

SOMERSETT OWNERS ASSOCIATION

ACCESS GATE OPERATIONS POLICY

(Effective July 15, 2019)

WHEREAS, the Board of Directors (Board) of the Somerset Owners Association (Association) wishes to update the gate operations policy for homeowners living behind a gate on a private street within the Association, and

WHEREAS, the authority given to the Board from the Bylaws of the Association to conduct, manage, and control affairs and activities of the Association and to make such rules and regulations therefore not inconsistent with the law, the Articles or Bylaws, as they may deem appropriate, and

NOW, THEREFORE BE IT RESOLVED that the Board of Directors has adopted the following Access Gate Operations Policy for those gates turned over to and controlled by the Association.

Area Defined: For the purpose of this policy, an area is defined as the group of all houses and/or lots that can be accessed after passing through a gate. If the group of houses and/or lots can also be reached through more than one gate, that group of houses and/or lots are all considered to be in the same area. In this case, the group of homeowners will be given access through multiple gates.

Hours of Operation:

- Active Construction: when an area is still under active construction with a production builder, or those with declarant rights, the gates will remain open Monday through Saturday from 7 am to 6 pm and Sundays from 10 am to 4 pm, or during open sales office hours.
- Absent active construction, or other declarant rights, gates will generally be kept closed subject to the exceptions cited below.

Multiple Gate Areas: There are several areas within the community that have multiple gate entries into a subdivision. At times of high construction, or other declarant rights related traffic, the Association will attempt to work with builders or other parties to ensure the minimum number of gates are held open to eliminate unnecessary construction traffic through a community. However, in recognition of the fact that excessive use of gates can result in higher maintenance and repair costs, and may also result in gates being open for longer periods of time because of breakdowns and repairs, the association reserves the right to hold open more than one gate.

Inclement Weather: The Association will hold open gates at its discretion during inclement weather, to prevent or limit damage to the structures. Gates may also be held open automatically during times of high winds, or wind bursts.

Association Holds: The Association reserves the right to hold open gates for community wide events, including but not limited to, the spring, summer, and fall garage sales. The association will also use its discretion to hold gates open during times of repair or maintenance.

Homeowner Requests: Homeowners living behind any particular gate may request a hold open for events on their particular gate, and must do so in writing, to the onsite association office at least two business days in advance of the requested date. A maximum of four hours in a 24 hour period can be requested to hold open the entrance gate. Homeowners cannot request multiple 4-hour time periods for the same event.

Gate Codes: Homeowners are reminded to change their gate codes at least once a year. Forms for changing codes are available online or at the associate office. On this form the homeowner is asked to submit a primary code that should be used only by the homeowner. Additionally, the homeowner can submit a secondary or guest code best used for such visitors as housekeepers, landscapers, and frequent delivery vendors. These codes should be changed more frequently. Owners can request vendor codes that are changed frequently by the association to give to those temporarily working at their home.

Gate Phone Access: Homeowners are responsible for providing a local phone number to be used for guests and vendors at each gate entrance. Visitors will be connected to the homeowner via this phone number and homeowners can open the gate by pressing "9".

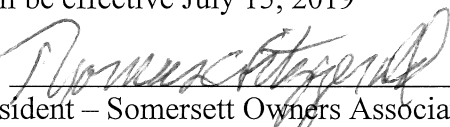
Gate Clickers: Gate clickers can be purchased from the onsite office at an additional fee determined by the Board of Directors. There is a 90 day exchange policy if the gate clicker become defective. To exchange within the 90 days you must show proof of purchase. The Association is not responsible for changing batteries on purchased gate clickers.

The gates within the community are not security gates. The association shall not be liable for any theft or damage to personal or real property located behind the gates, or for injuries to persons who reside behind or who are visiting people that reside behind the gates relating to any unauthorized entry through the gates.

In order to protect the privacy of residents, copies of video footage from gate cameras will only be provided to law enforcement agencies with a legitimate interest.

POLICY DATES

This Gate Operations Policy was duly adopted by the action of the Board of Directors on March 27, 2019, and shall be effective July 15, 2019

By:  _____
President – Somerset Owners Association

Attested By:  _____
Secretary – Somerset Owners Association