



**THE ASSOCIATION OF WATERSCAPE CO-OWNERS**  
**Managed by Ardsley Management**  
3002 East 56<sup>th</sup> Street • Indianapolis, IN 46220  
Phone 317-253-1401 / Fax 317-259-0387

**Policy and Procedures Regarding**  
**Suspension of Licensee Rights and Privileges to Boat Docking Facilities**  
as provided for in the  
"Declaration of Horizontal Property Ownership for  
Waterscape Horizontal Property Regime"  
and the "Waterscape Boat Dock License Agreement"  
("Exhibit BDA-A" of the "Declaration")

*(Information Provided*  
*At the Annual Meeting of the Waterscape Homeowners Association, Inc.*  
*November 4, 2010)*

Beginning January 1, 2011, the HOA will enforce certain provisions of Waterscape's "Declaration" and the "Waterscape Boat Dock License Agreement" with regards to conditions permitting suspension of a licensee's rights and privileges associated with the boat docking facilities. Waterscape's documents permit such suspension if a licensee is not in compliance with the "Declaration", which states that owners are required to pay all fees and assessments (both HOA and Docks).

The manner of enforcement effective January 1, 2011, complies with procedures specified in the "Declaration" and the "License Agreement", and is as follows:

If a Waterscape owner becomes delinquent in his fees and assessments (HOA and/or Docks) by a dollar amount greater than the two-month total of that owner's currently assessed HOA Monthly Operating Fees and Reserve Contributions and if that owner is a Licensee under the terms of a "Waterscape Boat Dock License Agreement", that owner's rights and privileges with regards to the owner's licensed boat docking facilities may be suspended, even if the owner has paid the current Annual Docks Operating Fee and/or Annual Docks Reserve Contribution.

Under such circumstances of delinquency, the dock licensee will be mailed a written notification of the impending suspension, and will be given 20 days from the date of the notice in which to cure his failure to comply with the terms of the "Waterscape Boat Dock License Agreement" and "Declaration". This notice will advise the owner that, unless the failure is cured within the 20 days, his dock may be secured in a manner preventing ingress or egress, whether or not there is a watercraft in the dock.

Should an owner's dock be secured, any watercraft inside shall not be considered seized and may be removed upon the owner's written request to the management company, allowing no less than 5 days from receipt of the request for the association to arrange accommodations to allow the owner to remove his watercraft and other personal property from the boat dock.

Should an owner's dock be secured, ingress and egress will be restored within 5 days of receipt of payments which satisfy all delinquencies and current assessments for fees and contributions in his accounts, both HOA and docks.

*The preceding enforcement is in addition to current collections procedures applying to the Annual Docks Operating Fee and Annual Docks Reserve Contributions, which as the date of this notice are:*

*Annual docks fees and contributions are billed annually on April 1 and are due and payable by April 30. Licensees' docks accounts with any balance unpaid as of May 15 each year are assessed the currently applicable late fee on that date and the 15<sup>th</sup> of each month which follows until the docks account is paid in full.*

*Further, if a licensee's docks account has any unpaid balance as of June 1 each year, his dock may be secured to prevent ingress and egress, immediately and without notification.*

*Should a dock be secured due to an unpaid balance in a licensee's docks account, any watercraft inside shall not be considered seized and may be removed upon the owner's written request to the management company, allowing no less than 5 days from receipt of the request for the association to arrange accommodations which will allow the owner to remove his watercraft.*

*Should a dock be secured due to an unpaid balance in a licensee's docks account, ingress and egress will be restored within 5 days of receipt of payments which satisfy all delinquencies and current assessments for fees and contributions in ALL his accounts.*