

RULES & REGULATIONS

COMMON WATER ACCESS FACILITIES

CLEARWATER SUBDIVISION

Article VII, Section 1, of the Declaration of Covenants, Conditions and Restrictions of the Clearwater Subdivision, as reflected on Page 197, Lexington County Deed Book, provides that the Clearwater Homeowners Association (hereafter, the Association) shall have the power to formulate, publish and enforce reasonable rules and regulations concerning the use and enjoyment of the Subdivision's common area facilities.

It is now the intent of the Association to establish rules and regulations to govern the use of the inland dry boat storage area (the Boat Drydock Area, consisting of approximately 0.82 acres and lying between lots 7 and 8) plus that lot fronting on Lake Murray with a now existing covered pavilion and a boat launching ramp, courtesy dock and beach and swimming area (the Common Water Access Lot, consisting of approximately 0.30 acres and lying between Lots 31 and 32) (hereafter, the Common Water Access Facilities, or the CWAFF).

These rules and regulations, along with all policy resolutions and policy actions taken by the Association, shall be recorded in a book of resolutions which shall be maintained in a place

convenient to property owners and made available to them for inspection. As of August 1993, this location will be with the Association Secretary.

Item 1. The Association, through a CWFAC committee, subject to the rights of property owners as set forth in the Subdivision's Declaration of Covenants, Conditions and Restrictions, shall be responsible for the management, and final authority to monitor, restrict and regulate the CWFAC for the overall use and enjoyment of the residents as it shall deem appropriate.

To ensure that activities are harmonious with the immediately adjacent property owners, membership in the CWFAC committee shall be offered, but not limited, to the owners of record of Lots 7, 8, 31 and 32. The president of the Homeowners Association shall serve as an ad hoc member of the CWFAC committee.

Item 1a. Enforcement of Rules. It is hoped that the property owner's will abide by the rules and regulations that follow in this document. In the event that violations occur, the CWFAC committee requests that violations are put in writing, signed and submitted to the committee. The committee will forward such complaints to the Association Board of Directors for action. The Board may take any action it deems necessary, with

an ultimate response of owner or any/all guests losing the right to use the Common Water Access Lot for a period of 45 days.

Item II. Usage. The CWF shall be used only for the purpose for which they are intended and reasonably suited, that is, the general recreational use by residents and their guests for the mutual enjoyment of water related activities. Good judgment and common sense shall at all times be executed by the property owners in using these facilities. For safety and liability reasons children under 10 years of age must at all times be accompanied by an adult, parents are responsible for enforcing this.

No immoral, improper, offensive or unlawful use shall be made of the CWF, or any part thereof, and all valid laws, ordinances and regulations of all governmental agencies having jurisdiction shall be observed and enforced.

The Association shall obtain and maintain a broad form of public liability insurance covering the CWF and all damage or injury caused by the negligence of the Association or any of its agents, officers or employees in the amount of not less than one million (\$1,000,000.00) dollars for each occurrence. It will also obtain

and maintain insurance covering improvements on the CWF, insuring against loss by fire and other perils normally covered by standard extended coverage and all other perils normally covered by the standard "all risk" endorsement, for an amount equal to one hundred (100%) percent of the current replacement cost of such items. Such policies shall contain a waiver of the right of subrogation against the Association, its members, officers, agents or employees.

Item III. CWF. The hours of usage for the boat launching ramp shall be from 1/2 hour prior to sunrise to 10:30 p.m. No overnight or permanent wet boat slippage will be allowed in conjunction with the Common Water Access Lot (possible single instance exceptions may be occasioned by sudden violent weather or an isolated mechanical failure).

The use of barbecue grills or other cooking devices, as well as fires, shall not be permitted except for any special gathering that involves the Homeowners Association. The number of special gatherings shall be limited to a maximum of three per year.

Musical devices will be allowed only if played in a reasonable manor, that does not disturb adjacent property owners. Complaints regarding disturbing musical devices will be dealt with by written reprimands and further infractions will be dealt with by the CWF Committee, through the Association Board of Directors.

As specified in Item II, no children under the age of 10 years shall use the CWAF unless accompanied by an adult.

Members shall be personally responsible for the conduct and safety of their guests, cleanup following such usage and shall be liable for any damage to the CWAF occasioned through neglect or willful acts of their guests. Due to the limited size of the CWAF and so that all homeowners may enjoy their facilities the CWAF shall not be used for any formal gatherings except those that involve the Homeowners Association.

Item IV. The CWAF are solely for the use and enjoyment of Clearwater residents and property owners and their authorized guests. To avoid the potential of any misunderstanding, guests must be accompanied by a property owner. House guests shall have full right and privileges to use the CWAF without being accompanied by the property owner. House guests are not permitted to store a trailer or boat in the boat storage area.

Builders and their subcontractors, unless they are also a resident of Clearwater, cannot utilize the CWAF.

To minimize the potential for unauthorized use by others, the Boat Drydock Area secured by keylock and the Common Water Access Lot shall be secured by combination lock.

Additionally, signs shall be publicly posted, so as to be visible from both the road and water, that such facilities are of a

private nature. It shall be the responsibility of individual property owners to maintain the security of these areas by locking the CWF, following usage. The combination lock number is available from any committee member.

Item V. Due to the limited size of the Common Water Access Lot, and so as not to restrict use of the boat launching ramp (including that portion of the property which is needed to maneuver boat trailers into a position to launch boats), boats shall be promptly launched and trailers removed from the Common Water Access Lot. Boat trailers may be parked in the homeowner's driveway while the boat is in use. Trailers should not be in the homeowners's driveway for more than 48 hours. Under no circumstance shall vehicles and/or trailers be parked within the CWF Lot or along the street adjoining the CWF Lot, temporarily or otherwise.

No vehicles and/or boats and trailers shall be left overnight on the Common Water Access Lot (see potential weather and/or mechanical failure exception set forth in Item III above).

Item VI. Identification stickers. Clearwater property owner identification stickers will be issued by the CWF committee to all residents storing boats in the Boat Drydock Area. These shall be affixed on boat trailers in a common, readily visible, position as shall be determined by the CWF committee. In fairness to all Clearwater property owners, recognizing the

limited size of the Boat Drydock Area, only one boat per property owner will be accommodated, subject further to the Area's ability to accommodate boats for the Subdivision's entire populace. Space will be allocated on a first come, first served basis and, should all available dry boat storage space be utilized, a waiting list for future vacancies will be established and maintained, again on a first come, first served basis.

Item VII. Maintenance. The Association shall be responsible for the operation and maintenance of the CWF. However, it is the property owner's individual responsibility to exercise good judgment and safe boating and swimming practices, to include the furnishing of safety equipment normally associated with these activities. Where all day or overnight outings are anticipated, property owners are encouraged to file a Float Plan with their families or neighbors.

Property owners are expected to take pride in the CWF and, through their personal actions, to protect the value, desirability and attractiveness of the CWF. As on-site trash collection receptacles will not be furnished, it is the individual property owner's responsibility to dispose of their own trash and garbage by taking it home with them. The Association shall arrange for and bear the cost of maintenance of the CWF as part of the Association's common grounds program.

HIGHLIGHTED VERSION OF THE CWF
RULES AND REGULATIONS

1st Offence	Written reprimand
2nd Offence	Loss of privileges for 15 days
3rd Offence	Loss of right to use area for 45 days

Item II

Children under 10yrs must at all times be accompanied by an adult.

Item III

Hours of CWF are 1/2 hour prior to sunrise to 10:30 pm. No overnight or permanent wet boat slippage is allowed at CWF.

No grills or other cooking devices, as well as fires shall not be permitted.

Musical devices are allowed only if played in a reasonable manner.

You are responsible for your guest. The CWF shall not be used for any formal gatherings except those that involve the Homeowners Association.

Item IV

Guests must be accompanied by a property owner. House guests shall have full rights and privileges to use the CWF without being accompanied by the property owner.

Item V

Under no circumstances shall vehicles and/or trailers be parked within the CWF lot or along the street adjoining the CWF lot temporarily or otherwise. (Boat trailers may be parked in the homeowners driveway while the boat is in use or for 48hrs.)