaminated, and that the pool must be vacated.
  3. If during Club House hours, notify the Service Desk for further communication with the pool service. The Service Desk attendant will put the "pool Closed" signs outside of each gate. If the Club House is closed, the resident should get the "Pool Closed" signs that are near the water fountain and place one outside of each gate. They should, then, notify one of the board members for further communication with the pool service.

## Club BellaVita Rules and Regulations

### 17. BARBECUE AND PICNIC AREA

- A. Reservations must be made at the Clubhouse Service Desk for the use of the barbecue equipment.
- B. All members and guests are required to clean up their area after use.
- C. If needed, please ask the Clubhouse Staff for assistance in operating the barbecue equipment.

### 18. CLUBS - RULES AND REGULATIONS

- A. Club BellaVita events are accomplished through the efforts of many Club Members who are also members of the various clubs, organizations and committees of BellaVita. These Club Members shall be deemed to be Club BellaVita Volunteers. It will be the policy of the Board to affirm this definition at its first regular meeting of each fiscal year at which time a listing of those clubs, organizations and committees will be recorded with the minutes.
- B. The minimum number of members that shall constitute a club is ten (10).
- C. All BellaVita clubs shall be open to any BellaVita club member who is interested and qualified.
- D. All clubs must function under basic Rules of Order to include nomination and election of officers by majority vote. Any decisions to be made by a club involving the expenditure of club funds / dues or raising of funds must be done by majority vote.
- E. Each club will prepare a "Mission" or "Purpose" statement describing the general objectives of the organization. This statement will include a list of officer positions and terms of office. It must be submitted to the HOA Board of Directors no later than two (2) months from the date of the organization's establishment.
- F. Club charges are acceptable to help defray the costs for the club. The amount of the dues, if any, must be presented to the Board of Directors for approval prior to their presentation to the club members. Please advise the Board of Directors when an increase/decrease occurs.
- G. Every club shall operate as a non-profit organization and shall supply the Management Company with a year end financial statement showing a zero balance as all of our clubs maintain a non-profit status. If there is a balance at the end of the year, a detailed list of proposed expenditures is to be submitted.
- H. Club BellaVita is responsible for supplying paper products, non-alcoholic beverages, certain food items or refreshments, or any other items for any club related event on a monthly basis. The expense of these items shall be shared equally by Club BellaVita and the other major clubs in the community (currently: Belles', Men's, That's Entertainment and Veterans)
- I. All club presidents will advise the Clubhouse Manager in writing of all scheduled meeting dates/times and of any other pertinent changes or cancellations.
- J. Any club that invites a guest speaker must give Clubhouse Manager in writing, the name and objective of that speaker at least one week in advance of that particular meeting. This speaker

## **Club BellaVita Rules and Regulations**

must sign in and be issued a special pass from Clubhouse Service Desk.

K. Articles regarding specific club activities for the BellaVita Weekly Announcements and Website must be submitted in writing by the club president, in accordance with proper deadlines. Every effort will be made to print each article, space permitting.

L. Management's objective is to have as many diversified clubs as possible meeting within the Clubhouse. Every effort will be made to avoid duplication of clubs.

M. All fundraisers must be approved by the Board of Directors (50/50, raffles, drawings, events, etc.)

N. Any advertisement (flyers, posters, e-mails, etc.) for a club sponsored event that requires a ticket sale must include the name of the club.

O. Any Funds raised by a club for the purpose of purchasing any equipment or accessories that will remain a permanent fixture of Club BellaVita such as sound equipment, furniture, gym equipment; BBQ or pool equipment must be submitted by the purchaser to the Management Agent for inclusion as a covered insurance item and accounted for in a financial statement. Such items valued at less than \$500 and not permanently affixed to the facility may be purchased without HOA Board approval. Items permanently affixed to the facility or valued at \$500 or more are subject to HOA Board approval. Request for approval of these items will be processed through the Clubhouse Committee.

P. Refreshments are only to be served in the Ballroom or Arts & Crafts Room.

### **19. SPECIAL EVENTS:**

A. Ticket sales will be offered to members of Club BellaVita, on a first come first serve basis.

B. After a designated period of time, the unsold tickets may be made available to guests of members on a first come first serve basis. When a ticket is purchased for an outside guest, the guest fee of \$3 will be waived and the guest will have access to the event only.

C. Those with special physical needs or impairments are asked to notify the Clubhouse Service Desk during normal hours and special seating arrangements will be made.

D. Those persons holding a single resident badge can purchase one guest ticket for any ticketed event.

E. Attire will vary for each event. Please check postings or at the Clubhouse Service Desk for specific information.

F. ID badges are not required for ticketed events.

### **20. CLUB BELLAVITA AND THE BELLAVITA TRADE NAME**

No individual homeowner, Club, or outside entity shall use the BellaVita name without written



## Club BellaVita Rules and Regulations

permission from BellaVita Board of Directors.

### 21. LAKE AREA

- A. Residents and their guests are encouraged to use the lake area. Guests, except when walking or jogging, must be accompanied by a resident. Children are to be accompanied by a resident at all times.
- B. Do not climb on the rocks around the water fall nor into the stream that crosses under the walk way.
- C. Sport fishing, or catch and release, is allowed in the lake. Guests must be accompanied by a resident when fishing. No fishing after dark.
- D. Golf carts or any other motorized vehicles are not to be driven on the walk way around the lake. The only exceptions to this are the cart installing or picking up the flags, the Club House maintenance cart, other official Bellavita carts, and elder assistance scooters.
- E. Residents and guests using the lake walk way in the early morning hours or evening and night hours should respect the privacy of lake residents by keeping their voices low.
- F. All dogs are to be leashed at all times and their droppings must be picked up.
- G. Bicyclists should verbally signal when they are approaching joggers or walkers from behind.
- H. DO NOT FEED THE DUCKS, GEESE OR OTHER LAKE BIRDS.

### 22. MAIN GATE OPERATIONS AND PROCEDURES

- A. The vehicle entrance gates at BellaVita are closed between 7PM and 7AM. The entry gate closest to the carriage house will be closed during the normal open hours of the entrance gate for safety purposes. This section contains the ways in which you may gain access thru gates.
- B. Each resident is issued a clicker. The clicker has an identification number. The gate system records each time you enter the gate. You may use the clicker at either the right gate or left gate. Stop your car within two feet of the gate and press and hold your clicker button. If your clicker has two buttons, educate yourself on which button opens which gate. Do not drive too close to the quick gate. If your vehicle bumper or tires cross over the sensor in the concrete the gate will not open. After pressing your clicker the iron swing gate will open and then the quick gate will open. As a reminder you may need a new battery in your clicker from time to time.
- C. If another car is in front of your vehicle in either lane trying to access the gate please stop your vehicle at the gate house Directory Keypad area. On occasion, a vehicle in front of you trying to access the gate may be unable to do so and will have to back up and make a U-turn to leave the

## Club BellaVita Rules and Regulations

lane. Please allow room for them to do so. Once you see the iron swing gate open for the vehicle ahead of you, you may then approach the gate.

D. Only the left gate has accessibility using both your E-Z Tag (Texas Toll Way Tag) and clicker. If you have an existing E-Z Tag, you may fill out papers at the BellaVita Desk and the Clubhouse Manager will enter your E-Z Tag number into the gate system. After you have your E-Z Tag registered at the BV desk; your vehicle will be able to enter the LEFT gate via your E-Z Tag. When approaching the left gate with a registered E-Z Tag the iron swing gate will open and then the quick gate will open. Do not drive closer than 2 feet from the gate. If your bumper or tires cross the sensor in the concrete the gate will not open. Phone 281-875-3279 or go online at [www.hctra.org](http://www.hctra.org) to gain information on acquiring an E-Z Tag.

1. The club manager is directed to only issue EZ-tag registration for homeowner tags which are attached to homeowners' vehicles and which have the vehicle registered in their name and at the BellaVita address.
2. The club manager is authorized to allow EZ-tag access to employees of AMI, employees of West Development, employees of Club BellaVita, and employees of Village Builders for so long as they are owners of property within BellaVita or assigned to work with the BellaVita HOA.
3. Insurance and/or title documents of the vehicle owner are required to be presented to the staff for proof of applicability.

NOTE: EZ tags are available only through Harris County Toll Road Authority (HCTRA) and not provided by or available from Club BellaVita

E. You may also use the Directory Keypad to enter BellaVita. Each Resident is assigned a four digit code number. Write your four digit code number here # \_\_\_\_\_. Keep this number in your purse, wallet or cell phone directory. To use this four digit code you will approach the Keypad Directory in the right lane. Quickly enter the number sign (#) and your four digits. Do not pause between the entries. If you pause after the # sign or in between the digits, access will not be granted. Just be prepared! Enter # sign and your four digits as quickly as possible. The right gate should open and access will be granted. It is advised that you DO NOT give this code out to other than trusted family members. You will use this four digit code when traveling in vehicles other than your own and you have forgotten your clicker.

F. Guests, Delivery Personnel or Workmen who you are expecting may use the Directory Keypad to phone your residence. In the Directory Keypad at the gate you will see a list of homeowners. At the end of each name is a three digit code. Write your three digit code here \_\_\_\_\_. You may give this three digit code to the appropriate people. When Guests, Delivery Personnel or Workmen approach the Directory Keypad in the right lane they may press in the three digit code (number sign (#) is not required). After pressing the three digit code, your telephone will ring in your residence. After picking up your residence phone, you will be able to speak to the person at the Directory Keypad. If you agree to allow them access you will then press 9 on your home phone. After pressing 9 the gate will open and allow access. Your guest must use the Directory Keypad for this system to work. Cell phones will not access the gate system. A Guest, Delivery Person or Workman may also scroll the Directory Keypad for your name. When they stop at the arrow on your name, they may press "Call" and your residence phone will ring. You may speak with them and agree to allow access by pressing 9 on your home phone.

G. There are six cameras at the gate house. The cameras run 24 hrs a day 365 days a year. The

## Club BellaVita Rules and Regulations

cameras are there for our security. However, they do record all vehicles entering and leaving BellaVita. Your clicker and E-Z Tag numbers are also recorded when your vehicle accesses the gates. Please do not tailgate! You have three ways to enter the gates, please use them. Damage has occurred to vehicles trying to tailgate. Do not encourage your guests to tailgate. If a guest is in a vehicle ahead of you, you may use your clicker to allow access for your guest and then use the same clicker to allow your own access or your E-Z Tag.

H. The gates, like any other mechanical device, are subject to malfunction from time to time. In addition, the gates do not operate like toll booths and will not respond in the same fashion – the arm may fall between cars until activated by a signal from a remote or EZ-Tag. Please remember that neither the BellaVita Homeowners Association nor its Directors are responsible for any damage that may be caused to personal property by the gates at BellaVita at Green Tee. In the rare event of a malfunction resulting in damage to your vehicle and/or to the gate, please remember to follow this procedure:

1. Notify the Clubhouse as soon as possible. (within 24 hours)
2. Obtain the names and contact information of any and all witnesses.
3. Complete an incident form within 24 hours (available at the clubhouse)
4. Notify your insurance company within 24 hours (regardless of who you may feel is or should be responsible) and follow their instructions – they will help you repair any damage and, in the event they feel there is liability, subrogate\* against the association's insurance. Taking these steps will help you obtain any needed repairs as quickly as possible and let the insurance companies sort things out.

\* Subrogate: Your insurance will work with you to obtain necessary repairs and will coordinate with BellaVita's insurance in an effort to obtain full reimbursement (including your deductible) if possible. Your insurance agent can be a very effective advocate for you in this process

I. There is a stop sign in both the left and right lanes immediately after entering the gate. Please stop at these stop signs. There will be vehicles entering the gate in the right lane turning left and vehicles in the left lane turning right. Use caution when multiple cars are using both gates at the same time. Vehicles on N. Riviera have the right of way.

J. Only one vehicle at a time can enter thru the automatic gates. Do not tailgate another car. The board has instituted a policy whereby anyone damaging the entrance gates will be required to pay repair costs. The camera system will be used to identify the damaging vehicle and a bill identifying the cost of damages and the minimum administration fee of \$25 will be sent to the homeowner by the managing agent.

K. Neither the BellaVita Homeowners Association nor their Directors are responsible for any damage that may be caused to personal property by the gates at BellaVita at Green Tee.

L. The Staff of BellaVita will be available to answer any additional questions you may have concerning the gate system.

### 23. DAMAGE TO BELLAVITA PROPERTY

A. As provided for in the CC&R for BellaVita a homeowner shall be responsible for damages to and may be billed for repair and collections processes initiated for damage to BV HOA

## Club BellaVita Rules and Regulations

common property and facilities which occur as a result of accident, abuse, or neglect of the owner, their guest, or their renter/lesser and shall include any fees or legal costs required for the collection of damages as provided in the CC&R. These areas shall be as detailed in the CC&R definitions, Article I. By further elaborations some of these areas, but not limited to, buildings, fences, landscaping, streets and curbs, pool and mechanical gate systems, gate house, street signs and lighting, parking lots, and electronic systems including computers, TV's and audio/visual systems. It is the HOA Boards intent to monitor, enforce and collect payment for such damages and the board may utilize a management company to assist in this effort.

B. Any homeowner or other person so cited by the BVHOA for one of these infractions Has the right to appeal to the BVHOA Board within 30 days of receiving the citation. The BVHOA Board will be the final authority for resolution of the appeal.

C. Typical fee schedule as a minimum for some selected items is:

Minor gate damage repairable by BVHOA employee = \$50

Major gate damage = cost of repair by BVHOA contractor plus \$25 administration fee.

Furniture and fixtures damage = cost of replacement item plus \$25 administration fee.

Facilities and landscape damage = cost of outside contractor repair and/or plant replacement plus \$25 administration fee.

### 24. INCIDENT OR ACCIDENTS

A. Incidents or accidents are required to be documented to assist any follow up by BellaVita HOA, AMI, or local authorities.

B. As soon as a BellaVita employee, Board member, committee member, or club member is notified or observes an accident or incident that individual person shall notify the on-site BellaVita employee and assist the staff person to do the following:

1. Notify the local authorities if assistance is needed including dialing 911 if necessary.
2. Provide assistance within the capability of the staff person.
3. Obtain the affected person(s) name and address.
4. Notify any person that the affected person requests to be notified of the situation.
5. Establish who has witnessed the occurrence and obtain names of those individuals.
6. If a camera is available take pictures of the incident area.
7. Immediately fill out the standard BellaVita incident report form before leaving the BellaVita property including recording the situation such as raining, adjacent to curbs, slippery floor/walk/patio due to a condition, activity taking place at that time.
8. Notify the Club Manager and the Managing Agent (AMI) within 24 hours. (Note: the managing agent will be responsible for contacting all insurance agencies.)
9. Send copy of incident report to managing agent ASAP.

### 25. CLUB HOUSE PARKING LOT

## Club BellaVita Rules and Regulations

A. The BV clubhouse parking lot (both front and behind the building) is provided for the convenience of Homeowners and their guests, persons conducting business or attending events at BV, and workers under contract for BellaVita. The parking lot is located on the private common property of the BVHOA and usage is under the sole discretion of the BVHOA. Violation of these restrictions and these protocols can result in removal of parking privileges at the clubhouse lot and towing without notice may occur.

1. All homeowners, guests, and workers shall honor the restricted handicap parking spaces. This restriction is enforceable by the *Pearland Police Department*.
2. All homeowners, guests, and workers shall park within the designated spaces and shall honor the no-parking areas of the lot except the Club Manager may grant exceptions to workers for their activity.
3. Carpools – Homeowners may use the lot during the day for carpool parking (their cars or companion car poolers cars) by requesting a parking permit for each car. (windshield card) \*\* (\*\* = see definitions below). Carpool cars shall be parked in the back of the lot furthest from the clubhouse.
4. Event parking – Homeowners may park overnight in the lot when a BV sponsored event extends overnight by registering. The Veterans and BBQ trailers may be parked in the back lot. They also may use the front lot during flag display and maintenance work.
5. The four handicapped parking spaces at the A/C room door may be temporarily (prior to and after) used for drop-off and loading for BV special events or during construction.
6. Oversize vehicles\*\*--These may be intermittently (No more than two nights in a 30 day period) parked in the lot overnight with a parking permit\*\* if, or when it is not desired to park the vehicle near the home as provided for by the Declarations. This should not be considered approval to do it on a continuous basis and the vehicle shall be removed by 10:00AM following the stay.
7. Visitor vehicles – Homeowners may obtain a one week parking permit\*\* from the clubhouse to utilize overnight parking of a house guest's vehicle to their home when the vehicle cannot be accommodated in the homeowners' driveway overnight. Instead of the guest's vehicle, they may park their own vehicle in the Clubhouse lot, but the permit is still required.
8. The circle drive is for pick up and drop off only. No vehicle shall park there.
9. No vehicles shall be left overnight in the parking lot unless they are covered by one of the above exceptions.

### B. Definitions\*\*

1. Parking permit – Obtained at the clubhouse by identifying the vehicle type, license number, owner, and need for parking in lot. The permit will identify valid dates for use and must be place in the front windshield.
2. Oversize vehicle – Vehicles that do not fit within one standard parking space, but not limited to, RV's and RV-style trailers, oversize passenger vehicles, hauling and maintenance vehicles, trailers, moving vans, vehicles displaying commercial advertisements, etc.

## 26. FACILITY KEYS

A. Keys for the BellaVita facilities will be issued by the club manager as directed by the

## Club BellaVita Rules and Regulations

BellaVita board to BellaVita employees and to selected BellaVita board members.

- B. In support of the security of the club, the Board requests that the key holders agree to the following terms of usage.
1. The key is made available to employees (staff) in support of their specified work hours.
  2. The key is made available to support emergencies at the clubhouse.
  3. The key is also provided to support unique hours for events when staff is not available.
  4. Board members are responsible to the club manager for advance coordination when using the key for other than emergencies.
  5. Availability of the key does not substitute for scheduling of the club staff. Club staff will be scheduled by the club manager to support extra hour events.
  6. Board members that have a key shall not direct the operation, activities, or hours of club employees.
  7. The club manager shall be advised as soon as possible whenever entry was made when the club was not opened by an employee.
  8. When the club has been opened by a board member, that member is fully responsible, shall stay at the club full time while it is open and will be responsible for disarming and rearming the alarm system.
  9. The key holders shall not duplicate their key.
  10. The key holder will be issued a unique alarm code and their alarm codes shall not be disclosed to anyone.
  11. A lost key shall be reported to the club manager immediately so that the alarm codes can be changed.
  12. The key shall not be loaned to anyone.



## BellaVita Homeowner E-Z Tag

Please print or type when filling out this form

Homeowner Name \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone # \_\_\_\_\_

Homeowner Vehicle to be registered:

Make: \_\_\_\_\_

Model: \_\_\_\_\_

Color: \_\_\_\_\_

Year: \_\_\_\_\_

License Plate: \_\_\_\_\_

Insurance Card shown and info matches? YES NO

E-Z Tag # HCTR \_\_\_\_\_

Your E-Z Tag is found inside your car. It is a long multi-digit code with numbers after HCTR...



## RV REGISTRATION FORM

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Emergency Contact: \_\_\_\_\_

RV License Plate: State \_\_\_\_\_ Number \_\_\_\_\_

Type of RV: \_\_\_\_\_

Year and Make \_\_\_\_\_

Homeowners who have registered their RV with Club BellaVita (Motor Home, Travel Trailer, 5<sup>th</sup> Wheel, Boat on Trailer) will be permitted to temporarily park on the Club Parking lot by South Capri Dr. To prevent any possible conflict with a planned event at Club BellaVita, you're required to notify the Staff at Club BellaVita when you plan to park your registered vehicle on the lot.

Owners of RV's who are guests of Homeowners must obtain a Permit from Club BellaVita in order to temporarily park on the lot.





# INCIDENT REPORT

Date: \_\_\_\_\_

Clubhouse Manager or Employee on duty completes this form (one person involved).  
Send copy to Managing Agent within 24 hours.  
Give copy to involved party.

Name of involved: \_\_\_\_\_

\_\_\_\_ EMPLOYEE \_\_\_\_ HOMEOWNER \_\_\_\_ GUEST

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

Date of incident: \_\_\_\_\_ Time: \_\_\_\_\_

Incident was a \_\_\_\_ medical \_\_\_\_ non-medical event.

Was there damage to physical property? YES NO Approximate value: \_\_\_\_\_

Location of incident: \_\_\_\_\_ Injured? YES NO (Circle one)

Circle areas of body involved:

Description of incident:



\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Was First Aid administered? YES NO Was incident reported to authorities? YES NO

If YES, to whom? \_\_\_\_\_

Witness: \_\_\_\_\_ Telephone: \_\_\_\_\_

Witness: \_\_\_\_\_ Telephone: \_\_\_\_\_

I acknowledge the occurrence of incident described.

Signature of involved: \_\_\_\_\_ Date: \_\_\_\_\_

Name of person completing form: \_\_\_\_\_

Position: \_\_\_\_\_

Reviewed by Clubhouse Manager

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

BELLAVITA AT GREEN TEE HOMEOWNERS ASSOCIATION, INC.

CERTIFICATION

"I, the undersigned, being the President of Bellavita at Green Tee Homeowners' Association, Inc., hereby certify that the foregoing was adopted by at least a majority of the Association Board of Directors on the 26<sup>th</sup> day of October, 2011."

*low  
new*

By: Ronald H. Gerlach President

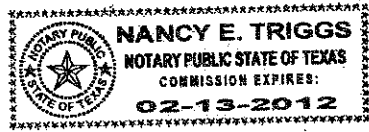
Print Name: Ronald H. Gerlach

ACKNOWLEDGEMENT

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

BEFORE ME, the undersigned authority, on this day, personally appeared the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same as the act of the Association for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 26<sup>th</sup> day of December, 2011.



Thom E. Triggs  
Notary Public, State of Texas

After Recording Return to:  
HOLT & YOUNG, P.C.  
11200 Richmond Ave., Ste. 450  
Houston, Texas 77082

*JV*

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

JAN - 3 2012



Stu Stewart  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

**RECORDER'S MEMORANDUM:**  
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.