

Lake Royale Property Owners Association, INC.

Resolution 0910-001

Rules & Regulations II (Marinas & Rentals)

WHEREAS, Section One (1), Use, of the Consolidation and Amendments for Restrictive Covenants of Lake Royale Subdivision (the "Association", "LRPOA", "POA") empowers the POA to promulgate rules and regulations;

WHEREAS, Article Three (3), One hundred and Two (102), Powers of Owners Association, of the North Carolina Planned Community Act ("47F") empowers the POA to adopt and amend rules and regulations unless the articles of incorporation or the declaration expressly provides to the contrary, and charge for the use or operation of the common elements other than the limited common elements and for services provided to lot owners;

WHEREAS, the Board of Directors have recognized there is a need to add regulations for POA Marina;

WHEREAS, it is the intent of the Board of Directors to have regulations that provide efficient, secure and manageable individual docking/mooring locations for property owners vessels (including but not limited to boats, jet skis, kayaks and canoes);

WHEREAS, it is the intent of the Board of Directors to have regulations that maintain the integrity of the restrictive covenants, and local, state & federal law;

NOW, THEREFORE, BE IT RESOLVED THAT the following regulations shall apply:

ADD THE FOLLOWING TO RULES & REGULATIONS II:

Section 3.47 Lake Royale Marinas

1. Marina locations within the subdivision shall be owned and managed by the POA. Locations may include identified rental docking slips and canoe racks, as well as public docks. At least 50% of each Marina (based on shore line use) will be public docks. All facilities will be subject to the POA Restrictive Covenants, By-Laws and Rules & Regulations.
2. Rentals of docking slips and canoe racks will be for a one year period (annually), from April 1 to March 31. Property Owners renting docking slips or canoe rack space before April 1st will be charged a monthly prorated amount for the first period of rental.
3. Payments for docking slips and canoe rack renewals must be received by April 1st or the slip/canoe rack space is forfeited. A renter may automatically retain his/her docking slip/canoe rack space by continuing to pay his/her annual rental fee in advance.
4. A property owner who surrenders a docking slip/canoe rack space during the amenity year shall be entitled to a refund based on a monthly prorated fee.
5. Docking slip/canoe rack space is the property of the Lake Royale Property Owners association. Renters may not transfer rights to any space to another property owner.

6. Each docking slip/canoe rack space will be specifically identified by the POA with the property owner's last name.
7. All work on the Marina facilities will be performed by the POA or its designee. Written requests for repairs or modifications shall go through the POA Office.
8. Marina renter's vessel(s) shall be registered with the POA and payment of fees is required prior to the use of any POA rental space.
9. Docking slip/canoe rack spaces will be rented on a first come, first served basis. A waiting list of property owners by type of accommodation requested (i.e., boat slip, jet-ski slip and canoe rack) will be maintained by the POA office, and available space shall be offered in the order the names appear on the waiting list. Once a property owner's name comes to the top of the list and the owner affirms his/her intent to rent the boat slip, the property owner will have fourteen days to make full payment and complete the registration process. Failure to complete the registration process within the time allotted will result in the loss of the assigned space and removal from the waiting list.
10. Renters causing damage to docking slips or canoe racks will be liable for repairs because of the damaged facility.
11. Annual fee structure for docking slip/canoe rack rental space at POA Marina's will be determined by the Lake Royale POA Board of Directors. A schedule of fees will be available at the POA Office and will be posted on the Lake Royale POA website.
12. All fees generated from the rental of dock slips and canoe racks will be maintained in a separate account and used only for repair, replacement and expansion of Lake Royale Marina facilities as determined by the Lake Royale POA Board of Directors.

- Subject section to be added with the next revision to the Rules & Regulations II

This Resolution is adopted the 16th day of May, 2009 by the Board of Directors of the Association.

ATTEST:

Association Secretary

Date

POA Marinas

Further Discussion and Direction from the Board

1. Determine **how to proceed forward with construction**. Contractor, Volunteer, Staff or a combination of all three or two.

Notes – Contractor price attached

– Materials only would be \$500 as engineered or \$600 with 6x6's oppose 4x4's

Notes or Decisions already made:

- POA docks are now named Marinas – this is nice as it is keeping with the POA documents noted areas as Lake Access Marinas
- The fee structure has been set (\$240 – boat; \$120 – jet ski; \$60 – Canoe/Kayak)
- Construction Material has been determined to be wood
- Tax and insurance cost to the association should not increase due to the change in a use fee
- Approved on 5/16/06
 - Two locations; Lot 151R, 551 Sagamore Drive – Chippewa Marina & Park (formally Benton's Harbor) and Lot 930C, 1623 Sagamore Drive – Squaw Marina & Park.
 - Dock arms are to be built at 16'
 - Deposits to hold a space are 50% of the rental rate