

## TAHOE DONNER ASSOCIATION AMENITY ACCESS POLICY

This Amenity Access Policy has been approved by the Board of Directors of Tahoe Donner Association. This policy establishes the eligibility requirements for receipt of ID's by various types of Tahoe Donner Owners, related individuals and guests for discounts at, and access to, recreational amenities within Tahoe Donner.

This Amenity Access Policy is administered by the Member Services Office, which is located at Northwoods Clubhouse, and open seven (7) days a week in the summer months between the hours of 8:00 a.m. and 4:30 p.m. and is closed on Sundays between Labor Day and Memorial Day.

### A. DEFINITIONS

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

Association: refers to Tahoe Donner Association, a California 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.

Dependent Children of an Owner: Owner's children who maintain a common household with the owner, or any child of an owner who is under the age of 18.

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.

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 pass privileges. Owner must present verification of such cohabitation, satisfactory to the association upon request to the Member Services 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 downhill and cross country ski areas, campground, driving range, golf course and equestrian facilities owned by the association are "Other Amenities", (as defined herein), and the photo IDs defined in this policy afford the owner access to such facilities at discounted rates.

Owner: based on current board policy, any owner of record who owns at least 15% of a residential parcel within the subdivision as described on a recorded grant deed.

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.

Recreation Fee: This annual fee is established by the board and allows unlimited access to Recreation Fee Amenities for photo ID holders of a particular residential parcel. This fee is non-refundable and non-transferable.

Recreation Fee Amenities: includes the Marina at Donner Lake, Northwoods Pool, Trout Creek Recreation Center, Tennis Center, Snowplay area and any other amenity designated by the Board of Directors through the rate schedule.

Single-Family Renter: the lessee, and his or her immediate family, under a valid lease (at least 9 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 Tahoe Donner common interest development, including any real property subsequently annexed to or acquired by the Association.

Rate Schedule: the rate schedule for use of all Tahoe Donner amenities is adopted and published annually by the Board of Directors.

## B. PROPERTY OWNER PHOTO IDS

1. General. Except as qualified in paragraphs 3-7 below, the following general rules apply to Photo IDs:

(a) Each residential parcel shall be allotted a maximum of four (4) photo IDs at no charge to the owner and shall entitle the holder to discounts at the other amenities, as established annually by the Board of Directors, until the qualifying property is sold.

(b) At the beginning of each budget year, the Board of Directors will establish a recreation fee for property owner use of the recreation fee amenities. Payment of this fee will entitle the photo ID holder on the lot unlimited access to the recreation fee amenities and discounts at the other amenities as outlined in B1 (a) above. This recreation fee is valid for the recreation period for which it is purchased on that particular parcel until the property is sold. Current photo ID holders who do not wish to pay the recreation fee may pay a daily fee for access to recreation fee amenities.

(c) The issuance of photo IDs is limited to owners of residential parcels and members of their immediate family and extended family. This does not apply to multi-parcel owners as described in B4 and owners who relinquish their rights to tenants in B7.

2. Additional Photo IDs. If the immediate/extended family of an owner consists of more than four (4) persons, the owner shall be entitled to purchase up to four additional photo IDs for their immediate/extended family members at the rate established by the current rate schedule. Any photo ID's issued to children of immediate family members, 6 and under, shall be free of charge and will not be counted as part of the four-IDs-per-parcel allotment specified in paragraph 1, above. In order to obtain an ID card for these children, a birth certificate must be provided to the Member Services office to prove the immediate family relationship. Children of owners under the age of seven (7) shall not be required to have photo IDs in their possession and shall have an unrestricted right of entry to the recreation fee amenities provided the child is accompanied by an adult. (subject to paragraph D1, below).

3. Multiple Owners of a Single Residential Parcel. As specified in paragraph B1, above, only four (4) no-charge Photo ID 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 four (4) allotted no-charge photo IDs. Other owners on that residential parcel and their immediate/extended family may use the transferable guest cards or may purchase up to four additional photo IDs at the rate established by the current rate schedule.

4. Multi-Parcel Owners. A multi-parcel owner (an owner of more than one residential parcel) is entitled to four (4) photo IDs multiplied by the number of residential parcels owned, with the criteria for issuance being the same as set forth in paragraphs B1 (a-c) and B2 above. Regardless of how many residential parcels are owned by an owner, only one set of photo IDs 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) photo IDs at no charge, with two (2) IDs in this case, going to a husband and wife and ten (10) photo IDs 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, photo IDs will not be issued in excess of the number of eligible persons.

5. Partnerships and Corporations. Partnerships and corporations which are the owners of record of a residential parcel may receive up to four (4) photo IDs for each residential parcel owned. The entity-owner must designate, on corporate stationary, which of its officers, directors or partners will receive the four (4) photo IDs. Such designated individuals shall be entitled to purchase additional photo IDs for their immediate/extended family members up to a total of four per parcel. These additional four passes may be purchased at rates established by the current rate schedule and in accordance with B2.

6. Trusts. Trusts or trustees which are the owner of record of a residential parcel may receive up to four (4) photo IDs. 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 photo IDs for their immediate/extended family members up to a total of four per parcel. These additional four passes may be purchased at rates established by the current rate schedule and in accordance with B2. A trust document may be required for verification of the identity of the trustee(s).

7. Issuance of Photo IDs to Single-Family Renters. The four photo IDs issued to an owner pursuant to paragraph B1, 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 nine (9) consecutive months. All outstanding photo IDs 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 Member Services Office before new photo IDs 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 photo IDs on this property. Similarly, photo IDs and transferable guest cards issued to any long term

renter/family must be relinquished to the Member Services Office if the owner wishes to regain his or her photo ID privileges upon expiration of the lease period. The right to assign photo ID 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 photo IDs to which the residential parcel is entitled pursuant to paragraphs B5 and B6, above.

8. Term. All photo IDs are valid until such time that the property is sold (see B9 below) or rented to a qualified renter/family pursuant to paragraph B7, above. Designated photo ID holders may be changed upon presenting existing IDs at the start of the recreation fee year or when the association re-issues photo IDs.

9. Sale of Residential Parcels. Upon the sale of a residential parcel, photo IDs can be issued to the new owners of the residential parcel and their immediate or extended family as provided in paragraphs B1 and B2, above. The photo IDs for the seller and family will be null and void in relationship to the sold property.

10. Amenity Use Privileges. All photo ID holders are subject to all applicable association rules (see paragraph D6, below).

11. Restriction on Transfer. Photo IDs 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. Photo IDs may not be utilized by, or transferred to, any other person. Fees for purchase of any photo IDs that are purchased by an owner in accordance with paragraphs B2 and B3 above are non-refundable.

12. 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.

13. Foreign Exchange Students. Subject to all other provisions of this policy, a bona fide high school foreign exchange student, who is not contractually bound to provide any services to his/her host family, will be treated, for the purposes of amenity access, as a dependent child of the owner's family while residing with them under the exchange program. The association may require satisfactory documentation regarding the child's relationship with the family.

#### C. RECREATION FEE AMENITIES: USE OF POOLS, TENNIS COURTS, MARINA, AND TROUT CREEK REC. CENTER

1. Transferable Guest Card - Privileges. Each property is entitled to up to two (2) transferable guest cards, entitling guests/owners access to the recreation fee amenities as outlined below. The transferable guest cards entitle the holder to access to swimming pools, tennis courts, marina or Trout Creek Rec. Center according to the daily rate schedule established by the Board of Directors. Up to four (4) guests may gain access to the recreation fee amenities on a single transferable card (only one (1) guest per card at the golf course). It is the responsibility of the owner(s) to obtain the transferable guest cards for their guests. Long-term renters (lease of 9 months and longer) may also receive the transferable guest cards upon completion and presentation of requisite forms available at the Association's Member Services Office. These cards will be identified to a specific residential parcel and do not require the user to be accompanied to an amenity by a photo ID holder. It is intended for these transferable guest cards to be used by bona fide property owners, guests or renters. Any abuse may subject the owner to disciplinary actions.

2. General Rules Applicable to All Transferable Guest Cards. The following general rules shall apply to the use and enjoyment of these cards:

- (a) Transferable guest cards are valid until the property on which they are assigned is sold or transferred.
- (b) No temporary replacement cards will be issued if an Amenity Access Card is forgotten, lost or stolen.
- (c) Owner(s) or designated persons of a property may replace a lost or stolen transferable card for a fee, which is established by the current rate schedule.
- (d) Holders of transferable cards may get discounts at the ski areas and golf course at Tahoe Donner.

#### D. GENERAL RULES APPLICABLE TO AMENITY USE

1. Use of Facilities by Minor Children. Children under the age of 10 will not be allowed to use, or have access to, any association amenities without direct adult supervision. Some amenities have different age requirements. 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,

dependent children, 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 photo IDs or transferable guest cards, which violates any provision of this policy, may result in revocation of the photo ID or transferable guest card.

4. Lost, Stolen and Temporary Passes. Any lost or stolen photo IDs or transferable guest cards should be reported to the association's Member Services Office. The association, at its discretion, shall be entitled to issue replacement photo IDs if the circumstances warrant such replacement and to charge a replacement fee established in the rate schedule. Temporary IDs may be issued to any owner who forgets his or her photo IDs at a cost established in the rate schedule and will be valid for a period not to exceed seven (7) days. As set forth in paragraph C2(b), above, there shall be no temporary transferable guest cards. Replacement transferable guest cards 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 Member Services 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, dependent child or member of an owner's immediate or extended family. False or misleading information presented to obtain any photo ID or transferable guest card will be ground for disciplinary action against the owner.

6. Observance of Association Rules. Owners, other photo ID holders and their guests must abide by the association's governing documents and rules. A copy of these documents is available in the Member Services Office at Northwoods Clubhouse. Discipline for violation of the rules may include fines, suspension or revocation of photo ID privileges and membership rights.

7. Discounts. No discounts shall be granted at any association amenity without presentation of a valid photo ID.

8. 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.

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