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April 26, 2013

RE: 2013 Pool season Information

To all of our Leacroft Neighbors

Over the last few months, those of you who have read our monthly newsletters have been made aware of some changes being made to the access control procedures of our community pool. In years past, homeowners were issued small plastic tags which allowed entry into the pool area and although somewhat effective, this procedure was severely limiting in its execution and enforcement. Further, it required that each year, new passes had to be produced and mailed to all homeowners. Although costs of this program was certainly not the primary factor in the decision to change procedures, it is worth noting that this did cost the Association approximately \$1,000.00 per year.

Beginning with the 2013 pool season all homeowners wishing to access the pool area will be required to present and swipe a small electronic key fob which many of us are familiar with at either local gyms, or other places of business. This fob, will momentarily deactivate a magnetic lock which will allow access to the pool through the gate.

Enclosed you will find a unique key fob that has been registered to your home address for your use this year and in years to follow during posted pool operating times. Additional key fobs (or replacements in the event of loss) may be ordered at a cost of \$20.00 per fob. This fee covers both the cost of the physical fob as well as postage/handling and administrative costs from our management company for their assistance in this process.

Every effort has been taken to ensure smooth operation of the access system however, as with any installation, there is the possibility of a small number of difficulties. Thus, the pool staff may allow access to the pool during the period from May 18 thru May 27 without a functioning fob as long as that fob is in your possession. This will allow all residents the opportunity to "test" their fob (and order additional fobs if needed) during the first week that the pool is open to ensure the system is operating and functioning as intended. If during this "open period" you find that your fob does not work you must contact Henderson Properties at their office to request assistance. Please be aware, that Henderson keeps normal business hours and it is not likely that they will be available after 5PM on any weekday including Friday or at any time on the weekend and thus some planning ahead will be necessary.

Beginning Tuesday May 28, 2013 no one will be allowed access to the pool unless their fob is functioning. If after May 28, your fob does not work you must contact Henderson for assistance. Also, as indicated above, fob access may be suspended for any owner who is not current on their assessments or not current on any written payment plan authorized by the Board or for infractions of the pool rules as posted at the pool and contained herein. In the event a fob is deactivated due to an outstanding balance and you send payment for assessments to Henderson to pay your balance, it will be your responsibility to contact Henderson to ensure that payment has been received/posted and to request that your fob be re-activated.

Please note, there is a unique number on the back of every key and that after a few months, this number may wear off the fob. For this reason, we ask that all owners place a piece of clear tape over the back of the fob to protect the number for reference in the event the fob is not functioning and needs to be reprogrammed. Further along those lines, in the event a household is issued more than one fob, and one fob is lost, the "missing fob" can be deactivated by providing us with the number of the fob you do have in your possession.

Homeowners are not permitted to share their key fobs with other homeowners or any other person(s) not residing in your home. This system allows for the monitoring of who accesses the pool, when they access, and also allows remote deactivation of any fob that is being misused.

Please be aware, the lifeguards/pool monitors or any other member of the pool staff have no authority to bypass this requirement and are prohibited from allowing access to the pool without the functioning key fob. The management of the pool company have been made aware of the consequences should it be found that their staff members are violating this requirement. We ask that all homeowners respect this and not ask the pool staff to risk their positions on this matter.

Finally a copy of the 2013 pool rules which have been slightly revised this year to reflect among other things, the access fob system and adjustments to pool rules in general are enclosed. We ask that you and your family take a moment to read, understand and become familiar with the pool rules as following them will ensure that all neighbors can enjoy the pool facility this year.

We certainly hope that all members of our great community enjoy the pool this year and with some cooperation we are confident that the new system will benefit all of us both in the near term and long in to the future. We thank all of you in advance for your attention and cooperation in this matter and wish everyone a great and happy summer.

Sincerely,



Paul A. Greiner
Board President
On Behalf of the Board of Directors

Villages of Leacroft Homeowners Association Inc.

**VILLAGES OF LEACROFT HOMEOWNERS' ASSOCIATION (HOA)
SWIMMING POOL RULES AND REGULATIONS**

2013 Pool Season

1. INTRODUCTION

The safety, health and comfort of all members is the objective of the following RULES AND REGULATIONS ("Regulations") concerning the VILLAGES OF LEACROFT ("Leacroft") pool and pool area (the area inside the pool fence and the pool house and surrounding common area, as formulated by the Leacroft HOA BOARD OF DIRECTORS ("Board") and COMMON AREA COMMITTEE ("Committee"). The Committee and the Board have authority and jurisdiction over the conduct of any person or persons and any circumstances involving the pool. However, it is the duty and responsibility of all members, their children, and guests, to adhere to and encourage compliance with the Regulations.

2. POOL SEASON

The Saturday preceding Memorial Day weekend (May 18, 2013) until the Sunday following Labor Day weekend (September 8, 2013)

3. HOURS OF OPERATION

On weekdays before Memorial Day and on weekdays after Labor Day, the pool will be closed. On weekdays after Memorial Day and on weekdays before Labor Day, when the Charlotte-Mecklenburg public school (CMS) is in session, the pool will be open from 4:00 pm till 8:00 pm. On weekends before Memorial Day and weekends after Labor Day, the pool will be open from 12:00 PM until 6:00 pm.

Once school is out of session, on Saturday through Thursday, the pool will be open from 10:00 AM until 9:00 P.M. On Friday, the pool will be open from 10:00 AM until 10:00 P.M.

4. POOL USE

Diving is not permitted because of the shallow depth of the pool.

Persons (including members and guests) under the age of 13 years must be accompanied by a parent or legal guardian who is a Leacroft Homeowner at all times while in the pool area.

One lane of the pool is reserved for lap swimming only. Persons in the pool in the lap lane that are not swimming laps will be directed to move to another area.

5. POOL ACCESS

ACCESS FOBS. Each Leacroft Homeowner family, whose assessment payments are current will be issued 1 pool access fob. A replacement or additional fob(s) can be provided for a fee of \$20.00. Access to the pool will only be permitted with an active fob by Leacroft Homeowner or family member whose common area privileges are intact (not suspended or revoked due to unacceptable pool behavior, delinquencies, fines or liens). If your fob has been deactivated or is not working for any reason, you must contact the management company via their contact information posted at the pool. Lifeguards or other pool company staff have no authority to let anyone into the pool without their fob. Additionally, any person found to be improperly using the exit button located to the right of the entrance gate to allow access by unauthorized individuals may be suspended from the pool for the remainder of that day. Subsequent

violations of the access policies in any way may result in suspensions for longer periods of time by the Board of Directors.

6. GUEST POLICY

Except as specifically set forth below, all guests must be accompanied by an inviting Leacroft Homeowner member at all times while in the pool area. The pool may not be closed for private parties to the exclusion of pool members.

Each Leacroft Homeowner family member is responsible for the safety, actions and behavior of its respective guests, including and without limitation, the compliance with all Rules and Regulations and responsibility for all property damage. It is the responsibility of each inviting member to carefully review these regulations with their guests.

Children aged 15 or under may not bring guests if not accompanied by a parent or legal guardian; Children aged 16 & 17 will be limited to two (2) guests if not accompanied by a parent or legal guardian.

In any event, guests may use the pool only in compliance with the Regulations contained herein and only when such use does not interfere with the safe, quiet and peaceful use of the pool by other members.

The Board and Committee reserve the right to limit guests as pool demand increases. As an example: You may wish to have 12 or more guests attend an "organized event" such as a birthday party, etc. Such event must be requested, in writing (using the Villages of Leacroft HOA Pool Event-Party Agreement), and submitted to the Committee two calendar weeks prior to the event. When prior approval is obtained, it is with the understanding that at no time should your party attendees exceed 30 persons in the pool area. And, it is understood, as stated prior, that other community members will have pool access at all times. Therefore, as member pool demand increases, the number of guest actually permitted may be restricted to less than that which was approved in the Party Agreement. You are further responsible for attendee conduct and pool and pool area upkeep and for the cost of an additional lifeguard during your party as required by the pool management firm's contract. Additional lifeguard hours will be charged to the Leacroft Homeowner party sponsor at a rate of \$20.00 per hour.

7. POOL EQUIPMENT PRESERVATION

Under no circumstances is any person to play with cleaning equipment, life ring, or other apparatus. Pool furniture may not be removed from the pool area at any time. Pool furniture may not be placed in the pool. Each member is responsible for the actions of his family and guests and will be charged for any damaged property. No unauthorized persons will be allowed in the filter room at any time. Under no circumstances are the drain lids to be removed from the bottom of the pool or pool deck. The cost of any property damage due to negligence or abuse will be charged to the responsible member.

Members and guest agree to release, indemnify and hold harmless the Leacroft HOA and its Board from any and all liabilities and actions whatsoever by any member or guest created by the use of the swimming pool and pool area.

8. PERSONAL PROPERTY

The Leacroft HOA is not responsible for loss or damage to personal property. No personal property may be maintained or stored in the pool area without the prior express written consent of the Board.

The Board may exercise the right to discard anything left in the pool area.

9. SAFETY

NO GLASS of any kind is permitted within the pool or pool area. This is for your safety and is a mandatory regulation for Mecklenburg County.

No running, pushing, wrestling, horseplay or other behavior that is unsafe or disturbs the enjoyment of the pool facilities will be permitted. **Such behavior may result in the expulsion of the offending member or guest for up to two days on the first offense, one week for the second offense, and the entire pool season for a third offense.**

No extension cords of any kind shall be used in the pool area.

The pool must be evacuated if lightning is seen or thunder is heard. Swimming may resume if weather conditions are clear for 20 minutes.

No food, drinks, or gum is allowed in the pool. This constitutes a health hazard as well as interfering with the drainage and pump equipment.

10. CLEANLINESS

All trash must be removed by the responsible member or properly disposed of in available containers. The pool area must be left clean and neat.

Members should caution their children to use the bathroom facilities provided in the pool area. Trash must be deposited in the trash receptacles. No rocks, debris, chewing gum or spitting will be allowed in the pool or pool area. Bathing suits are the only acceptable attire. No person will be allowed in the pool while wearing any street clothes. Showering before entering the pool is required. **Violations may result in the expulsion of the offending member or guest for up to two days on the first offense, one week for the second offense, and the entire pool season for a third offense.**

Parents, please pay special attention to this pool rule -- *No disposal diapers are allowed in the pool.* Cloth diapers are acceptable. Rubber pants or other attire designed for "infant swimmers" will be required. The Mecklenburg County Health Department advised that should a "diaper accident" occur, then the pool *must* be closed a minimum of six hours for cleaning, chlorination, etc.

No pets are allowed inside the pool area or tied to the pool fence.

11. HEALTH

Persons having or appearing to have any infectious diseases, excessive sunburn, open sores, bandages, inflamed eyes, colds, nasal or ear discharge, as well as any ailments which could adversely affect water cleanliness and/or endanger the well-being of others, will not be permitted in the pool or pool area.

12. PERSONAL CONDUCT

With due regard to the close proximity of homes to the pool area as well as a courtesy to other pool users, the noise level must be kept at a minimum. All sound generating devices, including but not limited to radios, televisions, tape players, CD players and MP3 players, are permitted at a reasonable volume so as to not disturb other pool users. Persons deemed by pool personnel to not be observing this courtesy will be directed to reduce their noise level **or** cease the use of the device(s) **or** leave the pool area.

No running, horseplay, splashing and/or boisterous conduct or inappropriate language shall be permitted in or around the pool area.

Failure to comply may result in the expulsion of the offending member or guest for up to two days on the first offense, one week for the second offense, and the entire pool season for a third offense.

13. TELEPHONE

The telephone at the pool is provided primarily for safety and security purposes. All other use is at the discretion of the pool staff. Calls will be limited to three (3) minutes, and only for local calls.

14. ENFORCEMENT AND PENALTIES

Infractions of these Regulations will be reported by the lifeguards to the pool management firm's management and thus to any Committee or Board member for support and enforcement. Enforcement may include suspension of all pool privileges for the offending Leacroft Homeowner family and guest, as described above. The failure by any Leacroft HOA member, including any Board or Common Area Committee Member, to enforce these Regulations shall not be construed in any manner as a waiver of all or part of such Regulations. The requirements set forth in these Regulations may only be waived in writing by the Board.

15. POSTED REGULATIONS

All Leacroft HOA members and guests are also subject to any and all rules and warnings posted in and around the pool area.

16. AMENDMENTS

The Board reserves the right to change, delete, or add to these Regulations as the need arises. In the event of changes to these rules during the pool operating season will be posted at the entrance to the pool.

The Pool Committee and Board would like to thank in advance, all residents for your help in enforcing the Regulations set by the Pool Committee and Board, and for making the pool season safe and enjoyable for all.