

**FRANKLIN FARM FOUNDATION
POLICY RESOLUTION 4B**

Tennis Facility Use Policy and Tennis Rules

WHEREAS, Article IV, Section 1, of the Declaration of Covenants and Restrictions obligate the Franklin Farm Foundation with the responsibility for the management and control for the benefit of the members of the common areas; and,

WHEREAS, Article III, Section 3 (c), of the Declaration of Covenants and Restrictions states that the Board of Trustees shall have the power and obligation to establish rules and regulations; and,

WHEREAS, Article IV, Section 3(f), of the Declaration of Covenants and Restrictions states that the Foundation can regulate the use of the Common Area for the benefit of Members; and,

WHEREAS, Article VI, Section 8(d), of the Bylaws require the Board of Trustees to promulgate and enforce rules and regulations governing the operation and use of the common areas; and,

WHEREAS, Article IV, Section 3(b), of the Declaration of Covenants and Restrictions states that the rights of the Foundation to suspend the right of an Owner to use the recreational facilities for any period during which any assessment against his Lot remains unpaid for more than thirty (30) days after notice until such default has been remedied; the right of the Foundation to suspend the right of a member to use the recreational facilities for a period not to exceed sixty (60) days for any other infraction of the Governing Documents; and,

WHEREAS, the Virginia Property Owners' Association Act, Section §55-513.B, permits the Foundation to assess charges against any member for any violation of the Declaration or rules and regulations for which the member or his family members, tenants, guests, or other invitees are responsible; and,

NOW THEREFORE, BE IT RESOLVED THAT the Board of Trustees has adopted Policy Resolution 4B for use of the tennis facilities of Franklin Farm;

Part I - Tennis Court Security

Section 1. General. The following policy, procedures and rules are approved for the protection and benefit of all authorized users of the tennis facilities and are designed to assure safe usage of the courts with a controlled access system installed. Members and guests must comply with this policy and rules while using these facilities. Members are requested to instruct their children and guests to comply with these rules and regulations.

Section 2. Locks. The three (3) tennis court facilities (Still Pond, Wren House and Dairy Lou) will have a controlled access system that will allow entrance only to an individual that has the correct access device. The access device is a programmable system that allows for individual identity and access.

Part II - Tennis Court Use and Access

Section 1. Authorized users. Tennis courts are for the exclusive use of Franklin Farm Members (owners and renters) and their accompanied guests, and for the use of contract instruction authorized by the Foundation. Only Members and authorized users will be provided an access device that will allow the Member access to the tennis courts. If the resident is a renter, the Member must hold a written lease having

an initial term of at least twelve (12) months and present a copy of the lease when requesting an access device.

Section 2. Access Devices. The access devices are maintained at the Foundation office and they are available for pickup during normal Foundation working hours. A Member must receive the access device in person and provide a refundable deposit of \$10.00 upon receipt of the access device. The deposit will be returned when the access device is returned to the Foundation in good working order. If the access device is damaged or lost, the initial deposit is forfeited and an additional \$10.00 deposit will be required to obtain a new access device. The Member must agree to the terms and conditions of issuance of the access device attached as Appendix A to this Policy Resolution. Only one (1) access device will be provided to a Member for his/her family use.

Section 3. Guests. Any Member may extend the use of the courts to no more than three (3) guests, but the Member must be present on the same court while such guests are playing. Access devices will not be provided to guests.

Section 4. Commercial Use. The Foundation tennis courts will not be used for commercial purposes including private tennis lessons for compensation without the written authorization of the Board of Trustees.

Part III - Tennis Facility Operations

Section 1. Periods of Operation. The Franklin Farm tennis courts are open year round for resident use. However, on a limited basis, select courts may be closed for authorized league play and/or tennis lessons as approved by the Board of Trustees.

Section 2. Tennis Rules. Rules governing the management and use of the tennis facilities are contained in Appendix B to this Policy Resolution. A copy of the tennis rules and this Policy Resolution will be posted at all tennis facilities.

Part IV - Suspension of Tennis Facility Privileges

Section 1. Violation of Tennis Rules. Failure to comply with established tennis rules, or any part thereof shall be considered sufficient cause for the access device to be rendered inoperative for up to 60 days pending a hearing by the Board of Trustees.

Section 2. Indebtedness to the Foundation. When an assessment remains unpaid for thirty (30) days after notice to the owner, use of the tennis courts will be denied until the indebtedness is corrected.

Section 3. Violation of Governing Documents. When a Member is found to be in violation of the Governing Documents including Policy Resolutions, a fine may be imposed and/or use of the tennis courts may be denied for a period of up to sixty (60) days or until the violation is corrected.

Part V - Liability


Section 1. Risk. All persons using the tennis courts do so at their own risk. The Franklin Farm Foundation assumes no responsibility for any accident or injury in connection with such use or for any loss and/or damage to personal property.


Section 2. Agreement. Persons using the tennis courts agree not to hold the Franklin Farm Foundation liable for any actions of whatever nature occurring within the tennis courts.

Section 3. Acts of Others. Members are responsible for the actions of their children and guests.

Section 4. Damage to Courts. The cost to repair tennis court damage incurred through negligence or by violating the tennis rules by a member, a member's family or guest will be assessed to the member.

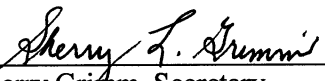
Date: August 19, 2009


Paul R. Dykeman, President

Attest: 
Jerome Schmitt, Executive Director

I hereby certify that a vote was duly taken and the above Resolution was adopted by a vote of two-thirds of the Trustees of the Board of Trustees at the meeting of the Board of Trustees on this 19th day of August, 2009.

SEAL


Sherry Grimm, Secretary
Book of Minutes No.
Meeting No.