

# 3 CANYONS RANCH MASTER HOMEOWNERS ASSOCIATION

## Gate Policies and Regulations

Amended July 18, 2009

### SECTION 1: INTRODUCTION

1.1 This document establishes policies and regulations for gate management in the 3 Canyons Ranch Master Homeowners Association. Hereinafter referred to as 3 Canyons HOA.

The intent of these policies and regulations is:

- To establish a system of gate access management that will maintain and protect the integrity of the 3 Canyons HOA as a private and gated community.
- To provide a process of reasonable gate access for the property owners of 3 Canyons HOA and their designated guests or renters.
- To provide a process of reasonable gate access for non-property owners with legitimate business in 3 Canyons HOA property.
- To provide a process to identify and remove compromised access codes and devices.
- To provide a process for the collection, deposit and accounting for all funds received in conjunction with the issuance of gate access codes and devices as determined by the Treasurer.

### SECTION 2: GENERAL REGULATION

2-1. The 3 Canyons Gate Committee will be responsible for issuing opening codes and devices in a fair, equitable and timely manner according to the policies listed in this document. The 3 Canyons Gate Committee will meet on an as-needed basis.

All property owners and non-property owners who wish to have gate access to the 3 Canyons HOA Road must first make written application to the 3 Canyons Gate Committee. This is accomplished through the appropriate submission of either:

- The **Property** Owner Gate Access Application Form (**FORM # 1**) or
- The **Non-Property** Owners Gate Access Application Form (**FORM # 2**)

An appropriate application form will be mailed to an applicant upon request. The applicant may also download the appropriate application form from the 3 Canyons website at:

[www.az.3canyons.com](http://www.az.3canyons.com).

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2-2. Gate access transactions are only completed by US mail. All gate access application forms must be mailed to the following address:

**3 Canyons Gate Administrator  
Post Office Box 1083  
Hereford, Arizona 85615.**

2-3. No gate access application form will be processed unless it is correctly and fully completed. This includes all requested information, signed consent by the applicant to the terms of gate access, a photocopy of the vehicle registration (block out VIN - Vehicle Identification Number), current address and the correct fees, as applicable.

2-4. Applicants for gate access must accept the terms and conditions stated in the gate access application form. As a part of that agreement, the applicant is responsible for the proper use of issued gate access codes and devices. All gate access codes and opening devices are intended for applicant use only. Sharing the gate access codes or opening devices with other individuals or organizations may result in their gate access device(s) being cancelled.

2-5. All information contained in the gate access application form is confidential. Gate access application forms are kept on file for reference in a secure location. The photocopies of the vehicle registration allow us to confirm the number of vehicles associated with the household. All documents submitted with the application (other than the application itself and any required payments) will be shredded once the application has been processed. Access to these records is restricted to designated members of the gate committee. These records will be used solely for the management of gate access.

2-6. Gate access codes and gate access control systems are the sole property of the 3 Canyons Ranch HOA. They are not transferable or saleable.

2-7. If the Gate committee determines that a property owner's gate access code is compromised the property owner will be notified by the Gate Committee via US Certified Mail. The Gate Committee will issue a new gate access code to the property owner. A two (2) week overlap of the access codes will be provided.

2-8 Actions and decisions by the Gate Committee may be appealed to the Board. Appeals must be made in writing to the following address:

3 Canyons Ranch Master Homeowners Association  
PO BOX 970  
Hereford, AZ 85615  
Attn: Board of Directors

The Gate Committee will report to the Board whenever an application for gate access is denied or when a gate access code has been changed.

2-9. The Treasurer will provide separate instructions to the Gate Committee concerning the processing of funds collected and any required reports.

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### **SECTION 3: PROPERTY OWNERS ACCESS REGULATIONS**

3-1. Property Owners of 3 Canyons HOA are entitled to gate access codes and or devices as a condition of ownership in the 3 Canyons HOA. No justification is required for property owner's gate access. As a property owner you may request a gate access code for a manual keypad entry and exit at no charge. You may also lease gate access cards and remote gate openers based on the number of current and legally registered vehicles per household. However, all property owners requesting gate access for 3 Canyons HOA Road must first complete a Property Owners Gate Access Application, agree to the terms and conditions of gate access and provide all requested information. See Property Owner(s) Application Form (**FORM # 1**). (**FORM # 1**) is found on page 4 of this document.

3-2. Property Owners / Landlords may provide gate access devices to their renters. Property owners are still held responsible for the proper use of all opening devices issued to renters. Access devices provided to renters will not be shared with other individuals. Property Owners / Landlords and Renters must fill out separate Gate Access Application Forms (**FORM # 1**).

3-3. Property owner applications may require up to ten (10) working days for processing. An expedited gate access code may be made available for new members in conjunction with the purchase of property within 3 Canyons HOA. (**FORM # 1**) is found on page 4 of this document. Please contact any Gate Committee member for an expedited gate access code. Their phone numbers and "E-Mail" addresses are found on the 3 Canyons web site. [www.az3canyons.com](http://www.az3canyons.com)

#### **Property Owner Gate Access Application FORM # 1**

##### **Instructions for completing FORM # 1**

The 3 Canyons Ranch HOA is a private, residential area. Access is permitted only to 3 Canyons HOA property owners and their guests. Contractors, vendors and others with legitimate business in the 3 Canyons Community must apply individually for Non-Property Owner Access Cards. As a Property Owner, you may obtain an access code for a manual keypad entry and exit. You may also lease gate access cards and remote gate openers based on the number of vehicles per households provided **FORM # 1** (page 4) has been completely filled out, all necessary documents are included, and the form is signed and notarized.

Temporary access codes may be provided on an as needed basis. Temporary codes may also be given for parties, social gatherings, open houses etc. Please use this application to request temporary codes, including activation and deactivation dates. Temporary access codes will not be issued for a period longer than seven (7) days.

Gate access applications are processed only through the US mail. Please complete and mail **PROPERTY OWNER GATE ACCESS FORM # 1** to the following address:

**3 Canyons Gate Administrator  
PO BOX 1083  
Hereford, AZ 85615**

Please make checks payable to **3 Canyons Ranch Master Homeowners' Association**. Processing may require up to ten (10) working days.

**PROPERTY OWNER GATE ACCESS FORM**

**FORM # 1**

Property owner's section #: \_\_\_\_\_

Tax ID / Parcel # (example: 104-27-050J) \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Name: \_\_\_\_\_ Phone: (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

Physical Address: (Optional) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail address: (Optional) \_\_\_\_\_

	Cost
_____ I wish to have a manual gate access number	0
_____ I wish to have a temporary gate access number (Please include a brief explanation on the back of this form Including activation and deactivation date not to exceed 7 days)	0
_____ I wish to lease _____ gate cards @ \$5.00/card	_____
_____ I wish to lease _____ remote openers @ \$40.00/ opener	_____

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TOTAL AMOUNT THIS ORDER \_\_\_\_\_

**Checklist:**

- Signed copy of **PROPERTY OWNER GATE ACCESS FORM # 1**. (Page 4 only)
- Copy of vehicle registration (block out VIN) for each requested gate card and /or remote opener.
- Check for total amount of this order.

I have read, understood and agree to abide by the Gate Policies and Regulations as part of my application.

\_\_\_\_\_  
Signature

\_\_\_\_\_ Check here if you do not want to be displayed on the electronic directory.

**SECTION 4: NON-PROPERTY OWNERS ACCESS REGULATION**

4-1. Non-Property Owners with legitimate business purposes may only obtain gate access cards to the 3 Canyons HOA Road. Persons in this category might include real estate agents, building contractors, sub-contractors, delivery personnel and utility companies. A separate procedure incorporating the Real Estate lock box will be explored with the Real Estate Board. Until that is developed and approved, real estate agents will follow the same procedure as other non-property owners. The Gate Committee will determine other requests. Applicants must complete the Non-Property Owners Access Application Form (**FORM # 2**) and agree to the terms and conditions of gate access and provide reasonable verification of identity. The Non-Property Owners gate access application must also include a justification for gate access. (**FORM # 2**) is found on pages 7 and 8 of this document.

4-2. The Gate Access Application requires that one individual in the applicant organization take responsibility for seeing that the card is used appropriately. This individual is also designated as the contact person within the applicant organization. This access card may be used within the applicant organization, but may not be shared with other individuals or other organizations. Access will be limited by time of day and duration. Non-Property Owners Gate Access Applications may require up to ten (10) working days for processing. (**FORM # 2**)

4-3. The Gate Committee reserves the right to rescind or limit the Non-Property Owners Gate Access privileges. If the Gate Committee determines that gate access regulations are being violated by a non-property owner, their findings will be reported to the Board. The Board will recommend corrective action to the Gate Committee. The Board has the authority to uphold or repeal decisions made by the Gate Committee pertaining to gate privileges.

4-4. Non-property owners are eligible only for gate access cards.

4-5. Gate access devices are provided, at no charge, for government agencies and other services deemed necessary for 3 Canyon residents. This includes but is not limited to law enforcement, fire departments, U.S. Border Patrol, EMT crews, schools, public utilities, Cochise County appraisers, health department officials, waste pickup, delivery services, etc. These applicants meet complete the Non-Property Owner Gate Access Applications (**FORM # 2**). An agency contact person is required. **FORM # 2** is found on pages 7 and 8 of this document. This information will be reported to the board on a monthly basis.

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**NON – PROPERTY OWNER GATE ACCESS APPLICATION FORM**

**FORM # 2**

Instructions for completing FORM # 2

The 3 Canyons Ranch Community is a private, residential area. Access is permitted only to residents, their guests, contractors, government agencies and vendors. As a non–property owner, you may request a gate access card for entry and exit. You must also include a brief justification for gate access with this request for a non-property gate access.

All access devices are intended for use ONLY by the individual or organization submitting this application. The individual applying for this privilege will be held responsible for the proper use of the issued access card. You may not share your access card with any unauthorized person or party. The gate access cards are the property of the 3 Canyons Ranch Master Homeowners Association. These access codes may be limited by time-of-day and duration.

Please notify the 3 Canyons Master Homeowners Association of any changes in your permanent address. Information on gate regulations may be found at the 3 Canyons website at:

[www.az3canyons.com](http://www.az3canyons.com).

Gate access transactions are only completed by US mail. Please complete and mail **NON - PROPERTY OWNER GATE ACCESS FORM # 2** to the following address:

**3 Canyons Gate Administrator  
Post Office Box 1083  
Hereford, AZ 85615**

Please make checks payable to 3 Canyons Ranch Master Homeowners Association.

Please allow ten (10) working days for processing and delivery.

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**NON - PROPERTY OWNER GATE ACCESS FORM**

**FORM # 2**

Please select and complete one of the following:

\_\_\_\_\_ Construction Company (Company name) \_\_\_\_\_

\_\_\_\_\_ Realtor (Company name) \_\_\_\_\_

\_\_\_\_\_ Government Agency and Services (see 4-5) (name) \_\_\_\_\_

\_\_\_\_\_ Other: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone # (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address:

\_\_\_\_\_

City, State, Zip:

\_\_\_\_\_

Please complete the following and include a brief justification for gate access on the back of this form.

I wish to lease _____ gate cards @ \$5.00 / card.	Cost _____
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Processing / setup fee per order.	\$15.00 *****
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TOTAL AMOUNT THIS ORDER	_____
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The gate cards are only good for the calendar year in which they were issued. Gate cards must be renewed by January 1 of each year. After January 31, the gate cards will be deactivated if not renewed. The cost of renewing each gate card is \$5.00. There will be no additional processing fee for reactivation of gate cards.

Checklist:

- Signed copy of **NON – PROPERTY OWNER GATE ACCESS FORM # 2** (pages 7 & 8 only).
- Check for total amount of this order.

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**NON - PROPERTY OWNER GATE ACCESS FORM # 2**

**HOLD HARMLESS CLAUSE**

The undersigned, as a User (including the Users’ family, guest and invitees (hereinafter referred to as the “User”) of the mechanized gate providing access to Three Canyons Road (the “gate”), its successors and assigns hereby agrees to save and hold harmless the Three Canyons Ranch Master Homeowners’ Association, its Board of Directors, any of its departments , officers or employees (collectively referred to as the “Association”), against all liability or loss, and against all claims or actions based upon or arising out of damages or injury (including death) to persons or property caused by or sustained in connection with the User’s, use of the Gate or any road located within the land area governed by the Association. As used herein, costs, injury or damage shall include, in the event of an action, court cost, expensed of litigation and reasonable attorneys’ fees. This hold harmless agreement shall in no way be interpreted to indemnify against any cost, injury or damage directly caused by the Association.

I verify that the information provided here is correct. I have read, understand and consent to the terms of this agreement. I accept full responsibility for the proper use of all gate access devices provided me.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
User’s Name (Please Print)

\_\_\_\_\_  
User’s Signature

STATE OF ARIZONA    )  
  ) ss:  
County of Cochise    )

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by

\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: