

GROVELAND HOMEOWNERS ASSOCIATION BOATING & LAKEFRONT RULES

AMENDED AND BOARD APPROVED OCTOBER 2, 2000, Revised November 7, 2005

Detailed table of contents

I. DEFINITIONS

1. Applicant
2. Boat Storage Units (BSU)
3. Boating Season
4. BSU Assignment
5. Dock Director
6. Immediate Past BSU User
7. Member
8. Multiple Owner Arrangement
9. Owner of Boat
10. Residence
11. Wait List

II. ASSIGNMENT OF BOAT STORAGE UNITS

1. Application Process
2. Assignment of BSU
3. Wait List
4. Renewal and Request Guidelines
5. Use Guidelines
6. Expiration of BSU Assignment
7. Watercraft on lakefront

III. GENERAL REGULATIONS

1. Member of GHA
2. Cooperation with Dock Director
3. Responsibility for Damage
4. Transfer of Assignment
5. Number of BSUs Allowed
6. Partnership
7. Fees
8. Size of Boats
9. Denial or Revocation

IV. DOCK INSTALLATION & REMOVAL

V. LAUNCHING & REMOVAL

VI. MOORING

VII. PRIVATE PROPERTY

VIII. STORAGE

IX. SWIMMING & FISHING

X. SAFETY

XI. LITTERING

XII. ALCOHOLIC BEVERAGES

GROVELAND HOMEOWNERS ASSOCIATION BOATING & LAKEFRONT RULES

1. APPLICATION PROCESS:

- a. Beginning February first each year the Dock Director will provide to each Residence a Board approved application for a BSU
- b. All applicants must complete the application and submit to the Dock Director all required information together with required Fee not later than March 15. Failure to file an application by March 15 shall cause new applicants, immediate past BSU holders and wait list applicants alike, to lose priority in BSU assignment. Only one application for each Residence shall be allowed, except as provided in Section III.5. Subject to timely and complete applications, the Dock Director will make BSU assignment for immediate past BSU Users. Any open BSU will be assigned in accordance with priority established by wait list, or by Section III.5.
- c. New applicants are required to pay a one-time \$500 assessment fee prior to BSU assignment commencing January 1, 2004. This one-time assessment will continue in effect if applicant drops out and returns while a member.
- d. Decisions by the Dock Director, with GHA Board approval at the April Board Meeting, relating to prioritization of applications and the assignments for BSUs will be final.
- e. Members who did not own a Residence until after March 15 may apply for a BSU anytime after that date of ownership and establish priority on the wait list, in accordance with these Rules.
- f. Members who do not apply until after March 15 may apply for a BSU assignment to establish priority on the wait list, in accordance with these rules.

2. ASSIGNMENT OF BSUs:

BSUs will be assigned under the following guidelines. Each year the Dock Director will publish a chart and description of BSU assignments and seniority.

- a. Boats 18 feet and larger in length will have priority to assignments on the outside slips. Once the 18 feet threshold is met, that boat owner will maintain such status, (access to outside slip) until they withdraw, possess a boat under 18 feet or violate any Lakefront/Boating use or general guidelines/regulations.
- b. When available on a year-to-year basis boats under 18 feet will be assigned to outside slips on a seniority basis.
- c. In the event new applicants or current BSU holders wish to purchase a boat larger than 18 feet and space is not available on the outside, a wait list will be established. Date application is received will determine priority on the wait list (applications may be made at anytime of the year). When awarded space at time of annual assignments (4/15) that applicant must occupy the assigned space with lift and larger than 18 feet boat by the 1st of June. When award takes place after 4/15 applicant must occupy space the later of June 15 or 20 days after award. Failure to meet this date will result in revocation of the assignment and BSU will be offered to the next applicant on the wait list. The

applicant having the assignment revoked must reapply the following year as a new applicant.

- d. All costs associated with movement of lifts after initial placement shall be borne by the individuals requesting service.
- e. Seniority for Large Dock Outside BSUs. Movements from east to west on large dock outside slips will take place in domino fashion dependent on lift size and placement of wheel. (Example: If slip #2 opens, it will be offered to the holder of #3, if #3 declines, it will be offered to #4, etc.) If a Member with seniority desires to stay at his/her location, seniority of the Member is maintained for subsequent year assignments and assignment to outside slips.
- f. Seniority for All Other BSUs. Movement up among slips 19-32 will be established by seniority from the date of assignment. The first assignment will be to the open BSU. Subsequent season assignment will be determined by seniority. If a Member with seniority desires to stay at his/her location, seniority of the Member is maintained for subsequent year assignments and assignment to outside slips.

3. WAIT LIST:

- a. Applicants requesting a BSU assignment will be placed on the wait list according to the order in which their first completed application was received by the Dock Director. Beginning in February each year the Dock Director will give written notice to all persons on the wait list that unless they confirm their desire to remain on the wait list on or before March 15 each year, except as provided in Section 11.3.e and f.
- b. Priority on the wait list is not assignable or transferable with the sale or other transfer of property.
- c. The wait list, including date of first application, and the list of current BSU users will be filed with the Board secretary and posted in the auditorium by the Dock Director as soon as assignments have been made and the wait list has been confirmed, not later than May 15 each year, except as provided in Section II.34. e and f.
- d. Any open BSU will be assigned in accordance with priority established by the wait list. Applicant with the highest priority has first right of refusal, moving sequentially through the list until the BSU is assigned. Priority on the wait list for remaining applicants does not change.
- e. An applicant on the wait list shall have ten (10) days after notification of a BSU assignment to either confirm or reject assignment for the current season. Required fees shall be paid with the ten (10) days.
- f. After March 15 when applicant receives notice and accepts BSU, lift and boat must be in place the later of June 15 or 20 days of assignment or BSU shall be forfeited.

4. RENEWAL AND REQUEST GUIDELINES:

An applicant renewing or requesting a BSU Assignment shall:

- a. Be a Member(s) of the Groveland Homeowners Association.
- b. Be current in all payments of GHA assessments and/or fees.
- c. Complete the application form and pay in advance the required fees.
- d. Provide a complete description of the boat including make, model, length, beam, license number, and name of insurance carrier.
- e. Submit a photocopy of the boat Certificate of Title with the application indicating owner of boat.
- f. Know and agree to abide by Boating and Lakefront Rules.

5. USE GUIDELINES:

- a. If the BSU assigned is not used for the keeping of a boat prior to June 15 of the boating season for which the permit was issued, the GHA Board may revoke the assignment by mailed, written notice to the BSU User. The Dock Director with Board approval may reassign the BSU to the next person on the wait list upon payment of the full fee for the assignment.
- b. If the BSU assigned is not used 30 days or more for the keeping or mooring of the resident owner/s boat described, the GHA Board may reassign and/or refuse to renew the assignment.
- c. An appeal for a variance from the 30-day provision or the June 15 provision may be addressed to the GHA Board. The appeal shall be in writing and shall specify reasons for non-compliance. It shall be made prior to the expiration of the 30 days allowance, or within 10 days after mailing of the notice of the June 15 revocation. The BSU User requesting the variance will be notified in writing within three days after a Board decision has been made regarding the appeal.

6. EXPIRATION OF BSU ASSIGNMENT.

All BSU Assignments shall expire on October 20 of each boating season.

7. WATERCRAFT ON LAKE FRONT:

All watercraft shall be removed from lakefront by December 1.

III. GENERAL REGULATIONS:

1. All applicants requesting a BSU Assignment must be a Member of the Groveland Homeowners Association.
2. BSU Users and Applicants shall cooperate with the Dock Director in all inquiries, verifications, or directions the Dock Director makes to the BSU User or applicant.
3. By accepting a BSU Assignment, Members agree to be responsible for any and all damages caused by their boat to the dock itself, or neighboring boats which may arise as a result of storm, vandalism, or negligence.

Members agree to resolve directly with contractor any claim of personal property damage for services provided at member/s request (lift installation and/or removal damage).

4. A BSU Assignment is not assignable or transferable with the sale or other transfer of property.

A BSU Assignment is not assignable between individuals or boats. BSU Users who wish to change the authorized boat in mid-season shall provide to the Dock Director all required information on the new boat. (Refer to Section II 3 c. & d.)

In the event the boat is sold mid-season, the BSU Assignment is not transferable to the boat purchaser.

Exception ù BSU assignment shall not change for current BSU holder moving to another GHA Residence.

5. No more than one BSU shall be assigned per Residence per season.
 - a. Multiple Assignment Exception: Current Assignee of a BSU may petition the Board for an exception for current season if a BSU is unassigned and no person on the waiting list exercises his/her priority option. As long as the multiple assignees adhere to all BSU rules, this multiple assignment is for the entire current boating season and will not have to be relinquished during the current boating season.
 - b. Selection for Multiple Assignments: If there are more applications for a multiple assignment than there are BSUs available, the Dock Director shall select Applicants for a BSU assignment by a blind random drawing.
6. Members in Multiple Owner Arrangement may request a BSU. Only Members may form Multiple Owner Arrangements for BSU assignment.

If the Multiple Owner Arrangement dissolves, the unassigned Member or Members, as determined by the partners, shall be considered a new applicant subject to the rules established for an Assignment of a Boat Storage Unit. (Refer to Rule II.) Members cannot enter into Multiple Owner Arrangements, for the purpose, or the effect, of obtaining seniority in BSU assignment. For example, Owner of a boat with BSU assignment #4 may enter into a Multiple Owner Arrangement with a Member who does not have a BSU assignment, but if original assignee of BSU #4 leaves the Multiple Owner Arrangement, the remaining Member will take his or her seniority status from date of the Multiple Owner Arrangement. Multiple Owner Arrangement must be submitted to the Dock Director with each renewal application to establish ownership and seniority.

7. Fees in conjunction with the assignment of a BSU:
 - a. Are non-refundable.
 - b. Shall be paid directly to the Dock Director: with a check payable to Groveland Homeowners Association.
 - c. Shall be established by the Board.
 - d. Shall be sufficient to cover LMCD permit fees, dock maintenance, installation and removal, lift installation and removal, and miscellaneous expenses directly related to the use of BSUs.

Any overage shall be used exclusively for maintaining or improving the boat docks, lake bottom, or lake front. No new assignment will be made and no existing assignment will be considered renewed until fees are paid.

8. No boat longer than 24 feet shall be assigned to a BSU.
9. BSU assignments may be revoked or denied by the GHA Board for failure to use the BSU or for non-payment of fees or non-payment of assessments, or other violation of these Rules.

Boats used or licensed for commercial purposes shall not be assigned a BSU.

All decision of the Dock Director with Board approval, consistent with these Rules, relating to the issuance or non-issuance of a BSU shall be final.

IV. DOCK INSTALLATION & REMOVAL:

All BSU Assignees and lakefront users are expected to participate in the dock installation and removal. A non-participation fee established by the Board shall be paid by any user not participating in installation and/or removal at scheduled time and date.

The Dock Director with Board approval may hire a contractor to provide this service with cost shared by BSU Assignees and the Groveland Homeowners Association.

V. LAUNCHING AND REMOVAL:

No person shall launch or remove from the water any boat requiring or utilizing a trailer or similar conveyance for the transportation over or through property owned by GHA.

VI. MOORING

Mooring of any boat of any kind on GHA swim docks is for temporary purposes only.

VII. PRIVATE PROPERTY:

- a. Any / all watercraft stored on the lakefront shall be personal property owned by a GHA member.
- b. No privately owned dock shall be placed on the lakefront nor used in the layout for boat or swim docks.
- c. Lifts shall be well maintained and marked with name of owner.
- d. Boats shall be identified by registration number as required by law.
- e. Personal property shall not be stored or left unattended on the docks or lakefront.

VIII. STORAGE:

Winter storage for boats is available at the owners risk in the auditorium under supervision of The Board Member assigned to the auditorium. Beginning and ending dates shall be determined by The Board Member assigned to the auditorium with Board approval.

Boats have priority for storage on a first come basis with the following requirements:

- a. Portable gas tanks shall be removed.
- b. Battery shall be removed.

- c. A piece of 16 inch x 48 inch plywood shall be placed under wheels and tongue of trailer.
- d. A completed and signed copy of the storage agreement shall be filed with The Board Member assigned to the auditorium prior to storage of boat.

Smaller boats shall be stored on their transoms, if practical.

No motorized vehicles shall be used for positioning boats inside the auditorium.

IX. SWIMMING & FISHING:

1. Swimming shall be permitted only in the designated swim area marked by the ropes and buoys.
2. Parents shall provide appropriate and adequate supervision of their child/children.
3. Fishing shall not be permitted in the swim area or from the swim dock.

X. SAFETY:

1. The safety of each child shall be the responsibility of the parents of the child.
2. Boat operators and water skiers shall allow a wide margin of safety between their activities and the swimming area.
3. Children shall not play in boats, nor throw rocks.
4. Bottles, glasses, breakable items shall not be used at the beach or in the lakefront area.

XI. LITTERING:

No person shall deposit, throw, or leave refuse, cans, paper, or other discarded material on the docks, in the gazebo, or along the lakefront area. Receptacles are available for proper disposal of litter.

XII. ALCOHOLIC BEVERAGES:

Consumption of alcoholic beverages is not permitted on GHA common property at any time.