



**Policy and Procedures with Regards to
Ownership of Watercraft Moored in the Waterscape Docks System**

**Adopted by the Board of Directors of Waterscape Homeowners Association, Inc.
June 7, 2012**

*DECLARATION OF THE WATERSCAPE HORIZONTAL PROPERTY REGIME
Section 11. (d), as amended by the
SEVENTEENTH AMENDMENT AND SUPPLEMENTAL DECLARATION
and
Exhibit "B" – WATERSCAPE BOAT DOCK LICENSE AGREEMENT (Section 6)
Exhibit "C" – WATERSCAPE FLOTATION DOCK LICENSE AGREEMENT (Section 6)*

Suspension of Licensee's Rights; Remedies

... All privileges and rights of an Owner to use and operate a Boat Dock, Flotation Dock, and the Boat Docking Facilities shall be suspended, and such Owner shall be prohibited from using and operating his Boat Dock, Flotation Dock, and the Boat Docking Facilities, upon the occurrence of any of the following Events of Suspension:

.... (ii) Owner fails or refuses to comply with . . . any rule or regulation properly established by the Board of Directors, . . . and Owner either fails to cure such failure or refusal within twenty (20) days after written notice thereof from the Association, or persists in or repeats such failure or refusal more than twenty (20) days after receiving such written notice until such failure or refusal is cured; ...

Waterscape's long-standing rule requiring that all watercraft moored in the Waterscape Docks System must be owned (in whole or in part) by a resident of Waterscape or the Owner of a Waterscape condominium is affirmed.

This rule protects the privacy of the Waterscape Docks for the enjoyment of those entitled to use them. Only those who own Waterscape condominiums may own Boat Dock or Flotation Dock Licenses, and protecting the privacy of the Waterscape Docks also protects the value of those Licenses for all those who own them.

Watercraft ownership is considered proven by any of the following: a State BMV Certificate of Watercraft Registration issued in the name of the Waterscape resident/Owner, a State BMV Certificate of Watercraft Registration listing the Waterscape resident/Owner as an “Additional Owner” of the watercraft, or a State Certificate of Title For A Watercraft identifying the Waterscape resident/Owner as the Owner or Additional Owner of the watercraft.

Failure to provide proof of watercraft ownership, when requested, is a violation of the Declaration and the Boat Dock or Flotation Dock License Agreement and is deemed an “Event of Suspension” per the above.

If proof of watercraft ownership is requested from and not provided by a Waterscape Boat Dock or Flotation Dock Licensee, the watercraft must be removed from the Waterscape Docks System.

Failure to provide proof of its ownership within twenty (20) days of notice being provided to the Licensee shall result in the Boat Dock or Flotation Dock being chained by the Homeowners Association to prevent ingress and egress from the Dock.

Should a dock be chained, any watercraft inside it or upon it shall not be considered seized and may be removed upon the Licensee’s written request to the Managing Agent, allowing no less than five (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 or Flotation Dock.

In the event that proof of ownership is received and verified by the Managing Agent after a Boat Dock or Flotation Dock has been chained, the Association shall have no less than five (5) days from the receipt of proof to arrange for the chain to be removed and ingress and egress restored.