



Protective Screening from Errant Golf Balls

The following guidelines are being adopted by the Tanoan Community East Association Inc. in response to reports from homeowners that occupants or guests at residences in specific locations along the golf course are particularly susceptible to personal injury danger created by errant golf balls. The Planning Committee therefore adopts the following guidelines to address that issue:

Policy: In the event a homeowner reasonably believes a dangerous personal injury condition either has been, or will be, created by errant golf balls landing within their property lines, the homeowner shall notify the Planning Committee of his/her concern detailing the dangerous condition. Upon receipt of such notification, a member of the Planning Committee, or other designated person, will visit the affected property and provide general information on acceptable protective measures. Landscaping with protective plantings, awnings, pergolas, gazebos, aesthetically acceptable fencing, protective screens, or other potential solutions proposed by the owner, are all possible solutions. With this information as a guide, the affected homeowner should take the following action:

1. The homeowner shall propose a solution for the potentially dangerous condition by submitting an Application to the Planning Committee pursuant to Section VI, Rules for Property Improvement or Modification, Tanoan Community East Association, Inc. Subdivision Rules, adopted March 17, 2014.
2. The Application shall detail the homeowner proposed remedy to include dimensions, colors, setback from golf course and homeowner property lines, and location of the remedy on the property plat. Potential solutions are provided in the **Policy** statement (above). The proposal shall take into account the aesthetic appearance of the proposed remedy, including its affect on adjoining properties, appearance from the golf course, and appearance from the street.
3. The Application must certify that the homeowner has solicited the support of the adjoining property owners, and must document any approval, disapproval, or suggestions by the adjoining property owners. Because the proposal is intended to mitigate a personal injury concern, consent of all the adjoining neighbors will not be required in all cases.

Upon receipt of an Application that meets all of the requirements set forth in Section VI, Rules for Property Improvement or Modification, the Planning Committee will review the Application and other resources available to it considering aesthetics, quality of materials and construction, plan for homeowner maintenance of the proposed modification, etc. to ensure they are in keeping with existing neighborhood standards.

Based on all the circumstances, and after a case-by-case review, the Planning Committee shall either (a) approve or disapprove the request as submitted, or (b) request additional information to adequately evaluate the proposal. If approved, the homeowner shall proceed with the proposed remediation outlined in the Application. Planning Committee approval of the Application, or suggested aesthetic or design changes to any Application, shall not be deemed a representation by the Planning Committee that the proposal will be totally effective in mitigating a potentially dangerous condition. After completion of the project, the right of the Planning Committee or Tanoan Community East Association, Inc. to enforce conditions set out in the approval shall not, in any event, be grounds to impose liability on those entities for any injury or other claim.

Adopted April 20, 2015