

**CERTIFICATE OF SECRETARY**  
*of*  
**DAVIS SPRING RESIDENTIAL PROPERTY OWNERS' ASSOCIATION, INC.**  
*regarding*  
**BOARD RESOLUTION**  
*adopting*  
**POOL RULES**

STATE OF TEXAS           §  
  §  
COUNTY OF WILLIAMSON§

I, Megan Moller, Secretary of Davis Spring Residential Property Owners' Association, Inc. (the "Association"), do hereby certify that at a meeting of the Association's Board of Directors (the "Board") duly called and held on the 21 day of MAY, 2019, with at least a quorum of the members of the Board being present and remaining throughout, and being duly authorized to transact business, the following resolution was duly made and approved by a majority vote of the members of the Board:

Article 5, Section 4(b) of the Bylaws of the Association provides in pertinent part:

**Section 4. Powers and Duties of Directors.** The Board of Directors has the powers and duties necessary for the administration of the affairs of the Association and for the operation and maintenance of the Common Properties, and it may do all such acts and things as are not by law, by these Bylaws, or by the Declaration directed to be exercised and done exclusively by the Members. ... the Board of Directors is vested with, and responsible for, the following powers and duties:

- (b) The power and duty to conduct, manage and control the affairs and business of the Association, and to make and enforce such rules and regulations (the "Davis Spring Rules") therefore consistent with the law, with the Articles of Incorporation, the Declaration and these Bylaws, as the Board may deem necessary or advisable;

Article V, Section 5.4A of the Master Declaration of the Association provides in pertinent part:

... the Master Association and the Board, acting on behalf of the Master Association, shall have the power and authority at all times as follows:

(A) Davis Spring Rules and Bylaws. To make, establish and promulgate, and in its discretion to amend or repeal and re-enact, such Davis Spring Rules and Bylaws, not in conflict with this Declaration, as it deems proper covering any and all aspects of its function.

The Board of Directors hereby adopts the "Pool Rules" set forth below:

**POOL RULES**

***NO LIFEGUARD IS ON DUTY - SWIM AT YOUR OWN RISK***

1. IN CASE OF EMERGENCY, CALL 911. Address: 14814 Thatcher Dr., Austin, TX.
2. The access gates surrounding the pool are electronically locked for everyone's protection. Under no circumstances should the access gates be propped open. Davis Spring Members in good standing may access the pool with a pool key-card and photo id.
3. Members must have a pool key-card and photo id with them to enter pool area. The pool is for the use of Davis Spring Members and their invited guest(s)/appointed guardian(s) only. Members must accompany guests.
4. The use of all Davis Spring amenities, facilities and equipment is provided at your discretion. Use with caution. **Swim at your own risk.**
5. There are **no lifeguards on duty at any time.**
6. When on duty for special functions, lifeguards are the authority and their directives must be followed and may impose additional rules as deemed appropriate.
7. Children under the age of 14 must be accompanied by an adult 18 or older that is a Davis Spring Member or an appointed guardian.
8. A parent or guardian is responsible for their children's safety at all times and must be in the pool within arm's reach of any poor or non-swimmer.
9. Swimmers are encouraged to shower before entering the pool.
10. Flotation devices are permitted with fewer than 25 people in the pool or at the discretion of lifeguards present for special functions.

11. No activity deemed to be dangerous, unreasonable or offensive is allowed. No running, hopping, skipping or speed walking.
12. Loud or explicit music in pool area is prohibited.
13. No pets allowed in pool or in fenced pool area.
14. No diving.
15. No glass containers.
16. No alcohol, tobacco or vaping.
17. No weapons or illegal drugs are permitted. Presence of these items will be reported to police.
18. No food within six feet of the pool.
19. Place all trash in provided garbage containers.
20. No persons with open sores, wounds and bandages, or communicable diseases are allowed in the pool.
21. Proper swim attire is required. No "cut-offs" or street clothes are allowed. Incontinent swimmers and swimmers who are not toilet trained must use diapers specifically designed for swimming when in the pool or baby pool area and caregivers should check swim diapers frequently. Such diapers MUST be changed in the restrooms only.
22. Do not use the pool if you or your child has had diarrhea in the previous two weeks. IF A FECAL ACCIDENT OCCURS, notify other swimmers and exit the pool immediately. Please notify **RealManage** at 512-219-1927 for treatment and re-opening information. If you or your guests are found to have contaminated the pool, the cost of closing, cleaning and reopening the pool will be billed to the appropriate Member.
23. In the event of inclement weather, swimmers are to clear the pool for at least thirty (30) minutes after lightning and/or thunder has ceased.
24. Any additional posted rules must be followed.
25. Notwithstanding anything in these Pool Rules to the contrary, the Board shall have the right, without the obligation, in the event of an emergency, to take any such actions as are reasonably necessary to preserve the life, health and safety of owners, and other persons on or near the pool and to prevent damage or destruction of the pool.

Individuals or their guests reported or found to be in violation of any of the following pool rules will be subject to Davis Spring's enforcement and fine policy, reported to the

Davis Spring Board and/or the City of Austin Police Department. Individuals are not allowed to remain on the Amenity Center property or within the pool area after hours. Any individual(s) committing acts of vandalism to the pool, pool house, equipment, and/or surrounding area will lose privileges for a period determined by the Board and be held responsible for cleaning, repair of or financial responsibility for damaged items. In the event the individual(s) are juveniles, the parents shall assume full responsibility for their child's actions. The Board will consider all events individually and may lead to loss of privileges or fines.

This resolution supersedes any previous resolution or policy adopted concerning the subject matter addressed herein.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing resolution was approved as set forth above and now appears in the books and records of the Association.

TO CERTIFY which witness my hand this the 21 day of MAY, 2019.

DAVIS SPRING RESIDENTIAL PROPERTY OWNERS' ASSOCIATION, INC.

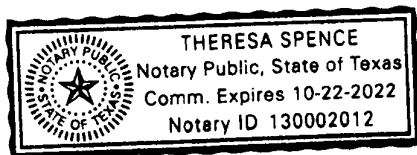
By: [Signature]

Printed: Megan Moller

Its: Secretary

THE STATE OF TEXAS §  
COUNTY OF Travis §

BEFORE ME, the undersigned notary public, on this 21 day of May, 2019 personally appeared Megan Moller, Secretary of Davis Spring Residential Property Owners' Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.



[Signature]  
Notary Public in and for the State of Texas