

HORSE MOUNTAIN PROPERTIES RULES AND REGULATIONS

GENERAL RULES

1. Definitions. "Association" shall mean the Horse Mountain Properties Community Association, Inc. "Common Areas" shall mean the areas defined as such in the Declaration of Covenants and Restrictions of Horse Mountain Properties (the "Declaration"). "Family Member" shall mean a Member's spouse, parents, and children who reside with such Member. "Guest" means any non-member of the Horse Mountain Properties Community Association, Inc. who has been expressly invited by a Member. "Member" means any Owner or Tenant as each is defined in the Declaration.

2. The Association reserves the right to amend these Rules and Regulations from time to time in accordance with the terms of the Declaration.

3. Each Family Member shall have the same easement of enjoyment hereunder as a Member.

4. Each Member, Family Member and/or Guest of Member releases and agrees to hold the Association harmless and indemnify it against and from any and all claims arising from use of the Common Areas or Roads (as defined in the Declaration).

5. The Association reserves the right to suspend a Member's rights to use the Common Areas in the event any assessment or special assessment remains unpaid for thirty (30) days after notification of non-payment by the Association.

6. The Association reserves the right to suspend a Member's right to use the Common Areas in the event of violation of any Federal, State and/or local gun, game, fishing or other laws by any Member, Family Member or Guest of Member. Further, the Association reserves the right to suspend the rights of a Member to use the Common Areas in the event that said Member, Family Member or Guest of Member repeatedly engages in threatening, offensive or harassing behavior with one or more of the other Members, Family Members or Guests.

7. Members shall be responsible for the conduct and actions of their Family Members and/or Guests.

8. Any Guest using the Common Areas must be accompanied by a Member or Family Member over the age of 16.

Pets

All dogs or other pets must be on a leash while on the Common Areas; provided, however, that dogs actively hunting on the Common Areas during hunting season need not be on a leash.

Hunting

1. All hunting on Common Areas shall be pursuant to Federal, State and local game and gun laws, including but not limited to, possession of a valid hunting license. Notwithstanding the foregoing, bear hunting on the Common Areas will not be permitted under any circumstances.
2. No blinds, platforms, deer stands or tree fasteners are permitted to be built or installed on the Common Areas.
3. No Guests are permitted on the Common Areas on opening day or weekend of any hunting season .
4. Members will be allowed a maximum of two (2) Guests daily while hunting on the Common Areas. The same Guest may not hunt on the Common Areas more than four (4) times per hunting season.
5. All Members, Family Members and Guests must wear blaze orange vests and hats while hunting on the Common Areas.
6. Any Member, Family Member and/or Guest hunting on the Common Areas shall make every reasonable effort not to trespass onto another Member's private property while hunting on the Common Areas.
7. Every Member, Family Member and/or Guest agrees to hold the Association harmless for any hunting accident(s) of any type.

Fishing

1. All fishing on Common Areas shall be pursuant to Federal, State and local fishing laws including, but not limited to, possession of a valid fishing license, if required.
2. No Guests are permitted on opening day or weekend of any fishing season, if applicable, while fishing on the Common Areas.
3. Members will be allowed a maximum of two (2) Guests while fishing in the Common Areas. The same Guest may not fish in the Common Areas more than six (6) times per fishing season.

4. Any Member, Family Member and/or Guest agrees to hold the Association harmless for any fishing accident(s) of any type.

Horseback Riding

1. All riders must wear a riding helmet while riding on the Common Areas.
2. Children under the age of 12 must be accompanied by an adult while riding on the Common Areas
3. Any Member, Family Member and/or Guest agrees to hold the Association harmless for any riding accident(s) of any type.
4. No Member having a commercial equine operation on its own property and/or Lot shall be permitted to use the Common Areas for commercial equestrian activities without the prior written consent of the Board of Directors of the Association, which consent must be obtained annually.

Off-Road Vehicles

1. An Off-Road Vehicle ("ORV") is any motor vehicle that can be operated cross-country without the benefit of a road or trail over land, snow and other natural terrain and includes, but is not limited to the following: multi-track and multi-wheeled vehicles, ATVs, motorcycles, any related 2, 3 and 4-wheeled vehicles and any 2 and 4-wheel drive vehicles that are highway registered, when operated off the highways and roads. Construction, fire and emergency vehicles when used in the normal course of business are not considered ORV's for purpose of this section.
2. All ORVs used on the Common Areas must be fully operational and in good condition, including, but not limited to, a U.S. Forest approved spark arrester and muffler meeting applicable sound level standards.
3. All ORVs used on the Common Areas shall have a seating system designed, manufactured and approved to accommodate seating for each passenger on the ORV.
4. If used during the hours of sunset to sunrise, each ORV used on the Common Areas shall have an operational lighted headlight, tail light and brake light.
5. Any ORV, highway licensed or other motorized vehicle shall not be operated on the Roads or Common Areas in excess of twenty (20) miles per hour.
6. Any ORV, except highway licensed vehicles, shall not be operated on the Common Areas after 10:00 p.m. or before 4:00 a.m.

7. If a driver's license is required by State law to operate an ORV or other motorized vehicle on public property, then a driver's license is also required to operate said ORV or other motorized vehicle on the Roads and Common Areas.

Violations

If any of the rules and regulations contained herein is violated, as determined by a majority vote of the Board of Directors of the Association at its sole discretion, all rights of the violating Member (or if a Family Member or Guest, the Member associated with such Family Member or Guest) to use the Common Areas shall be suspended for a stated period of time as follows

- (A) FIRST OFFENSE - thirty (30) days from the date of infraction;
- (B) SECOND OFFENSE - one (1) year from the date of infraction; and
- (C) THIRD OFFENSE - permanently.

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