



GUIDELINES for the
TRAILS and COMMON AREAS
Miami County, Kansas

Distributed May 2005

All Members are encouraged to:

1. Remember that Common areas are for the enjoyment of all Walnut Creek Estates Members, their families and guests; and by Members and guests of the equestrian park.
2. Be a good neighbor. Keep speeds slow and noise at a minimum.
3. Observe trail area ahead for others and avoid confrontation by giving way to slower persons or animals.
4. Insist that children under 18 years of age wear a helmet at all times while operating a motorized vehicle or riding a horse. Adult riders are likewise encouraged to do so.
5. Never enter someone's property or Lot without permission. Contact the Homes Association for a current map of Common Areas.
6. Avoid habitat damage.
7. Pick up litter to keep the Common areas pollution free.
8. Remove limbs and other items from the trail areas. Remember that trails, and other Common areas, are only roughly maintained for passage through the wooded areas. As such the trails may be uneven or slippery.
9. Tell your guests using our trails and common areas about these guidelines.
10. Identify persons that may be trespassing on the trails.
11. Not operate gasoline and oil watercraft on the lake.
12. Remember that no lifeguard is on duty so swim at your own risk.

BACKGROUND (GUIDELINES for the TRAILS and COMMON AREAS)

The Declaration of Covenant, Conditions and Restrictions for Walnut Creek Estates identify that trail areas will be used for walking and horse back riding. That document is silent on other uses of the trails. The intention of this document is to provide a suggestion for common goals and attitudes about the use of the common trail areas.

Walking and horseback riding are generally considered quiet activities. Horseback riding involves an inherent danger and Kansas has passed an equine liability statute to warn participants of the inherent risks. See statute warning clause below.

KANSAS EQUINE LIABILITY STATUTE

WARNING: Under Kansas law, there is no liability for an injury to or the death of a participant in domestic animal activities resulting from the inherent risks of domestic animal activities, pursuant to K.S.A. 60-4001 through 60-4004. You are assuming the risk of participating in this domestic animal activity. Inherent risks of domestic animal activities include, but shall not be limited to: (1) the propensity of a domestic animal to behave in ways i.e. running, bucking, biting, kicking, shying, stumbling, rearing, falling or stepping on, that may result in an injury, harm or death to persons on or around them; (2) the unpredictability of a domestic animal's reaction to such things as sounds, sudden movement and unfamiliar objects, persons or other animals; (3) certain hazards such as surface and subsurface conditions; (4) collisions with other domestic animals or objects; and (5) the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to maintain control over the domestic animal or not acting within such participants' ability. K.S.A. 60-4004.

Horses are considered "prey" animals on the greater food chain and thus take a "flight" approach to avoiding things that move quickly, make noise, or surprise them. Such things can be birds, children, deer, dogs, motorized vehicles, etc.

Motorized vehicles used for recreational purposes include ATVs (All Terrain Vehicles). These vehicles are capable of fast speed, make noise, and can surprise walkers or horseback riders.

Refer to the Kansas ATV Association Pledge on this page. Following these suggestions could make your riding experience safer for all Members.

Kansas ATV Association Pledge

Know your owners manual.
ALWAYS WEAR YOUR HELMET.
Never ride on public roads.
Ride off-road ONLY.
Carry NO PASSENGERS.
Always supervise young riders.
Ride straight, NO drugs or alcohol.
Lend your ATV to skilled rider only.
Get qualified training.
Ride within your skills.
Ride the RIGHT size ATV.
Check your ATV before you ride.
Protect your eyes and body.
Ride with others.
NEVER RIDE ALONE.
Respect riding area rules.
Keep exhaust noise levels low.
Preserve the environment.
Be courteous to ALL you meet.