

BIRCH CREEK FOREST PROPERTIES, INC. DUMP FACILITY USE AND AGREEMENT POLICY

1. Purpose:

This policy establishes clear and comprehensive guidelines for the use of the Birch Creek Forest Properties, Inc., Dump Facility to ensure proper regulation of all waste disposal activities.

2. Authorized Use:

- The dump facilities are for the exclusive use of Birch Creek Forest Property Owners (“Members”) and their tenants. Use by unauthorized people or use of another Member’s access card is strictly prohibited.
- All users must adhere to the rules outlined in this policy to maintain the safety and cleanliness of the dump area.

3. General Rules for Dump Use:

- Only **household waste/garbage** may be disposed of in the dumpsters.
- Burn area is for small trees, limbs, brush, and no trees/branches over 4” in diameter.
- **Prohibited Items:** Absolutely NO petroleum products, hazardous materials, shingles, tires, sheetrock, batteries, metal, pallets, treated or regular lumber, furniture, electronics, appliances, mattresses, TV’s, chemicals, paint, fuel, or cement boards or any other item that would not be considered normal household trash under no circumstances shall be allowed in the dumpsters or burn pile. Leaves must be emptied from any bags and no leaves are allowed in the dumpsters. Cardboard boxes **MUST** be collapsed prior to putting them in the dumpsters.
- Members must ensure all items are placed in the designated areas and not left outside the dump facilities.
- Members are responsible for cleaning up after their use of the dump and avoiding excessive damage or contamination.

4. Construction Waste Disposal: (for New Construction and Remodeling)

- **Prohibited Use:** The use of community dumpsters or trash facilities for the disposal of construction materials or debris is strictly prohibited.
- **Mandatory Dump Receptacles:** Members must ensure that contractors working on their behalf provide an appropriate dump receptacle (e.g., dumpster, roll-off bin) for the disposal of all construction debris and waste.
- **Notification to Board:** Members are required to notify the Board of upcoming construction projects and confirm that contractors will comply with the requirements of the *Construction Waste Disposal Policy*.

5. Property Owner Responsibilities:

- Members are responsible for ensuring compliance with this policy by their family members, tenants, and guests.

- Members must address any damages, contamination, or misuse caused by their associates and will be held accountable for any fines or cleanup costs incurred.

6. Release of Liability and Claims:

- By using the Birch Creek Forest Properties, Inc., dump facilities, property owners and their family members, tenants, and guests expressly waive any and all claims, demands, or actions against the Association, its directors, officers, employees, agents, or representatives for injuries, damages or losses from the use of the dump facilities.
- The Association shall not be held responsible for any accidents, injuries, or damages that occur while using the dump facilities.

7. Indemnity:

Members and Tenants agree to indemnify and hold harmless the Birch Creek Forest Properties, Inc., its directors, officers, employees, agents, and representatives from any claims, damages, losses, or expenses (including attorney’s fees) arising out of or related to their use of the dump facilities, including but not limited to improper disposal of items or failure to comply with this policy.

8. Enforcement:

This policy will be strictly enforced. Violations may result in fines, suspension of dump privileges, or other penalties as deemed necessary by the Board. Any violation of this provision may result in the responsible Member being charged for cleanup costs and additional fines as determined by the Board of Directors and per the *Enforcement, Fines and Fees Policy*.

9. Member and Tenant Agreement:

By signing below, you agree to abide by the terms of this Agreement.

Member: _____ **Sect:** ___ **Blk:** ___ **Lot(s):** _____

Address: _____

Phone: _____ **Email:** _____

Card #: _____ **Replacement Card # (\$50 Fee):** _____

SIGNATURES:

Member Signature: _____ **Date:** _____

Tenant Signature: _____ **Date:** _____

Board Signature: _____ **Date:** _____

Printed Name and Title: _____

CERTIFICATION

We, the undersigned officers of Birch Creek Forest Properties, Inc., hereby certify that this Dump Facility Use and Agreement Policy was approved and adopted by the Board of Directors on June 06, 2026. It has been entered into the official books and records of the Association and shall be recorded in the Official Public Records of Real Property in Burleson County, Texas. This policy replaces and supersedes the prior version of this policy that was included within Document Number 2012-509, which the Board of Directors rescinded in its entirety.



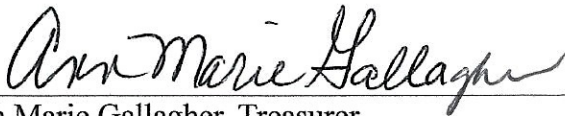
Renita Odstrcil, President



Thomas Scott Howard, Vice-President



John Dunkleman, Secretary



Ann Marie Gallagher, Treasurer



Dennis Shook, Assistant Secretary/Treasurer