

Prepared by and  
when recorded return to:  
Jonathan J. Ellis, Esq.

**SHUMAKER**

Shumaker, Loop & Kendrick, LLP

101 East Kennedy Boulevard  
Suite 2800  
Tampa, Florida 33602  
Phone: (813) 229-7600

INSTRUMENT #: 2020056779  
02/19/2020 at 03:15:48 PM  
Deputy Clerk: YTORRES  
Pat Frank, Clerk of the Circuit Court  
Hillsborough County

**CERTIFICATE OF AMENDMENT TO WESTCHASE COMMUNITY ASSOCIATION,  
INC. FACILITIES RULES AND REGULATIONS**

Westchase Community Association, Inc., a Florida nonprofit corporation (the "Association") records this Certificate of Amendment to the Westchase Facilities Rules and Regulations and states:

**WITNESSETH:**

WHEREAS, the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Westchase, as amended from time to time, (the "Declaration"), states in Article IX, Section 3, that "[t]he Association, through its Board of Directors, may make and enforce reasonable rules and regulations governing the use of the Properties";

WHEREAS, the Bylaws of Westchase Community Association, Inc. as amended from time to time (the "Bylaws"), state, in Article III, Section 15, that the Board of Directors (the "Board") shall have the power to make and amend rules and regulations;

WHEREAS, The Board of Directors adopted the Facilities Rules and Regulations and recorded the same at on December 18, 2019 at OR Book 27198, PG 1481, Official Records of Hillsborough County, Florida;

WHEREAS, At a duly noticed meeting held on February 11, 2020, in the manner required by the Declaration, the Board of Directors adopted amendments to the Facilities Rules and Regulations which are reflected in **EXHIBIT A** to this Certificate;

**NOW, THEREFORE**, the Association hereby declares and certifies as follows:

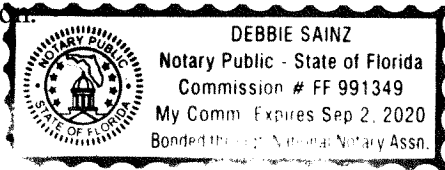
1. The foregoing recitals are true and correct.
2. The Document attached hereto as Exhibit A is a true and accurate copy of the Amendments adopted by the Board of Directors at a duly noticed meeting.
3. In the event that there is a conflict between the Document attached hereto as Exhibit A and the Declaration, Articles or Bylaws, the Declaration, Articles or Bylaws shall control.
4. With respect to the Amendment, text to be deleted is indicated by strikethrough (~~strikethrough~~) and text to be added is indicated by a double underline (underline). Ellipses (. . .) indicate that the language omitted by the ellipsis shall remain unchanged.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal as of the date set forth by the Notary Public below.

<p>Witnesses:</p> <p><u>[Signature]</u> Print Name: <u>Carlole Adams</u></p> <p><u>[Signature]</u> Print Name: <u>Cyndi Moses</u></p>	<p>WESTCHASE COMMUNITY ASSOCIATION, INC., a Florida nonprofit corporation</p> <p>By: <u>[Signature]</u> Shawn Yesner, President</p>
---	---

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, by means of  physical appearance or [ ] online notarization, this 13 day of February, 2020 by Shawn Yesner, as President of the Westchase Community Association, Inc., a Florida nonprofit corporation, on behalf of the corporation, who is personally known to me or has produced \_\_\_\_\_ as identification.



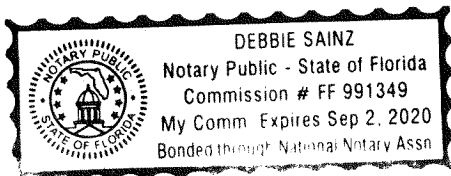
[Signature]  
NOTARY PUBLIC  
Print Name: Debbie Sainz  
My Commission Expires: Sept 2, 2020

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal as of the date set forth by the Notary Public below.

<p>Witnesses:</p> <p><u>[Signature]</u> Print Name: <u>Carlole Adams</u></p> <p><u>[Signature]</u> Print Name: <u>Cyndi Moses</u></p>	<p>WESTCHASE COMMUNITY ASSOCIATION, INC., a Florida nonprofit corporation</p> <p>By: <u>[Signature]</u> Keith Heinemann, Secretary</p>
---	--

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, by means of  physical appearance or [ ] online notarization, this 13 day of February, 2020 by Keith Heinemann as Secretary of the Westchase Community Association, Inc., on behalf of the corporation, who is personally known to me or has produced \_\_\_\_\_ as identification.



[Signature]  
NOTARY PUBLIC  
Print Name: Debbie Sainz  
My Commission Expires: Sept 2, 2020

**EXHIBIT A**  
**FACILITIES RULES AND REGULATIONS**

**Section V Tennis Court Rules shall be amended as follows:**

**V. TENNIS COURT RULES**

5.1 Tennis court hours are from 8:00 AM to 9:00 PM, ~~subject to change by the WCA Board of Directors.~~ or as posted at the Facilities or on the WCA website.

5.2 The tennis courts are not to be used in foul weather, or if moisture, or other conditions render the courts use unsafe. The WCA Programs and Facilities Manager or the WCA Tennis Director, may, in their discretion, close the courts for any reason involving weather conditions.

5.3 The WCA Programs and Facilities Manager and the WCA Tennis Director shall have authority to oversee and control the use and scheduling of courts in accordance with these Rules and Regulations with priority given to WCA sponsored programs and events.

5.4 Reservation of Court Time by Residents:

5.4.1 All Residents ~~are encouraged to~~ must make reservations for court time by calling ~~the Countryway Facilities Office at 813-855-0662 or the West Park Village Office at (813)920-5540.~~ using the on line reservation system (currently Yourcourts.com).

5.4.2 ~~Reservations will be taken for both the Countryway Facility and the West Park Village Facility.~~

5.4.3 2 Reservations are on a first come first serve basis for a maximum of two-hour intervals for non-league play.

5.4.4 3 A player or group of players may not reserve two (2) consecutive court times. An individual may play two (2) consecutive court times, as long as it is with a different player or group of players.

5.4.5 4 Reservations can be made by Residents only up to three (3) days in advance.

5.4.6 5 Reservations may only be made by Residents who are 18 years of age or older and who are authorized to use the Facilities.

5.4.6 If there are non-resident guests using the courts, the resident making the reservation must be on the court.

5.4.7 After a reservation time has expired, players may continue using the court until the next person arrives for their reserved court time. Players may also move to an unoccupied court after their reserved court time has elapsed.

5.4.8 A Resident has until 15 minutes past the inception of the court reservation time to begin play, or the court may be assigned to another Resident for the balance of the reservation time. This rule does not apply to the WCA Tennis Director, ~~or to~~ any WCA Tennis Instructor or the WCA Programs and Facilities Manager.

5.4.9 Players must surrender the court within five (5) minutes of when their time is called by waiting players, whether or not the pending game is completed.

5.5 Cancellation of Court Times: Residents must cancel reservations for court times prior to the reserved time. If a Resident reserves a court time and fails to appear or cancel the reservation, the Resident will be placed on the no-show list. If the Resident's name appears on the no-show list three (3) times in any one year period, the Resident may be prohibited from making future reservations of court time and the Resident's tennis privileges may be suspended in accordance with the ~~the~~ Declaration and Bylaws.

5.6 Other than USTA standard tennis or pickleball, no other ball ~~sport is~~ sports are permitted on the tennis courts. The resident reserving a court for pickleball is responsible for setting up the portable nets and returning them when play is completed.

5.7 The tennis courts are restricted to WCA Residents and their guests; however, an individual who is not a Resident or the guest of a Resident may use the tennis courts while participating in a tennis lesson or class under the instruction of a WCA Tennis Director or WCA Tennis Instructor, or while participating in a WCA tournament or league play.

5.8 Each household is entitled to bring up to (4) guests to play at the tennis court facilities.

5.9 Proper tennis attire and footwear is required. Swim suits, ~~tank tops~~, cut-offs, bare chests, etc. are prohibited on the courts.

5.10 All players and guests are expected to show courtesy and good sportsmanship at all times. When play is completed, all trash shall be removed from the court and properly disposed of in trash receptacles provided. Squeegees and brooms are to be returned to their original location. All music must be kept to a minimum volume so as not to be a disturbance or annoyance to others using the courts or to nearby residents. Music with profanity or expletives is not permitted.

5.11 Children under the age of 15 must be supervised by a responsible adult Resident while using the tennis courts, unless they are participating in a tennis lesson, class, tournament or league play under the instruction of the WCA Tennis Director or a WCA tennis instructor.

5.12 ~~Food is~~ Alcohol is not allowed on the tennis courts. For management approved organized events, food is restricted to the tennis cabana building or to the picnic table area between courts 3 and 4 and courts 5 and 6.

5.13 No walking across the courts while play is in motion. Players are encouraged to use an alternate entrance or wait until play is over or the lesson is complete before requesting permission to walk through the court.

5.14 Eye Wear protection is recommended.

5.15 All tennis lessons and classes as well as all league matches will be held at the Countryway facility unless an exception is granted by the WCA Programs and Facilities Manager. While conducting WCA tennis lessons or classes, any WCA tennis instructors shall be allowed to reserve and use up to ~~four (4) of the six (6) courts at the Countryway Facility, and up to two (2) of the four (4) courts at the West Park Village Facility.~~ For tournaments, any WCA tennis instructor shall be allowed to reserve and use up to six (6) courts, but must leave 4 courts open at either of the Facilities for use by WCA Residents who are not participating in the tournament. Notwithstanding the foregoing, the Programs and Facilities Manager, may, in his or her discretion, allow any WCA tennis instructor to reserve and use more than 6 courts for large tournaments.

5.16 ~~Group lessons~~ Clinics conducted by any WCA tennis instructor may be cancelled if less than four (4) individuals sign up for and attend the lesson clinic. If a clinic is cancelled by the WCA tennis instructor it shall be his/her responsibility to notify the other participants as soon as possible.

5.17 All fees and charges associated with participation in the tennis program must be paid when due. If not paid when due, a late fee may be assessed. Participation in the tennis program may be suspended for failure to pay fees and charges.

5.18 Tournaments, programs and league play scheduled by the WCA Tennis Director or WCA Programs and Facilities Manager take precedence over regular play.

5.19 No person other than the WCA Tennis Director or a WCA tennis instructor shall use any WCA facility to provide tennis or pickleball instruction for compensation nor solicit or give the appearance, compensated or not, of providing lessons.

5.20 LEAGUE PLAY- A strong, broadly supported tennis program makes the community a better place to live. The purpose of these rules is to encourage maximum participation by Residents of Westchase in the tennis leagues, while ensuring that all Residents still have ample access and convenient court times.

5.20.1 Residents shall have first priority to join a Westchase USTA (or comparable) tennis league team or USAPA (or comparable) pickleball league team. Any Resident who wants to form a Westchase USTA ~~tennis~~ league team must provide notice to Westchase Residents and an opportunity to participate before the ~~tennis~~ league team is opened to non-Residents. Notice of any new Westchase USTA ~~tennis~~ league team may be provided to Residents in the WOW, on the ~~tennis~~ facility

bulletin boards, through social media or through flyers ~~delivered~~ available to Residents. New Westchase ~~USTA tennis~~ league teams must obtain approval from the ~~WCA Board of Directors~~ or the WCA Programs and Facilities Manager or the WCA Board of Directors.

5.20.2 For all Westchase ~~USTA tennis~~ league teams, at least 50% of the required number of players must be Residents. If notice of the Westchase ~~USTA tennis~~ league team is provided to Westchase Residents and fewer than the required number of Residents sign up for the team, a Resident may petition the WCA Board of Directors and the Board of Directors may, in its discretion, approve the Westchase ~~USTA tennis~~ league team for the applicable season, notwithstanding the number of Residents on the team. Westchase ~~USTA tennis~~ league team captains and co-captains must be Westchase Residents. A copy of the roster with names and addresses must be given to the ~~WCA Tennis Director~~ or the WCA Programs and Facilities Manager. Unapproved league teams will not be permitted to host tournament play or team practice.

5.20.3 There is a \$25 administrative fee per season for members of Westchase ~~USTA tennis~~ league teams who are not Residents of Westchase. Once paid, the administrative fee is nonrefundable.

5.20.4 ~~Resident~~ A tennis team captain may reserve up to ~~five (5)~~ six (6) tennis courts for management approved league ~~tournament~~ play for up to three (3) hours at a time by contacting the WCA Programs and Facilities Manager. Any other accommodations for matches are to be worked out with the WCA Programs and Facilities Manager.

~~5.20.5~~ ~~Westchase USTA tennis league team Captains~~ may reserve up to ~~two (2)~~ tennis courts for team practice for up to ~~two (2)~~ hours at a time.