

Lucerne Property Rules

June 7, 2005

1. AGREEMENT

Each Individual having the use of a cabin at Lucerne must have executed and complied with the terms of a signed "Private License Agreement".

2. CABIN ELIGIBILITY

- a. In order to be eligible to become a cabin owner, co-owner or partner a member must be on the cabin wait list. To be on the wait list, a member must be in good standing for the prior one year.
- b. In order to become eligible to be a cabin owner, a member must be in good standing for the prior two years and be number one on the cabin wait list.
- c. In order to become a co-owner above conditions (b) applies and:
 - i. Another owner offers co-ownership.
 - ii. You have been offered a cabin ownership of your own and decided to reject ownership in favor of becoming a co-owner.
- d. In order to be eligible to be a partner in a cabin, a member must fulfill the conditions of (a) above. All persons who accept partnerships shall be reported in writing to the Board of Directors so that they may be identified on the Cabin List.
- e. When a cabin is given up and returned to the club, the person at the top of the Cabin List will have the first right of refusal. This offer and acceptance/refusal will be in writing. In the event that the person refuses the cabin, it shall be offered to the next person on the Cabin List. If no one on the list accepts the cabin, it will be offered to anyone in the club on a first come basis, provided that his person is a member in good standing for the prior two years.
- f. When a member on the prospective cabin holder list refuses a cabin his name shall be moved to the bottom of the list.
- g. All refusals shall be in writing.
- h. If a partner in a cabin wants out of the partnership, the owner may choose a new partner.

3. REQUIRED STEPS BEFORE MAKING ADDITIONS OR REMODELING A CABLIN.

- a. The cabin holder who would choose to alter or remodel the exterior, or add an addition to his/her cabin will initiate the process by a letter to the Board of Directors. **NO NEW SEPARATE STRUCTURES SHALL BE CONSTRUCTED.**
- b. A drawing of the proposed addition or remodel will be presented to the Board of Directors. This does not need to be professionally done, but it must clearly represent the area and dimensions of any proposed changes to an existing cabin. Dimensions of existing cabin must also be included in

the drawings. Cabin plans that are submitted may take two to three months for approval, and even longer in the winter months. After approval or disapproval for alterations and/or additions, the persons applying for permission to build will be notified by the board in writing.

4. ANY CABIN OWNER THAT ADDS ON TO A CABIN WITHOUT APPROVAL FROM THE BOARD OF DIRECTORS:

- a. Will be ordered to stop.
- b. Will have 30 days to comply with the Board.
- c. Will have 60 days to correct the violation.
- d. If Cabin Owner does not correct the violation within the allowed time frame, their cabin will be revoked. It will then go to the 1st person on the waiting list
- e. The maximum enclosed area of any cabin will be limited to 550 sq ft. This does not include covered porches or decks.
- f. No addition will be allowed to block or obstruct another cabin's view or block road or access ways.
- g. No addition to a roofline shall exceed higher than 2 feet above the original roofline.
- h. All additions must be within all legal set backs and county codes apply.
- i. Minimum set backs between two cabins will be 8 feet.
- j. Any person doing an addition or alteration will contact their neighbors and the Board, relative to the changes being considered to that cabin, so that the neighbor will be allowed input.
- k. Any roof replacements will be metal and will be of a dark shade of brown or forest green. Repairs and additions will match what is in place.
- l. Definitions of porches and decks.
 1. Porch. A Porch is a deck with a roof over it and is open to the weather on three sides.
 2. Deck. A Deck is a hard surface usually made out of wood or concrete. It is open to the weather.

5. CABIN VALUE OUT.

- a. When a cabin holder gives up his cabin or has it revoked by the board, he/she shall have the right to recover his personal contents. The Board will send a registered letter to the cabin holder notifying him that he will have so many day, depending on time of year, to remove all belongings. If belongings are not removed they will become boat club property.
- b. All Improvements, which are attached to the structure, shall remain as part of the cabin.
- c. In the event that a member in good standing gives up their use of a cabin and chooses to sell any items to the individual taking over their cabin, the maximum amount receivable by seller is \$3,000. If the parties cannot agree on a value it will be resolved by arbitration, with each party choosing one arbitrator and the two arbitrators choosing a third arbitrator.

Any expense associated with the arbitration will be at the cabin user's and the incoming cabin user's expense.

6. CABIN CONTENTS REQUIREMENTS.

- a. At least one functioning 4lb ABC fire extinguisher.
- b. All chimneys or smoke stacks shall be fire rated metalbestos or code approved equivalent. All chimneys shall have a spark arrestor cap.
- c. Cabin has a functional garden hose, at least 50 feet in length attached to outside hose bib.

7. MAINTENANCE

- a. Cabins and Adjacent grounds shall be maintained in good order. This maintenance shall be the responsibility of the cabin holder.
- b. All roofs shall be kept free of pine needles and other burnable materials.
- c. All weeds shall be removed annually and the surroundings kept free of debris.
- d. Exterior paint shall be kept up. All exterior paint shall be of earth tone to blend with the setting.

8. VEHICLES

- a. All vehicles shall be parked in the corral when the cabin holder is not in residence.
- b. All vehicles shall be in running condition and maintained so as not to be unsightly.

9. FEES

- a. Cabin assessments shall be levied on a per cabin basis. The amount of this assessment shall be determined as a result of an annual Lucerne budget prepared by the Lucerne Committee and approved by the Board of Directors. This budget shall be completed in time to be presented to the Board at their October Meeting, each year.
- b. A billing will be sent to the cabin holders before January first of each year. Assessment payments are due by January 31st each year.

10. USAGE

- a. Each cabin Holder will use their cabin a minimum of eight (8) times per year. One cabin use will be defined as a visit of one day and night. Each additional day and night will count as one usage each. If there are co-owners or partners in the same cabin, each will be required to use the cabin four (4) times.
- b. For those cabins, which are shared by more than one member, joint occupancy will not be counted as two usages.
- c. With the permission of the cabin holder any Boat Club Member may use his/her cabin.

11. GROUND RULES

- a. A use log shall be maintained at a convenient location to log member's visitations.
- b. Irrigation water will be turned off Friday noon of each week and then turned back on the following Monday morning.
- c. Allowing a non-member to use a cabin unaccompanied is prohibited.
- d. Minor children of Boat Club Members will be made welcome but must be accompanied by an adult.
- e. Each member must haul all personal garbage down lake. First offense will receive a warning and the second offense will carry a fine of \$50.00 per bag!
- f. Pets will be welcomed as long as:
 1. A dog is kept under full control with regards to people and other dogs.
 2. The owner of the dog cleans up dog's messes from all foot traffic areas.
- g. Failure to comply with (f) will first bring a written warning from the Board. A second complaint from Caretaker/Member will result in a withdrawal of the offending pet's welcome on the premises.

12. COMMITTEE

- a. A committee shall be appointed by the Commodore each year to oversee the operation of the Lucerne Properties.
- b. The committee shall have no police authority, but will make recommendations for Action to the Board of Directors.
- c. The committee shall consist of five members. Three members will be Cabin Holders and Two who are not owners, co-owners or partners or on the Cabin Wait List.

13. CABIN WAIT LIST

- a. A prospective cabin holder list called the Cabin Wait List will be maintained and posted on the bulletin board in the Clubhouse.
- b. Members who wish to be placed on the Cabin Wait List are required to complete an application form. These forms are available from the bulletin board or the Club Secretary and when completed will be given to the Secretary or any Board Member.
- c. The order of the Cabin Wait List will be determined by date (and time) of receipt of forms after Board approval.

14. GRANDFATHERING

- a. All ownership and co-ownership in existence prior to June 12, 1992 shall remain valid. The divesting of ownership of one co-owner will not divest the remaining co-owner as an owner.

15. DEFINITIONS

- a. Owner – One who has sole ownership of a cabin. He/She is responsible for all the Requirements of Ownership.
- b. Co-owner –
 - 1. One of two or more persons who share joint ownership of a cabin. Each owner is responsible for his/her share of cabin ownership requirements.
 - 2. To become a co-owner, the second party must have met all member in good standing requirements, and have been at the top of the cabin wait list AND the Board must receive a written notice from the original owner that he/she is accepting the second party as co-owner.
- c. Partner –
 - 1. A partner is a member in good standing and is listed on the Cabin Wait List, who has been asked privately to share a cabin with any Owner or Co-owner. The partner has no vested interest in the cabin and is not responsible for ownership requirements, but makes a deal privately with the cabin Owner. The partner does so, knowing that it is possible they may lose access to the cabin through loss of the cabin by the owner before becoming eligible for his own cabin. Any arrangements, financial or otherwise, between owner and partner are private matters. Partnership does not enhance one's chances of cabin ownership. Ownership can only occur at the time a person is at the top of the Cabin Wait List and has been offered a cabin.
 - 2. When and if a partner is offered a cabin, recouping of expenses made on the shared cabin is a private matter between partner and owner.
 - 3. The partner has three choices when offered a cabin.
 - a. Accept ownership of the cabin offered him. This is to be in writing.
 - b. If agreeable with the existing owner, remain a partner and return to the bottom of the Cabin Wait List.
 - c. If offered co-ownership by owner of cabin that is shared, it can be accepted.

These Lucerne rules and regulations, dated June 7, 2005, supercede and replace any previous rules and regulations issued by the Lake Chelan Boat Club Board.