

SUN CITY TEXAS COMMUNITY ASSOCIATION
PROPERTY AND GROUNDS COMMITTEE

POLICY – USE OF COMMUNITY ASSOCIATION (CA) GROUNDS
AS POCKET PARKS

1. Background. Sun City Texas is a master planned community located in the hill country of Central Texas where native trees, shrubs, grasses and wildflowers thrive. The developer and the CA have sought to preserve this inherent beauty through careful design, planning and landscape maintenance. As a result, the community is provided an outdoor environment of natural beauty and landscape that beckons to be used and enjoyed. Accordingly, this policy is established to permit groups of residents to use selected common areas for recreation and social activities without interfering with the beauty and intended condition of the selected area or the areas adjoining thereto.
2. Purpose. The purpose of this policy is to prescribe the procedures and rules under which the CA may authorize groups of residents within a neighborhood or a specified portion of a neighborhood (hereafter referred to as a “neighborhood group”) to make improvements on and take responsibility for maintenance duties above and beyond the CA designated level of maintenance for a specific area of improved or unimproved CA grounds. Such an area will be designated a "Pocket Park".
3. General Policy.
 - a. In accordance with the Covenants, Conditions, and Restrictions (CC&Rs) and CA policies, all CA grounds belong to the CA and are available for the use by all residents unless designated as Environmentally Sensitive Areas. Individual residents or groups of residents are not authorized to modify or add items of any nature to common areas, e.g., planting shrubs or trees, bird houses, benches, ornamental statuary or like items, or other similar activities, without approval by the CA or its designated governance committee.
 - b. Selected CA grounds may be authorized for use by neighborhood groups as Pocket Parks. CA grounds designated as Pocket Parks are available for use by all residents and must have easy public access available for all residents without crossing the property of other residents and such access shall be appropriately marked as a Pocket Park access point. The CA will not authorize transit through residents’ property by other residents in order to gain access to Pocket Parks.
 - c. The Property and Grounds Committee, in conjunction with the Wildlife Management Committee, shall provide for a habitat review of the conditions currently existing in area of the proposed Pocket Park and determine any required ongoing habitat preservation and management practices. If costs are involved in making this assessment by these 2 committees, the neighborhood group requesting approval of the Pocket Park shall pay for the assessment and will be advised of the cost prior to the review being undertaken.

- d. If it is determined that an alternate access point or path is required for other residents to be able to enter the Pocket Park, the cost of providing and maintaining this access point or path shall be borne by the neighborhood group requesting the Pocket Park.

4. Procedures.

- a. The Board of Directors will be the approval authority for matters related to the establishment of Pocket Parks. The Board delegates to the Property and Grounds Committee the authority to make all recommendations pertaining to the establishment and oversight of Pocket Parks. The Property and Grounds Committee will review and process all neighborhood group applications for Pocket Park designation determining the rules under which they will function and their specific use. The Property and Grounds Committee at the completion of its review and documentation work shall send any recommendations for a Pocket Park to the Board of Directors for review and approval.
- b. Neighborhood groups desiring to have an area of CA common area within or adjacent to their neighborhood designated as a Pocket Park must make application to the Property and Grounds Committee.
- c. Applications for the establishment of a Pocket Park by neighborhood groups will be submitted in writing to the Property and Grounds Committee, and must include:
 - 1) A complete description of the area,
 - 2) The location of any additions or changes to be made to the area including any equipment to be placed in the area. Drawings should be included to clarify descriptions of any proposed additions or changes to the area.
 - 3) The names of the residents of the neighborhood group requesting use of the area and a statement of concurrence signed by all residents whose property is in the vicinity of the area being requested and could be visually or physically impacted.
 - 4) The name of the resident designated by the neighborhood group to speak for the neighborhood group in all communications.
 - 5) The standards and procedures for use and maintenance of the area and any equipment located therein by the neighborhood group.
 - 6) Procedures for scheduling use of the area.
- d. The Property and Grounds Committee will:
 - 1) Coordinate all applications with the Covenants and Modifications Committees, other CA committees as appropriate, and the CA staff prior to making their recommendations to the CA Board. Any architectural improvements or changes to the proposed Pocket Park, such as benches, BBQ's, etc. must be approved by the Modifications Committee and by the Property and Grounds Committee.
 - 2) Prepare a written statement of their recommendations and submit them to the Board of Directors for approval. The submittal will define the area to be

approved for the Pocket Park, the rules under which it will function, and its specific use. Submissions will include a record of all coordination actions by other CA committees.

3) Ensure that the approval document will include the requirement that any homeowner who is a member of the neighborhood group and who is selling his/her residence must disclose to the buyer that the CA Board of Directors has approved the Pocket Park, the changes to the common area that have been made, and the specific maintenance that is required.

- e. Neighborhood groups desiring to make additions or changes to a Pocket Park will submit a written request to the Property and Grounds Committee. No additions or changes will be made to CA grounds unless approved by the Board of Directors.
- f. Neighborhood groups desiring to withdraw from the arrangements they have made for use of CA grounds as a Pocket Park will submit such a request to the Property and Grounds Committee in writing. Such requests must be submitted and signed by at least a majority of the current homeowners of the homes represented by the original petitioners. Approval of such requests may include the requirement to restore the grounds to its original condition and/or remove any items approved for installation in the Pocket Park, any cost of which must be borne by the members of the neighborhood group.
- g. A new owner of a home whose previous owner was a signatory to a Pocket Park agreement has the option to sign the Pocket Park agreement as a participating member or decline to join the neighborhood group. If one or more members of the neighborhood group decide to discontinue involvement in the Pocket Park, then the remaining members must either absorb the additional workload and cost of keeping the Pocket Park in a park-like appearance and in accordance with the Pocket Park agreement or terminate the Pocket Park agreement. If the Pocket Park agreement is terminated, then the current members must restore the grounds to its original condition and/or remove any items approved for installation in the Pocket Park, any cost of which must be borne by the current members of the neighborhood group.

5. Rules for Use and Maintenance of Pocket Parks.

- a. The Pocket Park must be maintained at least to the standards expected of all other similar CA common areas including cutting grass and maintaining natural vegetation and plantings. The standards expected will be specified in the approval document. Any items added to the Pocket Park must not interfere with the normal landscape maintenance performed by the CA or its contractors.
- b. Any equipment added to the Pocket Park must be kept clean and in operating order.
- c. Trees and shrubs in the Pocket Park area prior to approval will not be damaged or removed without written permission from the CA staff and approval by the

Property and Grounds Committee. All trees or shrubs including any approved additions will be maintained by the neighborhood group to insure proper growth.

6. CA Authority.

- a. The CA Board of Directors may revoke authorization for use of designated areas of CA grounds as a Pocket Parks. This action may be taken in the event the neighborhood group fails to comply with the provisions of this policy, the requirements specified in the approval document or changes in this policy by the CA Board of Directors.
- b. All items placed in the Pocket Park become the property of the CA; however, the CA does not accept any responsibility for maintaining any items placed therein by the neighborhood group.
- c. The CA is authorized to remove and dispose of any equipment, tree, or shrub that has deteriorated or become unsightly. The CA is not required to replace any item or plant removed or to provide any compensation for the loss.

7. Exceptions to Policy.

The CA Board of Directors recognizes the grandfathering of the existing pocket park that was approved under the Pocket Park policy in effect on May 18th 2006.

Approved by the CA Board of Directors by unanimous consent on October 22, 2004, and amended by the CA Board of Directors on November 18, 2004, July 26, 2007 and August 7, 2007.

Erik Jacobson
President
CA Board of Directors