

**RULES AND REGULATIONS FOR
SYNERGY PARK AT ELDER LAKE
KILGORE, TEXAS**

Section 1. Authority.

These rules and regulations are adopted by the Synergy Park Owners Association (hereinafter called “the Association”), Kilgore, Texas, acting in its capacity as the governing body of Synergy Park in Kilgore, Texas.

Section 2. Administration.

The Association hereby designates the Park Superintendent, along with the Kilgore Police Department, and their respective deputies to enforce these rules and regulations. The Park Superintendent shall be the Director of Kilgore Economic Development Corporation (KEDC) or their designated employee.

Section 3. Area Covered.

These rules shall apply to the common areas in Synergy Park, Kilgore Texas, as defined in the Synergy Park at Elder Lake Development Covenants, recorded in the Official Records of Gregg County, Texas, under Clerk’s File #GCC200405054.

Section 4. Definitions.

As used in these rules and regulations:

- (a) *“Alcoholic Beverage”* means any beverage containing more than one-half of one percent (.5%) of alcohol by volume, which is suitable for use as a beverage, either alone or diluted;
- (b) *“The Association”* means the Synergy Park Owners Association.
- (c) *“The Corporation”* means the Kilgore Economic Development Corporation.
- (d) *“Explosives”* means any chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion;
- (e) *“Individual”* means a human being;

- (f) **“Light truck”** means any truck with a manufacturer’s rated carrying capacity not to exceed two thousand (2,000) pounds and is intended to include those trucks commonly known as pickup trucks, panel delivery trucks, carry-all trucks, and vans;
- (g) **“Park”** means the park owned, operated, or maintained by the Association for recreation and enjoyment by the property owners and the general public;
- (h) **“Park Superintendent”** means the individual named or designated as a Park Superintendent or Park Manager by the Association to which the rules are being applied;
- (i) **“Peace Officer”** means a peace officer as defined in Tex. Code Crim. Proc. Ann. Art 2.12, as amended;
- (j) **“Person”** means any individual, group of individuals, organization, corporation or other legal entity;
- (k) **“Pet”** means a domesticated animal kept for pleasure rather than utility;
- (l) **“Road”** is any road maintained or controlled by the Association for public passage for vehicles within the park;
- (m) **“Special event”** means a special, organized activity intended for more than twenty-six (26) individuals to share a common purpose as a group;
- (n) **“Vehicle”** means every device in, upon, or by which any individual or property may be transported or drawn upon a road except a device moved by human power;
- (o) **“Weapon”** means a rifle, bow and arrow, club, handgun, firearm, illegal knife, shotgun, short-barrel firearm, gas gun or gas pistol, BB gun or BB pistol, pellet gun or pellet pistol, zip gun, sling or sling shot, and includes those objects defined as weapons or prohibited weapons in Chapter 46 of the Texas Penal Code, as amended; and
- (p) **“Wildlife”** means living things that are neither human nor domesticated.

Section 5. Hours Open.

No person shall enter into or remain within the Park at any time other than during such time as the Park is open to the public as designated on the sign posted at or near the entrance of the Park. The Park shall be open to the public from dawn to dusk.

Section 6. Vehicles.

- (a) No person shall operate a vehicle within the Park except on the roads or parking lots within the Park. This provision does not apply to Park maintenance or patrol vehicles.**
- (b) No person shall operate a truck within the Park. This provision does not apply to light trucks nor to trucks making deliveries of materials, supplies, and equipment purchased or rented by the Association.**
- (c) No person shall operate a vehicle in the Park at a speed in excess of the posted speed limit.**
- (d) No person shall cause a vehicle to be parked within the Park except in a designated parking area. No vehicle shall be parked on the street.**
- (e) No person shall cause a vehicle to remain within the Park after hours or in excess of twenty-four (24) hours at any given time unless one of the officers named in Section 2 is notified and approval is granted. Vehicles remaining within the Park for which approval has not been granted will be towed and placed in storage by the appropriate peace officer at the owner's expense.**

Section 7. Wildlife.

- (a) No person shall willfully harm, harass, trap, confine, catch, or possess any wildlife within the park.**
- (b) Fishing in accordance with State of Texas laws and regulations shall be permitted within the Park, except as specifically prohibited. All fishing shall be from designated portions of the shore or the fishing pier. No boats, float tubes or similar water craft are permitted in Elder Lake except for Texas Parks and Wildlife water craft.**

Section 8. Plant Life.

No person shall willfully destroy or remove any tree, shrub, vine, wildflower, grass, fern, moss, leaves, cones, or dead or downed wood within the park. Certain areas are designated as environmentally sensitive areas and no access shall be permitted to them.

Section 9. Fires.

Except in designated areas, no person may light, build, or maintain a fire within the Park other than as specified by permit. This rule does not apply to the lighting, burning, or smoking of a cigar, cigarette, or pipe used for the smoking of tobacco.

Section 10. Weapons.

No person, other than a peace officer, may carry or possess a weapon within the Park.

Section 11. Explosives.

No person may possess gunpowder or other combustibles, explosives, or fireworks within the Park. This provision does not apply to gasoline and other petroleum products in fuel tanks of motor vehicles nor to petroleum products intended to be used as fuel for cooking.

Section 12. Pets.

No person may bring into or possess in the Park any animal other than a pet dog or domestic cat. Any person bringing a dog or domestic cat into the Park shall keep the dog or domestic cat confined to a vehicle or secured by a leash not exceeding six (6) feet in length. No person shall bring into, or keep a horse in the Park. All animal excrement must be removed by the person bringing the animal into the Park.

Section 13. Glass Beverage Containers.

No person shall use or possess any glass containers in the Park.

Section 14. Alcoholic Beverages and Procedures for Use.

Without written consent of the Association, no person shall possess or consume an alcoholic beverage in the Park.

THIS PAGE APPLIES ONLY TO MEMBERS OF THE SYNERGY PARK OWNERS ASSOCIATION.

Section 15. Reservations and Deposit. *ONLY POSSIBLE FOR MEMBERS OF SYNERGY PARK OWNERS ASSOCIATION*

- (a) **The Park facilities may be reserved only by members in good standing of the Synergy Park Owners Association.** A member who desires to use the facilities for an organized function must make a reservation and furnish the appropriate deposit for cleanup costs and damages, if any, to the Park property. The cleanup deposit shall be \$125.00 and shall be paid along with the first annual Synergy Park Owners Association dues payment.

If the area is not cleaned or if the facility or its furnishings are damaged, the Park Superintendent shall determine the amount necessary to compensate the Association for the cost and expense of remedying this default. This amount shall be deducted from the deposit and the balance, if any, shall be refunded to the member who paid the deposit. If the amount necessary to compensate the Association exceeds the amount of the deposit, the difference shall be paid by the member or shall be assessed against the member as a Special Assessment under Article V, Section 4, of the Synergy Park at Elder Lake Development Covenants.

- (b) The member who makes the reservation must employ and pay the required number of peace officers who will provide security during the reserved period. Security officers shall be required for all functions with 50 or more individuals. The minimum number of officers required for security is one (1) peace officer per 100 individuals over the base number of 50 individuals (50-150 - one officer; 151-250 - two officers, etc.).
- (c) Alcoholic beverages may be consumed only if authorized in the rental contract.
- (d) Any member of the Synergy Park Owners Association may reserve a pavilion or other designated Park facility by submitting a request to the Park Superintendent on any weekday, between the hours of 8:00 a.m. and 4:00 p.m. Use of the pavilion or other Park facility will be approved by the Park Superintendent on a first-come, first-serve basis. Requests must be delivered at least seven (7) days prior to the proposed use, but no person, shall be entitled to continuous, exclusive use of the Park or Park facility. The member must complete a rental contract for the reservation. The reservation shall not exclude the public from access to the Park during the hours the Park is open.

Section 16. Use of Loudspeakers.

The pastoral nature of the Park is diminished with excessive noise, therefore the use of loudspeakers, radios (without headphones) and similar devices are prohibited.

Section 17. Dumping and Littering.

The disposal of rubbish in any manner other than by depositing it in trash cans provided for this purpose; the willful destruction of or damage to or theft of Association property; the creation of any hazard to persons or things; and the climbing upon plant bedding areas or any part of a public building, is prohibited. No person shall bring into the Park any trash, refuse, or waste material.

Section 18. Solicitation and Sale of Goods and Services.

The solicitation or the sale of goods and services in the Park are prohibited unless the person receives the prior written approval of the Association.

Section 19. Camping.

No overnight camping in the Park shall be allowed.

Section 20. Special Events.

No member shall solicit for, hold, or sponsor a special event in the Park or Park facility without the prior written permission of the Park Superintendent, who shall require the provision of liability insurance or Proof of Insurance Certificate naming KEDC and the Association in at least the amounts of \$100,000 for injury or death to one person, \$300,000 for injury or death to more than one person and \$100,000 for injury or damages to property in any one accident or occurrence.

Section 21. Park Use.

No person shall use any area or facility or the Park for any purpose other than for the purpose for which it was designed or designated. No swimming is allowed.

Section 22. Digging.

No digging or disturbance of top soil shall be allowed in the park.

Section 23. Trespassing.

The public shall have access only to the common areas and shall not go upon or trespass on privately owned property within the Park.

Section 24. Effect on Existing Law.

These rules and regulations are in addition to, and not in lieu of, all federal and state and local laws, rules, and regulations applicable within the Park.

Section 25. Enforcement.

The Park Superintendent or his designee shall be authorized to remove any person who violates any of these rules and regulations from the Park. In addition to removal from the Park, charges may be filed against a violator.

Section 26. Severability.

The provisions of these rules and regulations are severable. If any word, phrase, clause, sentence, section, provision, or part of these rules and regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Association that these rules and regulations would have been adopted as to the remaining portions, regardless of the invalidity of any part.

Section 27. Amendments.

These Rules and Regulations may be reviewed and amended from time to time by the Association.

Section 28. Availability.

These Rules and Regulations shall be available at the offices of KEDC and the City of Kilgore.

Section 29. Effective Date.

These Rules and Regulations shall become effective on March 22, 2006. All previously adopted Rules and Regulations are superseded and repealed effective the same date.