



## LAKE OF THE PINES ASSOCIATION RULES

### Marina Boat Slip Rental

For purposes of this document a “member” is defined as an “owner” or a “tenant” unless further defined within.

The Marina annual slip rental period is from April 1 through March 31. The fee is set per the current year Fee Schedule. Prorated amounts will take effect as of May 1. Members currently renting slips will have first choice each year for annual renewal. Vacancies will then be filled on a first-come, first-serve basis using the waiting list maintained by the Administration office.

Marina slip rentals are allowed only for the members of record who reside in the home associated with the lot listed on the marina slip rental.

If a member owns more than one LOP lot/property address, he/she may lease only one marina slip. If any lot/property owned by a member is tenant occupied, the owner member relinquishes facility use rights for marina slips even if a dual usage fee is paid as defined per the Owner/Tenant Policy.

Slip rentals shall be allocated to only one slip per lot/property address.

#### Marina slip rental waitlist qualifications and process:

- 1) To be eligible and active on the waitlist, the slip renter must be in good standing.
- 2) If a member on the wait list is not in good standing, their ranking on the waitlist will be frozen until their account is brought current and is subject to forfeiture after sixty (60) days.
- 3) To hold a position on the marina slip waiting list, members must post a non-refundable \$50 fee due at time of signing up. This fee will be applied toward the marina slip rental fee upon acceptance of an available slip.
- 4) Administration will send a letter via first class mail to the address on file each January to the top twenty (20) names on the marina slip waiting list indicating the member's name is near the top of the list.
- 5) When a marina slip becomes available throughout the year, the administration office will contact the next member on the marina slip wait list by phone and/or email address on file notifying the member that a marina slip has become available to them.
- 6) If notification by phone and or email are unsuccessful and the Administration office has not received a response from the member within two (2) business days, the administration office will send notification via first class mail within four (4) business days of the phone call/email.

- 7) If no response by the member is received within one calendar week from notice, the available marina slip will then be offered to the next member on the wait list per the above procedure and the member who was initially number one on the marina slip waitlist will remain in that position until one becomes available again or until the member has relinquished his position on the waitlist.
- 8) If the member has accepted the marina slip from the waitlist and not met the marina slip rental criteria within thirty (30) calendar days, then the member will subsequently forfeit their position on the marina slip waitlist.
- 9) If the member called from the waiting list does not accept the offered slip, he/she may choose to either forfeit the \$50 fee and be removed from the list or be placed once again at the bottom of the list.

Slip renter must provide current proof of boat ownership, registration, and insurance as well as name Lake of the Pines Association as additional insured on their insurance.

Boat registration must occur within thirty (30) days of marina slip rental. Failure to provide such proof will result in cancellation of the marina slip and a pro-rated refund of the slip rental fee after the slip is re-rented.

Only boats owned by the slip renter and listed with LOP administration for mooring in the rented slip may be moored there.

Slips shall be rented only to LOP members in good standing.

Members who are not in good standing and whose rights have been suspended are subject to forfeiture of their marina slip after sixty (60) calendar days of their suspension date.

A boat owned in partnership may occupy a marina slip, however, the slip is rented to only ONE of the members. If the member with the slip in their name terminates their LOP membership, forfeits their marina slip, or terminates their partnership the other boat owners in that partnership who are not co-owners/co-tenants on the lot renting the slip are NOT eligible to assume slip rental (The slip is rented to a person, not to a boat), unless the following applies.

- ✓ The registered co-owner of the boat who is not the slip renter may assume the slip if during the time of their partnership and legally the co-owner of the boat has given up their position on the waiting list after notification by Administration that they are at the top of the list and a slip was available to them.

If an LOP member with a marina slip sells his lot and is not moving to another Lake of the Pine's lot within thirty (30) days, the marina slip will be lost upon completion of the deed transfer and the slip will be offered to the next person on the waiting list. The member is required to notify the administration office in writing within three (3) days of close of escrow if they are moving to another lot and wish to transfer their marina slip to their new lot.

If a member of an LOP lot with a marina slip passes their LOP lot on to a spouse, or other individual that is listed on the lot as a co-owner or trustee, that individual may retain the marina slip if the moored boat is part of the property being transferred.

Other than that, which is listed above, marina slips are non-transferable and may not be sub-rented. Any violation of this rule may result in the loss of the slip and all parties associated with the slip being prohibited from renting a marina slip in the future and may result in a fine for all parties.

All boats moored in the marina are subject to regular checks by Public Safety to verify that the boat in the slip has current LOP issued decals affixed and matches the current registered CF number for that slip per LOP administration record. When boats in violation, the following actions will occur:

- (1) The boat owner will be fined
- (2) The boat decal will be removed
- (3) The boat will be impounded at the owner's expense.
- (4) Slip renter is subject to loss of rental privilege.

All boat owners are required to lower Bimini covers no later than November 1<sup>st</sup> of each year and keep them secured through May 1<sup>st</sup> of each year and during any forecasted high wind events. Bimini covers act as sails in high winds that not only damage boats, but they also put stress on the docking system that leads to cracks breaks. Boat covers and mooring lines should also be secured tightly to prevent similar damage.

The Lake of the Pines Association reserves the right to board a boat, relocate a boat or secure a boat should the Association deem it necessary for the safety of others and of property.

Failure to comply with any of the above regulations may result in the loss of slip rental privileges and the charges of any associated costs.

Any costs incurred by LOPA as a result of negligence may be billed to the slip owner.

All marina slip renters must sign and agree to the terms of the Marina Slip Rental Agreement which includes the Hold Harmless Agreement which reads as follows

**HOLD HARMLESS AGREEMENT**

This Agreement is made upon the express condition that the Lake of the Pines Association shall not be liable for any damages or claims for damages through injury or death by any person or persons while in, upon or in any way connected with the property of the Association, and said person or persons further agree to hold and save Lake of the Pines Association harmless from any and all damages or claims for damages connected with the loss of or damage to the personal property and/or possessions thereof while on said premises of the Lake of the Pines Association.