

**CERTIFICATE OF ADOPTION
OF
FITNESS CENTER RULES AND REGULATIONS
OF
MERIDIANA COMMUNITY ASSOCIATION**

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF BRAZORIA §

WHEREAS, the Board of Directors (the "Board") of Meridiana Community Association, a Texas non-profit corporation (the "Association") is charged with administering and enforcing the Declaration of Covenants, Conditions and Restrictions for Meridiana (as supplemented and amended, the "Declaration") dated October 29, 2015, and recorded in the Office of the County Clerk of Brazoria County, Texas, under Clerk's File No. 2015051049 on October 30, 2015, and encumbering the real property in Meridiana, a subdivision in Brazoria County, Texas (the real property encumbered by the Declaration and any annexed property being herein called "Meridiana") to the covenants, conditions, restrictions, easements, charges and liens set forth in the Declaration; and

WHEREAS, Article II, Section 1(c) of the Declaration provides that the Board may adopt rules and regulations regarding the use and enjoyment of the common areas in Meridiana; and

WHEREAS, as part of the common area, the Association owns the fitness center located at 4003 Meridiana Parkway, Iowa Colony, Texas 77583 (the "Fitness Center"); and

WHEREAS, the Board desires to adopt rules and regulations regarding use of the Fitness Center; and

WHEREAS, Article III, Section 7 of the By-Laws of the Association provides that at all meetings of the Board, a majority of the directors on the Board ("Directors") shall constitute a quorum for the transaction of business and that the acts of a majority of the Directors present at a meeting at which a quorum is present shall be the acts of the Board; and

WHEREAS, the Board held a meeting on August 27, 2020 (the "Adoption Meeting"), at which at least a majority of the Directors were present and at which at least a majority of the Directors present duly passed the Fitness Center Rules and Regulations described herein below (the "Fitness Center Rules");

NOW, THEREFORE, to give notice of the matters set forth herein, the undersigned, being the President of the Association, does hereby certify that at the Adoption Meeting, at least a majority of the Directors were present and that at the Adoption Meetings, at least a majority of the directors present duly adopted the Fitness Center Rules. The Fitness Center Rules are effective upon

recording of this Certificate in the Official Public Records of Brazoria County, Texas. The Fitness Center Rules are as follows:

FITNESS CENTER RULES

1. The Fitness Center and equipment are available for use only by members the Association and full-time residents residing in Meridiana. No guests are allowed.
2. Use of the Fitness Center and equipment are available on a first-come, first serve basis. No holding or reserving of equipment is allowed.
3. No personal training, work-out or fitness instructions or lessons (individual or group) are allowed at the Fitness Center. The Fitness Center and equipment are for use on an individual basis only.
4. To use the equipment at the Fitness Center you must be 16 or older. Teens between the ages of 13-15 must be accompanied by a parent.
5. If you bring your child(ren) to the Fitness Center, please utilize the children's play area. Should your child(ren) begin crying or need assistance, please tend to them immediately.
6. The Fitness Center is not actively monitored. Exercise and use of the Fitness Center and equipment is "AT YOUR OWN RISK". The Association is not liable for any injuries in connection with the use of the Fitness Center or the equipment.
7. By your use of the Fitness Center or equipment, you acknowledge and represent to the Association that you do not have any health problems which would restrict your ability to use the Fitness Center or equipment and that, whether or not any health problems exist, you are using the Fitness Center or equipment at your own risk and discretion. You assume all responsibility and agree to indemnify and hold harmless the Association for any personal injuries, claims, demands, costs or expenses that result from your use of the Fitness Center or equipment.
8. The Association is not responsible for lost or stolen items.
9. Violation of the Fitness Center Rules, inappropriate behavior, and/or foul/abusive language may result in expulsion from the Fitness Center.
10. Athletic shoes, shirts and appropriate workout attire must be worn at all times in the Fitness Center. Shoes must be closed toe and have non-marking soles.
11. You must use head phones when listening to music. Head phones must be on low volume.
12. Follow instructions and guidelines posted for all equipment.

- 13. If any equipment malfunctions or ceases to operate properly, discontinue use and report the problem to the property manager, Kelly Reznicek, at 281-870-0585.
- 14. Wipe down the machine (equipment) that you are using when you are finished using it. Gym wipes are provided to facilitate the maintenance of clean equipment.
- 15. Be courteous to others by limiting your time on the equipment.
- 16. Place weights back on the racks or bars. Do not drop the weights.
- 17. Tobacco, alcohol, food, chewing gum, glass bottles, and cans are prohibited in the Fitness Center. Plastic bottles are acceptable.
- 18. Smoking and/or vaping within the Fitness Center is not allowed. Please keep the Fitness Center clean and free of debris. Please use trash receptacles.

NOTE: The Association has the authority under the Declaration and Texas law to enforce the Fitness Center Rules. The Board reserves the right to take any authorized action against any owner or resident that is in violation of the Fitness Center Rules. These measures may include, but are not necessarily limited to, filing a lawsuit for injunctive relief, as well as for damages, attorney fees, and statutory fines. Please comply with the Fitness Center Rules and any unnecessary problems can be avoided.

EXECUTED on the date of the acknowledgment set forth herein below.

MERIDIANACOMMUNITYASSOCIATION, a
Texas non-profit corporation

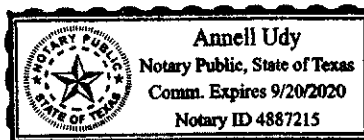
By: *Mathew Lawson*
Mathew Lawson, President

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

This instrument was acknowledged before me on August 27, 2020, by Mathew Lawson, the President of Meridiana Community Association, a Texas non-profit corporation, on behalf of said entity.

Annell Udy
Notary Public in and for the State of Texas



WHEN RECORDED, RETURN TO:

Mark K. Knop
Hoover Slovacek LLP
Galleria Tower II
5051 Westheimer Rd., Suite 1200
Houston, Texas 77056

FILED and RECORDED

Instrument Number: 2020049370

Filing and Recording Date: 08/28/2020 03:35:39 PM Pages: 5 Recording Fee: \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

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