

VENTANA DE SABINO COMMUNITY ASSOCIATION, INC.

RULES AND REGULATIONS REGARDING BASKETBALL HOOPS

The Board of Directors (the "Board") of Ventana de Sabino Community Association, Inc. (the "Association") has adopted the following rules and regulations pertaining to basketball hoops within Ventana de Sabino Homes (the "Subdivision")

1. No permanently installed basketball hoops of any kind are allowed in the Subdivision. This includes equipment attached to the house or garage or any other external structure.
2. Standard-sized portable basketball hoops will be allowed in the Subdivision, subject to the following conditions:
 - A. No more than four (4) portable basketball hoops will be allowed in the Subdivision at any one time.
 - B. The Subdivision has been divided into four (4) zones, in accordance with the attached map, and no more than one (1) portable basketball hoop will be allowed per zone.
 - C. Each portable basketball hoop will require prior Board approval, in accordance with the procedures set forth below.
 - D. Basketball playing will be allowed only from 9:00 a.m. to 8:00 p.m. or dark, whichever is earlier. No nighttime playing whatsoever is allowed.
 - E. Portable basketball hoops must be stored out of sight when not in use.
 - F. A Lot owner who has been granted permission to have a portable basketball hoop may incorporate his or her own rules in addition to these rules and regulations set forth by the Board; however, the Association will not enforce such additional rules, and the homeowner must monitor his or her own enforcement.
 - G. At any time, by a majority vote of its members, the Board may reverse its decision to allow portable basketball hoops within the Subdivision, or may amend these Rules and Regulations.
3. Procedure for approval of portable basketball hoops:
 - A. A written application must be submitted to the Board of Directors by the applying Lot owner (the "Owner"). The request must be on the form provided by the Board.
 - B. Consent of immediately adjacent property owners must accompany each application for approval of a portable basketball hoop. This consent must be in writing on the form provided by the Board. If agreement on specific areas of play or any other term or condition

is necessary to obtain a neighbor's consent, the Owner must address such concerns.

- C. The Owner must agree to be responsible for any and all damage caused to any other person's property by basketball playing at the Owner's property (the "subject property")

4. Enforcement of rules and regulations:

- A. Any complaints to the Board concerning the use of portable basketball hoops within the Subdivision must be in writing, and signed by the person presenting the information. Any breach of these rules and regulations will result in the following action:

- (1) Upon first offense, Owner will receive a certified letter from the management company, specifying the violation.
- (2) Upon a second offense of the same violation, there will be a \$50.00 fine imposed on the Owner.
- (3) If there is a third offense of the same violation, the Association will levy a \$100.00 fine on Owner.
- (4) If there is a fourth offense of the same violation, Owner's privileges to have a portable basketball hoop will be revoked, and all basketball playing at the subject property will have to cease and desist immediately upon notification from the management company.

- B. Any fines not paid within two (2) weeks of notification to the Owner will be subject to collection in the same manner as assessments in accordance with the Declaration of Covenants, Conditions and Restrictions for the Subdivision. This includes, but is not limited to, the filing of a lien against the subject property.

- C. Any Owner not complying with these rules and regulations will be responsible for all legal fees and costs incurred by the Association for enforcement.

- 5. No application for approval of a portable basketball hoop will be considered by the Board if the applying Lot owner is in default under the Declaration of Covenants, Conditions and Restrictions, Bylaws or Rules of Ventana de Sabino Homes. This includes (but is not limited to) delinquent assessments.

- 6. The right to have a portable basketball hoop is non-transferable. If an Owner who has an approved portable basketball hoop sells or otherwise conveys his/her Lot, the buyer or transferee of said Lot must apply to the Board if he/she wishes to use a portable basketball hoop on the subject property.