



**RIVERSTONE HOMEOWNERS ASSOCIATION, INC.
AMENDED AND RESTATED FITNESS CENTER RULES**

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I. PURPOSE

The purpose of these Amended and Restated Fitness Center Rules (these “**Rules**”) is to provide guidance regarding the use and enjoyment of the Riverstone Fitness Center (the “**Fitness Center**”) by Owners and Occupants of the Riverstone community. The Board of Directors (the “**Board**”) of the Riverstone Homeowners Association, Inc. (the “**Association**”) has determined that it is in the best interest of the Association to establish these Rules concerning the use of the Fitness Center.

II. APPLICABILITY AND AUTHORITY

The property encumbered by these Rules is that property restricted by the Declaration of Covenants, Conditions and Restrictions for Riverstone Single Family Residential Areas, recorded in the Official Public Records of Fort Bend County, Texas, under Clerk’s File No. 2001047889, as same has been and may be amended from time to time (the “**Declaration**”), and any other residential property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.

Reference is made to the Declaration for all purposes, and all capitalized terms used in these Rules have the meanings set forth in the Declaration, unless otherwise specified in these Rules.

The Board is authorized by the Dedicatory Instruments (as that term is defined in the Texas Property Code) to adopt rules and policies pertaining to the governance of the Association.

The Board previously adopted those Riverstone Homeowners Association, Inc. Fitness Center Rules and Regulations (the “**Original Rules**”), recorded under Clerk’s File Number 2018056960 in the Official Public Records of Fort Bend County, Texas.

Pursuant to the authority granted to the Board by the Dedicatory Instruments, the Board hereby amends and restates the Original Rules in their entirety and replaces them with these Rules,

which run with the land and are binding on all Owners and Lots within the Properties. These Rules are effective upon the recording of same.

Invalidation of any one or more of the covenants, conditions, restrictions, or provisions contained in these Rules will in no way affect any one of the other covenants, conditions, restrictions, or provisions of these Rules, which will remain in full force and effect.

III. FITNESS CENTER RULES

1. Permitted Users.

- a. Residents that (i) are 14 years of age or older and (ii) have a valid Riverstone ID card (“**Permitted Residents**”) may use the Fitness Center, subject to the parameters set forth in these Rules.
- b. Residents who are 12 or 13 years of age (“**Permitted Children**”) may use the Fitness Center, provided they are accompanied and supervised at all times by either (i) a Permitted Resident who is 18 years of age or older or (ii) a personal trainer. Residents under 12 years of age may not use the Fitness Center.
- c. Guests that (i) are 12 years of age or older, (ii) are accompanied at all times by a Permitted Resident who is 18 years of age or older, and (iii) have a valid Riverstone guest ID card (“**Permitted Guest**”) may use the Fitness Center, subject to the parameters set forth in these Rules. Permitted Residents are responsible for the actions of their guests.
- d. Permitted Residents, Permitted Children, and Permitted Guests are collectively referred to in these Rules as “**Permitted Users**”.
- e. Permitted Residents must scan their Riverstone ID cards and Permitted Guests must scan their Riverstone guest ID cards each time they enter the Fitness Center. Riverstone guest ID cards may be swiped no more than 50 times per year.
- f. All Permitted Users are encouraged to consult their physician before beginning an exercise program. All Permitted Users utilize the Fitness Center at their own risk.

2. Fitness Center Etiquette.

- a. Permitted Users must observe and demonstrate courtesy towards others at all times while using the Fitness Center. Swearing, grunting, loud noises, inappropriate behavior, and vandalism are not permitted.
- b. Permitted Users may only use cardio equipment in 30-minute intervals when there are other Permitted Users waiting to use such equipment.
- c. Permitted Users may not sit on machines between exercise sets. Other Permitted

Users must be allowed to work in between sets, if requested.

- d. Dropping or slamming weights is not permitted.
- e. Permitted Users must take care to not monopolize multiple pieces of equipment in the weight room while other Permitted Users are waiting to use such equipment.
- f. All equipment must be wiped down after use with the wipes and spray provided.
- g. The use of chalk in the Fitness Center is prohibited.
- h. All containers brought into the Fitness Center must have closable lids. Glass containers are not permitted inside the Fitness Center.
- i. Gum and food are not permitted inside the Fitness Center.
- j. Alcohol, tobacco, drugs, and illegal substances of any kind are not permitted inside or around the Fitness Center at any time.
- k. Personal music devices and cell phones are permitted in the Fitness Center for entertainment purposes only. Headphones must be used to play music and music must be played at a volume that does not disturb other Permitted Users. Permitted Users must take calls outside of the Fitness Center so as to not disturb other Permitted Users from their workouts.
- l. Permitted Users may not move equipment from its designated area or remove equipment from the Fitness Center. Permitted Users may only use the equipment in the Fitness Center; no outside weights or other apparatuses may be brought into or used in the Fitness Center.

3. Attire.

- a. Appropriate athletic attire must be worn at all times while in the Fitness Center.
- b. Athletic shoes must be worn at all times. Bare feet, sandals, open toed shoes, and open backed shoes are not permitted.
- c. Jeans and jean shorts are not permitted. Apparel with zippers, chains, rivets, or buckles is not permitted.
- d. The Fitness Center staff reserves the right to determine appropriate athletic attire.

4. Safety and Fitness Instruction.

- a. Permitted Users must notify the attendant on duty of any equipment that is or may be damaged, unsafe, or have blinking lights, or that looks improperly maintained.

- b. Permitted Users should direct questions about equipment to the front desk staff. Questions regarding how to safely perform a certain exercise should be directed to the Fitness Director.
- c. Personal training information may be obtained at the Fitness Center. No outside personal trainers will be permitted to use the Fitness Center to train Permitted Users. All instructors and personal trainers must be approved, certified, and employed by the fitness management company approved by the Association.

5. General.

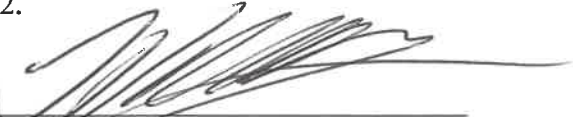
- a. Permitted Users are responsible for personal items that are lost, stolen, or damaged at the Fitness Center. The Association and the Fitness Center are not responsible for any theft of personal belongings.
- b. Damage to Fitness Center equipment caused by a Permitted User will be the responsibility of the Lot Owner associated with such Permitted User.
- c. Abuse of equipment, unsportsmanlike conduct, or failure to comply with these Rules may result in expulsion from the Fitness Center and possible suspension of the right to use the Fitness Center in the future, as determined in the sole discretion of the Association.

[SIGNATURE PAGE FOLLOWS]

CERTIFICATION

I certify that, as Secretary of the Riverstone Homeowners Association, Inc., the foregoing Amended and Restated Fitness Center Rules were approved on the 23 day of March, 2022, at a meeting of the Board of Directors at which a quorum was present.

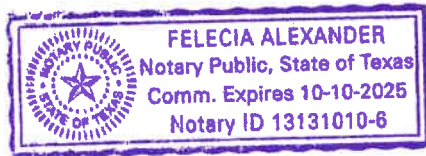
DATED this the 23 day of March, 2022.

By: 
Print Name: TOM P. WILCOX
Title: SECRETARY

STATE OF TEXAS §
 §
COUNTY OF Fort Bend §

BEFORE ME, on this day personally appeared Tom Wilcox, the secretary of the Riverstone Homeowners Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes and in the capacity stated in this instrument, and as the act and deed of said corporation.

Given under my hand and seal of office, this 23rd day of March, 2022.




Notary Public – State of Texas

After Recording Return To:
Lisa L. Gambrell
Isabella L. Vickers
Roberts Markel Weinberg Butler Hailey PC
2800 Post Oak Blvd., 57th Floor
Houston, Texas 77056

RETURNED AT COUNTER TO:

Nicholas Deacon

18353 University Blvd.

Sugar Land, TX 77479

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk

Fort Bend County Texas

March 29, 2022 09:20:09 AM

FEE: \$32.00 MV1

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