

RULES AND REGULATIONS

A. Property owned by the Association:

(1) All property owned by the Association shall be maintained for the use and benefit of all members. No permanent structure, including but not limited to docks or piers, shall be built or installed on property owned by the Association unless:

- (a) the party wishing to build or install same agrees in writing in advance to allow use by all members and
- (b) the plans for construction are approved in advance by the Board of Directors and
- (c) any such construction meets or exceeds all applicable DEHNR regulations concerning treatment of riparian buffers

(2) No swimming is allowed and use of any gasoline-powered engine on the pond is prohibited. Small electric motors are allowed.

(3) Unless an express waiver is granted by the Board of Directors, use of Association property is restricted to eligible Association members in good standing. Guests of eligible Association members are permitted to use the pond only when accompanied by and under the direct supervision of the member(s).

(4) Owners on the west and south sides of the pond own to the water line but have a recorded easement for homeowner access and pond maintenance. From the NE corner through southern corner, the Association owns in fee 25' above water line. No impediment to member use of Association-owned property by any adjacent property owner is permitted.

(5) Fishing is permitted but members and their guests shall not use any traps, except for minnows, and no nets except for the purpose of landing fish.

(6) Vehicles

(a) Access to the pond via Association-owned property is available only by use of the fenced path between the pond and North Fort Drive. Nothing in these rules should be construed as authorizing use of or intrusion upon any privately owned property, whether or not currently improved or occupied.

(b) It shall be permissible to operate a small (not more than 5' wide) motorized vehicle on Association-owned property leading from the street to the pond and/or on the SE corner of the pond for purposes of delivering approved watercraft and for other permitted access by members or their accompanied guests. However, any vehicle known or observed to leak fuel or lubricants shall not be permitted in the vicinity of the pond without regard to size.

(c) Approved vehicles delivering approved watercraft shall not be allowed to stand on Association property. No vehicle shall be operated or parked on or along Association property bordering the pond. This is necessary to avoid compacting the soil and otherwise adversely impacting vegetation in the riparian buffer.

(7) Adjacent property owners must observe all applicable DEHNR regulations for the protection of riparian buffers, including but not limited to:

(a) no fertilizer applied within 30 feet of the water line after a single initial application to establish ground cover

(b) no disturbance of the area from the water line to 30 feet above the water line except for maintenance of the existing use (mowing as it currently exists, etc.) and plantings specifically designed to enhance the riparian buffer

(c) grading and revegetating from 30 to 50 feet above the water line is permitted only where diffuse flow and the health of existing vegetation next to the pond is not compromised and the disturbed area is stabilized immediately

(d) installation of any new structure or equipment within 50 feet of the highwater line which would require removal of vegetation

(8) No commercial use of Association property is permitted.

(9) Association property is for the use of all members in good standing, but individuals utilized the pond should also be sensitive to the rights of adjacent property owners to the quiet use of their privately owned property. Any member whose activities willfully or repeatedly interfere with that right of quiet use or with the recreational use of Association property by other members may, after notice and hearing, have his/her rights of use suspended for such time or upon such conditions as the Board may determine.

(10) No signs may be placed on property owned by the Association except as expressly authorized by the Board of Directors.

(11) All persons using Association property are required to remove any litter or other debris. Failure to do so may result in revocation of use privileges.

(12) No fireworks of any kind may be used, placed or discharged on or from any property owned by the Association. Fireworks employed on adjacent properties may not be discharged in a manner which allows any portion thereof, active or spent to fall onto Association property or into the pond.

B. Individually owned Lots

(1) **Restrictive covenants:** All owners are charged with the knowledge of the restrictive covenants which apply to them, including but not limited to the requirement to maintain property down to the highwater line, whether owned privately or by the Association. (See Amended

Protective Covenants, Book 1841, Page 808, Article XIX(2). The failure to repeat here any applicable restriction or requirements in any covenant, the Association Bylaws or other pertinent document shall not constitute a waiver of any such provision, in whole or in part.

(2) **Lots maintained:** All lots shall be maintained so as to promote the common health and welfare and to preserve an aesthetically pleasing appearance. Owners of lots which become overgrown or upon which trash or debris is allowed to accumulate will be notified of the non-conforming use and given an opportunity to cure the defect or be heard as to why the condition is not a violation. Following such notice and opportunity, if the defect is not cured within the time specified by the Board, the condition may be remedied by the Association and the cost thereof will become a lien upon the affected property.

Revised September 10, 2021