



**MOUNTAIN SPRINGS  
RANCH**

**Property Owners Association**

**Diamond Association Management and Consulting  
14603 Huebner Road ,Building 40, San Antonio, Texas 78230**

## Sports Pool Lease

Mountain Springs Ranch Property Owners Association hereby called "LESSOR" grants to:

_____	_____	_____	_____
Association Member's Name	Lot Number	Home Phone	Cell Phone
_____		_____	
Mailing Address		E-mail Address	

Hereinafter called "LESSEE," the non-assignable right to use that portion of the Mountain Springs Ranch recreational facility as follows:

**THE SPORTS POOL (WITH GRILL, 3 TABLES, AND LAWN CHAIRS)**

Type of Event: \_\_\_\_\_ Number of Guests \_\_\_\_\_ (maximum of 50)

LESSEE shall be entitled to use these described leased premises for the use stated on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**RESERVATIONS LIMITED TO FOUR HOURS - ALL PARTIES MUST END BY 10:00 P.M.  
SPORTS POOL MAY NOT BE RESERVED ON HOLIDAYS OR HOLIDAY WEEKENDS**

- Morning: from \_\_\_\_\_ to \_\_\_\_\_ (including setup and clean-up time).
- Afternoon: from \_\_\_\_\_ to \_\_\_\_\_ (including setup and clean-up time).
- Evening: from \_\_\_\_\_ to \_\_\_\_\_ (including setup and clean-up time).
- LESSEE requests the handicapped entrance gate to the sports pool be unlocked during the lease period.

**RESERVATION AND DEPOSITS**

To reserve the Sports Pool, LESSEE must submit the completed Sports Pool Lease and the \$300 security deposit to LESSOR at least 48 hours prior to the party date. The facility may not be rented for commercial purposes. Parties must be contained within the specified area rented i.e. the Mountain Springs Ranch Sports Pool. **(NO OTHER POOL, NOR THE PAVILION OR PLAYGROUND MAY BE RESERVED. THEY ARE TO BE USED ON A FIRST COME, FIRST SERVE BASIS BY ALL PROPERTY OWNERS.)**

LESSEE shall pay to LESSOR a Security Deposit of \$300.00 for the Sports Pool as surety for proper clean-up, which is the sole responsibility of the LESSEE, and to provide reimbursement for repair or replacement of LESSOR's property or equipment required because of damage sustained incident to LESSEE's use of leased premises. In the event the expenses or damages incurred by Association exceed \$300.00, the LESSEE shall be liable for the excess amount. Any expenses or damages in excess of \$300 shall be charged and assessed to the Member's POA account.

**The Security Deposit must be paid at time of reservation to secure event. Lessee agrees to reimburse LESSOR, upon demand, any sum required for security, clean up, repair or replacement within ten (10) days of receipt of notice of such damages. Send completed Sports Pool Lease and check (personal checks from Association member only) made payable to Mountain Springs Ranch Property Owners Association, c/o Diamond Association Management and Consulting (DAMC), 14603 Huebner Rd., Bldg 40, San Antonio, TX 78230.**

#### **GUEST CONDUCT RULES**

LESSEE (Association member) is solely responsible for the conduct of guests or others on the leased premises incidental to and during the time of the lease. **LESSEE MUST BE PRESENT ON THE LEASED PREMISES AT ALL TIMES DURING THE LEASE PERIOD.** LESSEE agrees to be responsible for strict observance and adherence by LESSEE AND LESSEE's guests to all rules and regulations of LESSOR regarding use of and conduct on the leased premises. **A copy of such rules is attached hereto and is part hereof. IF LESSEE REQUESTS HANDICAPPED GATE TO THE SPORTS POOL BE UNLOCKED DURING THE LEASE PERIOD, LESSEE IS RESPONSIBLE TO KEEP THAT GATE CLOSED AND LATCHED AND TO ENSURE THAT THE GATE IS USED ONLY BY LESSEE OR LESSEE's GUESTS.** All functions must end, and all guests must leave, at the designated ending time.

#### **RELEASE AND INDEMNITY**

LESSEE, by accepting this lease, agrees to release LESSOR, its officers, directors and employees from all damages and claims of every kind, whether to person or to property, arising incidental to and during LESSEE's use of the leased premises.

**LESSEE AGREES TO BE SOLELY FINANCIALLY RESPONSIBLE FOR, AND SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS ASSOCIATION AND ITS RESPECTIVE MEMBERS, OFFICERS, DIRECTORS, REPRESENTATIVES, EMPLOYEES, COMMITTEE MEMBERS, VOLUNTEERS AND DIAMOND ASSOCIATION MANAGEMENT AND CONSULTING (DAMC) (COLLECTIVELY "INDEMNIFIED PARTIES") FROM, AND WILL PAY TO THE INDEMNIFIED PARTIES THE AMOUNT OF ANY LOSS, LIABILITY, COST, CLAIM, DAMAGE OF EVERY KIND OR NATURE (INCLUDING, WITHOUT LIMITATION, INCIDENTAL AND CONSEQUENTIAL DAMAGES), EXPENSE (INCLUDING WITHOUT LIMITATION, COSTS OF INVESTIGATION, DEFENSE AND SETTLEMENT AND REASONABLE ATTORNEY'S FEES AND EXPENSES), FINE, DEBT, PENALTY, DEFICIENCY, CAUSE OF ACTION, PROCEEDING, OBLIGATION OR DIMINUTION OF VALUE, WHETHER OR NOT INVOLVING A THIRD-PARTY CLAIM (COLLECTIVELY "DAMAGES") ARISING, DIRECTLY OR INDIRECTLY, OUT OF, FROM OR IN CONNECTION WITH LESSEES' OR LESSEE'S INVITEES, GUESTS, CONTRACTORS, OR CONCESSIONAIRES OR LICENSEES' USE AND OCCUPANCY OF THE LEASED PREMISES REGARDLESS IF SUCH DAMAGES ARE CAUSED BY THE LEASED PREMISES BEING IN DISREPAIR, DEFECTIVE OR NOT SUITABLE FOR LESSEE' INTENDED USE OR FOR THE NEGLIGENCE OF ANY OF THE INDEMNITEES.**

\_\_\_\_\_  
Lessee Initials

#### **INSPECTION AND TERMINATION**

A member of the Board of Directors or other agent of LESSOR, shall have the right to inspect the leased premises during the term of LESSEE's rental of same and may demand cessation of any function and request guests to leave the premises if the rules and regulations are not observed. The Board of Directors, Pool Committee Chairperson, DAMC or any agent so empowered by them shall also have the right to terminate this agreement for any reason, including but not limited to non-payment of fees, the above Security Deposit shall be forfeited by LESSEE.

#### **CLEAN-UP**

Clean-up is the responsibility of LESSEE. **All party trash must be removed from the site after the party or be deposited in the trash bins at the Pool Pavilion.**

**By signature below, LESSEE acknowledges receipt of and agrees to abide by all rules in the Mountain Springs Ranch Property Owners Association Recreational Facilities Handbook.**

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By:

\_\_\_\_\_  
LESSEE  
*Association Member*

\_\_\_\_\_  
LESSOR  
Mountain Springs Ranch Property Owners Association

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**LESSEE REMINDER CHECK LIST**

- |   |   |
|---|---|
| <input type="checkbox"/> No Smoking   | <input type="checkbox"/> Bring additional tables and chairs as needed |
| <input type="checkbox"/> No Glass Containers                                | <input type="checkbox"/> Bring volleyball if needed                   |
| <input type="checkbox"/> No Flammable Liquids (i.e. charcoal lighter fluid) | <input type="checkbox"/> Bring other sporting equipment as desired    |
| <input type="checkbox"/> Bring Trash bags                                   |   |

\_\_\_\_\_  
**ASSOCIATION USE ONLY**

LESSEE Security Deposit paid on \_\_\_\_\_ Check No. \_\_\_\_\_

After Inspection, Security Deposit Check to be  Returned or  Destroyed



# RECREATIONAL FACILITIES HANDBOOK

## INTRODUCTION

The safety and enjoyment of Mountain Springs Ranch property owners (**members**) are primary concerns in the operation of our recreational facilities. This Handbook has been developed to manage a number of factors:

- Promote safety and enjoyment of all property owners
- Concerns of Liability
- Enforcement of our governing documents
- Protection of property and facilities owned by Mountain Springs Ranch Property Owners Association (**The Association**)

This Handbook represents a complete compilation of the regulations for the use of our recreational facilities. You may see abbreviated lists of rules in various locations, such as on web pages, bulletin boards or on signs around the neighborhood. These incomplete lists are intended to highlight a specific message or rules of immediate concern for your safety. The existence of an abbreviated list of rules does not reduce or eliminate your obligation to follow **all** of the rules in this document.

## ENFORCEMENT

Failure to comply with any regulation in this document may result in the revocation of your privileges to use the facilities discussed in this document, at the discretion of the Board of Directors (this may not affect your right to attend specific events at these facilities to which you are entitled to attend, including, but not limited to property owner meetings).

These facilities are funded and shared by the property owners of Mountain Springs Ranch and we all share the responsibility to avoid situations where our use of a facility reduces someone else's enjoyment of our recreational facilities. Consequently, If a neighbor brings a violation of a rule to your attention, you should immediately cease the activity which violates the rule.

In cases where there is no rule violation, or where the interpretation of a rule is unclear, but one person's use of the recreational facilities interferes with another person's use, work it out like good neighbors. This will avoid putting the Board of Directors in a position where they will have to make new rules that increase restrictions in the use of our recreational facilities.

## SCOPE OF RULES

This document defines the regulations for the following recreational facilities owned by the Association:

- Pool area (the area inside the second gate including three (3) swimming pools and adjacent picnic tables and grills.)
- Pavilion area (the area inside the card key gate including the pavilion, restrooms, and playground – it does not include the swimming pools.)
- The Nature Preserve.
- Parking Lots (parking lots provided for access to the recreational facilities in this list.)

## GENERAL RULES

The following rules apply to all recreational facilities:

- NO SMOKING is allowed at any recreational facilities, indoor or outdoor.
- No latching or locking mechanism should ever be forced, disabled, or circumvented. NO GATE SHOULD EVER BE PROPPED OPEN. IT IS ILLEGAL TO PROP OPEN POOL GATES.
- No fence or gate should ever be “jumped” or “climbed,” nor should anyone dig or crawl under a fence. Enter fenced areas only through the gates provided for that purpose.
- VANDALISM WILL NOT BE TOLERATED. IF YOU OR YOUR GUEST IS ASSOCIATED WITH AN ACT OF VANDALISM, PRIVILEGES TO USE THE RECREATIONAL FACILITIES WILL BE REVOKED FOR A TERM TO BE DETERMINED BY THE BOARD OF DIRECTORS.

Vandalism includes:

- Acts performed with the intent to damage or deface the recreational facilities (including, but not limited to breaking lights, tagging a wall, cutting down a tree.)
- Flagrant misuse of facilities or objects that result in damage, even if there was no intent to create the damage (including, but not limited to, jumping on a chair, jumping or climbing a fence or gate if the facility or object was damaged in the process).
- Pranks (including, but not limited to throwing tables, chairs, gravel or rocks into the pools, pulling lids off the skimmer baskets, etc.)
- Parking is permitted only in designated parking areas. These are:
  - The parking lot adjacent to the pavilion and pool facilities and behind the mailbox facility.
  - The lower parking lot below the pool parking lot for the Nature Preserve.
  - The parking lot at the south entrance to the Nature Preserve.
  - The parking lot on the pull-over northeast of the bridge on Comal Springs.
- Parking spaces are not marked. You should always park so that you don't crowd other vehicles unnecessarily, but also do not waste parking area.
- Do not exceed five (5) miles per hours in Association parking lots. No “peel-outs” will be tolerated.
- NO FLAMMABLE LIQUIDS ( i.e. Charcoal Lighter Fluid)

## FAMILY POOL, SPLASH POOL, SPORTS POOL, AND PLAYGROUND

### INTRODUCTION

#### A. NO LIFEGUARDS WILL BE ON DUTY AND ALL SWIMMING IS AT THE MEMBER'S OWN RISK.

We ask for your cooperation with the Association's requests regarding safety, abiding by the rules and guidelines and curtailing any activity that interferes with the swimming enjoyment of others.

#### B. FOR LIABILITY PURPOSES, NO ONE UNDER THE AGE OF 16 IS ALLOWED IN THE POOL AREA UNLESS ACCOMPANIED BY AN ADULT.

C. FOR POOL EMERGENCIES, CALL 911 (The emergency phone in the Pool Pavilion will reach the Comal County 911 dispatcher.)

D. Immediately report any feces in pool to the DAMC at 210-561-0606.

## 1. HOURS

- A. **SUMMER HOURS** –April 1 through October 31 each year, the pools, playground and pavilion will be open from 6:00 a.m. to 10:00 p.m. daily.
- B. **WINTER HOURS**—November 1 through March 31 each year the pools, playground and pavilion will be open from 7:00 a.m. to 7:00 p.m. daily.
- C. The Association reserves the right to close the pools at any time for emergency or repair purposes. Do not enter the pools when the POOL CLOSED sign is posted.

## 2. ENTRY AND POOL USE

- A. **PERSONS USING THE POOL DO SO AT THEIR OWN RISK.**
- B. The Association is not responsible for accidents, injuries or loss of personal property. The ultimate responsibility rests with the pool users who are property owners or renters in the Mountain Springs Ranch Community and Association members.
- C. The pool facilities were designed and built for the sole use and recreation of Mountain Springs Ranch property owners and their guests. Members are allowed up to ten (10) guests per household. Only Association members in good standing, their tenants, and their accompanied guests, may use the pools, pavilion, and playground.
- D. Card keys are required to enter the fenced-in pavilion, playground, and pools. Climbing over or crawling under the fence is never an acceptable method to enter the pavilion, playground, and pool area. Violations of this rule will be dealt with harshly.
- E. Card keys will be issued after confirmation that the property owners are in good standing (annual assessment dues paid) and an adult member signs a waiver of liability. Pool forms are available on the Association website: [msrpoa.com](http://msrpoa.com)
- F. Each member will be issued one (1) card key. Do not loan your card key or give it to a nonmember. There is a \$25 fee if you need your card key replaced more than one time.
- G. If your card key does not allow access to the pools, please call DAMC at 210-561-0606.

## 3. GUESTS

- A. Property owners are allowed up to ten (10) guests per household. Only property owners in good standing may bring guests to the pools. **The property owner must accompany his/her guests at all times and he/she is responsible for the conduct of the guests.**
- B. Property owners not in good standing may not enter the pools, pavilion, or playground as a guest of a paid member.

## 4. SPORTS POOL RESERVATIONS

- A. The Splash Pool, Family Pool, Playground and Pavilion may NOT be reserved for private parties but are available for use by all property owners.
- B. The Sports Pool must be reserved for all groups of ten (10) or more. The Sports Pool is to be reserved for all private parties. Such parties may include guests who are not property owners of Mountain Springs Ranch and may include a maximum of 50 persons. The Sports Pool may be reserved during the months of May, June, July, August and September. The Sports Pool may not be reserved on the following holidays and weekends: Memorial Day and the weekend before Memorial Day, July 4 and the weekend before or after July 4, Labor Day and the weekend before Labor Day.
- C. The Sports Pool may not be reserved for longer than a four (4) hour time period.
- D. The Sports Pool Lease Form is available on the Association website: [msrpoa.com](http://msrpoa.com). To reserve the Sports Pool, a property owner must complete the Sports Pool Lease and pay the \$300 security deposit. The Sports Pool Lease and the security deposit must be received by DAMC, 14603 Huebner Rd. Bldg 40, SA TX 78230, at least 48 hours prior to the party date. The Lease Form and Security Deposit must be received to secure the sports pool for your event.
- E. When you reserve the Sports Pool, you take on the following responsibilities:
  - You are responsible for the conduct of your guests. They must follow all of the rules in this Handbook.
  - You are responsible for all damage caused by your guests, even that beyond the paid deposit.

- You are responsible to ensure that your guests remain in the Sports Pool, the Deck around the Sports Pool or the picnic area adjacent to the Sports Pool, except for access directly to and from the restrooms at the pavilion.
  - If the trash containers are full, bring your trash bags to the green trash bins in the pavilion
- F. Handicap access to the Sports Pool area is available upon request to the Association.

#### **GENERAL RULES**

- A. Parents are responsible for their children. Children under 16 years of age must be accompanied and supervised by a responsible person 16 years or older.
- B. No glass containers are allowed in the pool area. Only unbreakable non-glass containers are allowed.
- C. No food, drink or chewing gum is allowed in the pools.
- D. Children in diapers must wear commercial swim diapers. Immediately report feces in the pool to DAMC at 210-561-0606.
- E. No diving or back flips are allowed in the pools.
- F. The Family Pool has two lap lanes. When swimmers are using the lap lanes, stay out of their way. Do not jump or hang on the lane marker.
- G. Pool users must be properly attired in swimwear. No jeans or cut-off pants are permitted in the pool.
- H. Persons with skin disorders, open wounds, colds or any other infections/contagious diseases shall not enter the pools.
- I. No animals (except pets for the disabled) are allowed in the fenced in areas at the pools, playground or pavilion.
- J. Smoking is not allowed within any recreational facilities of the Association.
- K. Intoxicated persons will not be permitted in the Recreations facilities of the Association.
- O. Running and rough play (in or out of the pool) are considered dangerous activities and not allowed in the pools, pavilion and playground areas.
- P. No spitting or spouting water excessive splashing, dunking, shoving, throwing other swimmers, scuffling or “horseplay” of any kind that may bother or injure other persons is allowed in the Recreation Facilities.
- Q. No pool games that may bother or injure any other person present are permitted within the splash pool or the family pool.
- R. To prevent/avoid chemical imbalance or filter problems with the pool water, please use waterproof sunscreen or towel or shower off excess suntan lotion/oil before entering the pools.
- S. Handle the pool furniture with care. Pool furniture must remain in the fenced-in pool area. If you notice any pool furniture in the wrong area, please return it to its proper location.
- T. The Association is not responsible for lost, damaged or stolen articles.
- U. Pool Safety equipment is to be used only in the case of emergency.
- V. Grills in the Recreation facilities are available for use by property owners. The grills may NOT be used when a Comal County Burn Ban is in place. NO FLAMMABLE LIQUIDS (i.e. Charcoal Lighter Fluid)
- W. Members are responsible for trash that they generate in all recreational facilities of the Association. In the Pool and Pavilion areas, all trash should be placed in (not around, not near) designated trash receptacles. If the nearest receptacle is full, take it to another receptacle.
- X. If you are picnicking and expect to generate a large amount of trash, bring your own trash bags and either take the full bags home, or deposit them in the large trash bins at the rear of the Pavilion.
- Y. Rules violations should be reported to the Association at DAMC at 210-561-0606 or [arthur@damctx.com](mailto:arthur@damctx.com) .

- L. No profanity or abusive language is permitted in the recreational facilities.
- M. Use of bikes, skates, skateboards, scooters and similar devices are prohibited in the fenced area surrounding the pools, playground and pavilion.
- N. Inflatable devices, no larger than an adult body, are allowed in the pool – space permitting

Upon a second offense, members will lose pool privileges for a term determined by the Board of Directors of the Association.

- Z. Group activities such as aerobic classes in the pool complex must be approved by the Board of Directors prior to commencement of the activity or classes.



## EMERGENCIES

**CALL 911 FOR POOL EMERGENCIES.** An emergency phone to Comal County Dispatch is located in the pavilion next to the men's restroom. The address for the Mountain Springs Ranch Pools and Pavilion is 2220 Comal Springs

Unsafe or unsanitary conditions should be reported immediately to DAMC at 210-561-0606.

If all trash receptacles in the pool and/or pavilion areas are full, report this situation to DAMC at 210-561-0606.

## NATURE PRESERVE

The Nature Preserve is an 85-acre area reserved for the enjoyment of our property owners, their families and guests. There are walking trails in the Nature Preserve and hiking trails on the common area located between The Ridge, the Vistas, and part of The Highlands. The preserve has picnic tables for you to enjoy near the fishing pond and the pool complex. Restrooms are available in the pavilion in the pool area.

- The Nature Preserve is open to residents and guests from sunrise to sunset. No camping or fires are allowed in the Nature Preserve.
- The Nature Preserve is restricted to non-motorized traffic. **NO MOTORIZED VEHICLE, INCLUDING ROAD BIKES, TRAIL BIKES OR ATVS MAY BE OPERATED IN THE NATURE PRESERVE.** Violations may result in a fine in accordance with the Association fine policy or prosecution for any damages. Please use motorized vehicles on your own property or on our streets. Don't forget in accordance with Texas Law, only a licensed driver may operate recreational vehicles on the county roads.
- Members are responsible for their guests. If more than 10 guests are to be present, the member must complete the Nature Preserve Area Lease and submit it to the Association for approval. The Nature Preserve Area Lease is available on the Association website, [msrpoa.com](http://msrpoa.com).
- Members are responsible for their pets. Pets are not allowed to run loose in the Nature Preserve. Pets must be under control of their owners at all times. Members must clean up after their pets.
- No swimming is permitted in the ponds within the Nature Preserve.
- Members are responsible for removing any trash generated during their use of the Nature Preserve.