

## **QUESTIONS & ANSWERS – KPWRFRA, INC. – FED. MEMBERSHIP MTG. – 1/20/12**

Since the new printout of the Kings Point West Recreational Facilities Rules Assn., Inc. was distributed to the Membership on December 16, 2011, several questions have been raised by our unit owner residents. In an effort to answer them and, at the same time, provide this information to other interested unit owner residents, we thought it best to address each question by conducting a simple Q & A session today. We will begin with a bit of history.

**Q. What is the Kings Point West Recreational Facilities Rules Assn., what is its purpose and when was it formed?**

**A.** The KPWRFRA, INC., as we call it, is a not-for profit corporation which was recorded with the State of Florida in 1979. Its purpose is to give the unit owners an avenue to assist in the establishment of reasonable, proper and necessary rules and regulations dealing with our amenities associated with the recreational facilities and our clubhouses. You can read more about the KPWRFRA, INC. on our [kpscc.com](http://kpscc.com) website.

**Q. Why do we still refer to Kings Point as “Kings Point West”?**

**A.** Back in 1972, Del Webb financially could no longer build on the West Coast. He sold out to a firm named W-G Development. This firm was connected with another developer who registered and had begun building a Kings Point in Delray Beach on the East Coast and that was called “Kings Point East”. It is still in existence today. When W-G purchased the land here, the Kings Point section was registered with the State of Florida as “Kings Point West”. It has remained so and that is why all legal documents for Kings Point are under the legal name – “Kings Point West”.

**Q. Why did you distribute “old” copies of the Rules, Bylaws & Articles?**

**A.** These are not, in fact, “old rules”. They were published in 1979, revised during the period of 2008-2009, reviewed by our attorney, presented to and approved by the Membership on October 16, 2009 and then registered with the State in November of 2009. Because of monetary constraints, copies were not run off for the Membership at that time. In 2011, there was a change to FL. Statute 718.106 that requires unit owners to surrender their badge(s) when leasing their unit. That revision was made to the recently issued Rules and Regulations, Articles of Incorporation and ByLaws which were supplied to the Membership by the Vesta staff at our December 16, 2011 Annual Meeting. Interestingly, the first “formal” booklet was published and released to the Membership in 1995. This was done with the help of Gloria Wells, who is here today.

**Q. Since 718 is involved, why isn’t Continental involved as well?**

**A.** FL St. 718 covers many areas. The FL St. 718.106 was a revision that affected unit owner badges. Badges fall under the KPWRFRA, Inc. Rules Assn. and are administered by Vesta, our Amenities Management Company. Our Long Term Lease has always had the language that only the Owner or a Lessee, if the unit is leased, are to be the badge holder. The Florida Statutes are just catching up to what our Long Term Lease had in its documents.

Continental has no jurisdiction with the Recreational Facilities – only the Property Management of the Community.

**Q. Why can't we put a piece of tape over the October 16, 2009 Membership approved date?**

**A.** It would be illegal for anyone to put anything over the approved dates as the AC-1, Articles and By-Laws are legal documents of the KPWRFRA, INC. and registered with the State of Florida.

**Q. Why aren't the badge prices shown in the booklet?**

**A.** The badge pricing is determined by our management company, Vesta, in conjunction with the Recreational Facilities Executive Committee (RFEC) and is not under the Rules Association's jurisdiction.

**Q. If a club encounters a problem with their members or use of their funds, is it Vesta's responsibility to step in and manage the club's activities?**

**A.** No – not at all. Vesta manages the facilities and enforces our rules. They do not manage individual club activities. The clubs are self-policing and any problems that arise must be handled by the Club officers or Board. Unless a club violates a rule, Vesta is not responsible.

**Q. We have encountered a problem with the pickle ball courts and usage interpretation of residents bringing in guests from outside to play on a regular basis. This is taking playing time away from other residents who wish to play. What can be done about this by the Rules Assn. and Vesta?**

**A.** The KPWRFRA, INC. met with Vesta staff last week to discuss this issue. The Rules are clear – the amenities are open to every resident and his/her guest(s). As long as the guest is accompanied by the resident and purchases the proper pass, neither Vesta nor the Rules Assn. have any jurisdiction in this area. Residents are allowed up to 4 guests at a time and we cannot stop our residents from inviting their friends.

Vesta has provided an excellent schedule for the Pickle ball League players, the Club players, the Fun Men and Fun Ladies Groups. There are also several "Open Play" hours during the week and all day Saturday and Sunday. We understand that all the courts are not used during these hours. Also, residents wanting to play during League and Club times have been and continue to be accommodated by the groups' leaders. After careful review and discussion, we are in agreement that the schedule appears to be fair to everyone. If someone is not happy with the schedule, it is not Vesta's responsibility to make changes for anyone. Vesta maintains the schedule and handles sign-in for the residents. Residents will have to speak to those who run the League or Club and make their own arrangements personally. Again, it should be noted that the groups using the tennis, pickle ball courts, pool room, etc., are self-policing and cannot be managed nor policed by Vesta unless there is a Rule violation or something unethical takes place. That wraps up this session. If anyone has further questions or needs clarification on the Rules, please contact Forrest Davis, Lucille Littlejohn or myself. Thank you.

Alice Gallagher, Secretary/Trust Rep., KPWRFRA, INC.