

SEDGEWOOD COVE

2014 Boating, Watercraft, and Natural Areas Program

The Sedgewood Cove Homeowner's Association (SCHOA) first established this program in 2004. We are committed in this program to provide to all Sedgewood Cove Homeowners an equal opportunity to enjoy the lake, waterfront, wetlands and wildlife habitats. These aspects of our community are what make Sedgewood Cove a special treasure in which to raise a family and find peaceful enjoyment in retirement. Please carefully read the following if you are planning to take part in this Program. An application for participation in this program is found at the end of this document.

General Comments and Guidelines

This Program governs the provision of amenities and facilities for the North and South Nature Trails, Federally Protected Wetland and Wildlife Habitats, Beach, Waterfront; and watercraft launching, mooring and storage. There is a strict limit of 22 in-water mooring buoyed sites, and a limited number of water's edge tie-off sites and dry rack storage space. In specific areas designated for these respective uses.

The following necessary guidelines will apply:

- There may be a review of this Program at the end of each season, or prior to the start of the next season to determine if changes are required.
- All watercraft of any type using these facilities or amenities in any way must be owned and legally registered to a Sedgewood Cove Homeowner; in addition to having the proper 2014 SCHOA sticker attached where indicated. Please see the attached SCHOA Boating & Watercraft Application for options, fees, and availability.
- There will be buoys placed on both the North and South sides of the roped off Beach swimming area, in addition the floating raft will be roped off and buoyed for safety.
- There will also be a limited number of Water's Edge tie-offs provided.
- In absolutely no event shall there be any mooring or anchoring outside the designated areas.
- The Board will be constructing and installing a separate wooden launch area to ease the process of launching of small watercraft held in dry storage into the lake.
- **Volunteers** will be needed for the purposes of buoy installation/removal, installation and removal of roping and buoys for both the swim area and a perimeter around the community swim raft, also for the installation/removal of the community swim raft, and any other necessary tasks.
- Homeowners that do not store their watercraft on the dry storage racks, water's edge tie-offs, or in-water mooring locations may elect to utilize the Day Launching option. This is for a watercraft that is to be launched and retrieved on the same day. In no instance; nor at any time may Day-Launched watercraft dock or otherwise tie-up at a pier assigned to an in-water mooring boater.

- **IN NO INSTANCE MAY LAUNCH OR RETRIEVAL OF A WATERCRAFT OCCUR BETWEEN THE HOURS OF 10:00am and 6:00pm without prior board permission and assistance.**
- ***The only exception to the above section will be the designated Spring Day for Launch, and the designated Fall Day for Retrieval.***
- No parking of watercraft or trailers shall be allowed on the access road or at the Beach area for a period of more than thirty minutes without prior board permission and assistance.
- Homeowners participating in this 2014 Program shall be personally liable for any property damage or injury caused by their property or themselves, to include motorized vehicles, watercraft, or trailers; while using the Nature Trails, asphalt access road to Beach, in-water mooring buoys, water's edge tie-offs, storage racks, swim area or platform, Board supply shed, or launching facilities; whether on land or in water.
- Should the Board in its judgment find it necessary due to repeated violations, to terminate a Homeowner's continued participation in the 2014 Program, there shall be no refund, pro-rated or otherwise, and watercraft must be removed no later than ten days after date of letter notifying Homeowner of Board's decision is sent by Board. Board may consider this termination when considering participation in the following year's program.

Fee Schedule options

*** All watercraft, whether in the water or dry, must have the appropriate 2014 sticker attached where designated.

***Seniority is used to fairly assign In-Water Mooring Buoy locations, and participation in the current year's Boating Watercraft & Natural Areas Program. Participation in, and maintenance of seniority position is a privilege, which is determined solely by the Board. Therefore, all returning 2013 Boating Program Participants that used the In-Water Mooring and/or Water's Edge Tie-Off (respectively), options, and who are otherwise eligible for 2014 participation pursuant to exclusions and limitations listed in this program, will be granted first rights to their respective continued 2014 Program participation – however – actual In Water Mooring Buoy positions/locations may be changed by the Board.

Should a boater not have participated in the prior year's In Water Mooring Program then it is understood by all parties that this boater has lost any previously accrued seniority. If a Boater has forfeited their seniority status either voluntarily or involuntarily, they shall be deemed to be on an equal status with all new prospective Boating Program participants.

The Board feels strongly that continued homeowner participation in the Program is predicated on neighborliness, and respect for the rights and safety of others.

We advise Homeowners NOT to purchase a watercraft until you have been given a space for it.

The Board has determined that certain acts would constitute suspension or revocation of ALL boating privileges for the season would include* (see Rules Regulations and Guidelines)

- Dangerously operating a watercraft while under the influence.
- Launching or retrieval of boats between the hours of 10:00am and 6:00pm – or operating any motorized vehicle on the asphalt access path or nature trails during these hours without prior board permission and assistance.
- Failing to restrain all dogs by a leash no longer than eight feet (8) held in hand at all times and/or failure to immediately pick up and properly dispose of their dog's refuse while at the beach.
- Individuals who vandalize watercraft will be removed from the 2014 Boating Program.

1. **In Water Mooring Buoy - \$400.00**

At this time there is a strict limit of 22 In-Water mooring buoy locations.

Boaters with an In Water Mooring Buoy shall have the right to include other watercraft in the water so long as the other watercraft are all owned by the same homeowner, and within their "footprint" side of the assigned pier (each watercraft being directly behind the next – NOT alongside). All watercraft on a boater's side of pier MUST be owned and registered to the In-Water Mooring Buoy participant – there is no sharing of costs or application by two or more homeowners. Boaters with an In-Water Mooring Buoy shall share exclusive rights to their pier only with the In-Water mooring participant docking on the opposite side of the pier.

We are currently in negotiations with the Army Corps of Engineers to forestall their push to eliminate the southernmost buoyed location. We are operating on the assumption that at least for 2014 that we will still be able to be permitted to have 22 open locations for In-Water mooring. Should the Army Corps of Engineers direct the Board to reduce this number to 21 (to provide for Wetland Remediation protection on the southernmost buoy position); the Board will take the boater who normally occupies that spot and their seniority position into consideration in order to accommodate them as best we can. In no event may a boater occupy both sides of an In-Water Mooring Pier. Again, at this time it looks like we will be able to retain all of the 22 positions.

*****There being a very limited and strict limit of 22 available In-Water mooring locations; residents are encouraged NOT to purchase a watercraft until/unless their In-Water mooring application is approved.**

Participation in the In-Water boating program is determined by prior participation seniority.

2. **Water's Edge Tie-offs - \$75.00**

There are a limited number of Water's Edge Tie-off positions available.

A post marks these positions with the post driven into the shoreline.

Water's edge tie-offs are assigned by seniority of participation in using water's edge tie-offs. The purpose of these tie-offs is to more greatly facilitate the ease of launching smaller watercraft into the water. There is specific consideration in assigning these Tie-offs to those who may be physically challenged in otherwise enjoying the watercraft experience.

3. Day Launch - \$0.00

There is no fee attached to any homeowner whose boat is owned by them and is in compliance with insurance and registration limitations referenced above. The Day Launch amenity is for a single/same day launch and retrieval of their watercraft. Day Launched boats may not dock or otherwise tie up alongside piers assigned to In-Water mooring Buoy participants. Boats must be docked and anchored within the designated Boating area. Watercraft and trailers may not be launched or retrieved on any day between the hours of 10:00 am and 6:00 pm

4. Dry Storage Rack - \$20.00

Watercraft that is in compliance with displaying the appropriate SCHOA sticker may be stored on a first come basis on the Dry storage boat racks. Boats stored in this manner may be launched and retrieved directly at the shoreline at anytime. The Board has already prepared the ground, and will soon be constructing a wooden launch platform to make launching and retrieval much easier for our neighbors.

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Send completed application form and payment in full received no later than May 6, 2014 to:

**Kovitz, Shifrin, Nesbit
C/O Deborah Schwartz
750 W. Lake Cook Rd, Suite 350
Buffalo Grove, IL 60089**

Applications received after May 6, 2014, or without payment in full attached, (checks with NSF shall disqualify an application's timely status); will NOT be considered valid applications, and are likely to be denied participation in the Program if there is no remaining space available.

*** SEDGEWOOD COVE BOATING RULES, REGULATIONS & GUIDELINES**

The following Rules, Regulations, and Guidelines apply to Homeowners participating in the 2014 Boating, Watercraft, and Natural Areas Program, and those who enjoy our Lakefront, Beach and Natural Areas.

1. All SCHOA boat owners launching, mooring, storing or keeping at Water's Edge tie-off must be owned and registered to a SCHOA homeowner. All watercraft whether or not motorized must have the appropriate SCHOA sticker or such watercraft may be disposed of without further notice.
2. IN NO INSTANCE MAY LAUNCH OR RETRIEVAL OF A WATERCRAFT OCCUR BETWEEN THE HOURS OF 10:00am and 6:00pm without prior board permission and assistance.
3. The designated Spring Day for Launch, and the designated Fall Day for Retrieval will specifically designate the only exceptions to the above limitation of launching or retrieving watercraft between the hours of 10:00am and 6:00pm.
4. All watercraft entering or exiting the Sedgewood Cove Recreational Area shoreline must observe the "NO WAKE ZONE" area as identified by the "No Wake" buoys. This is an Illinois Law.
5. Boats and other watercraft are only permitted to be stored on Sedgewood Cove Property in areas specifically designated for this purpose. Watercraft not assigned Water's Edge tie-off sticker may not be left along the shoreline or anywhere on land or water except for the dry storage racks. Watercraft left on land or Water in a place not assigned may be subject to immediate disposal without notice.
6. All Boats must have their respective 2014 sticker adhered no later than June 15, 2014. All Boats not in compliance may be disposed of immediately without notice, or subject to an Auction of such watercraft for the exclusive benefit of SCHOA.
7. No Boat in this Program may be longer than 22' in total length.
8. Boaters may not leave their personal possessions at the lakefront after 6:00 pm. This shall include any and all inflatables, grills, clothing / towels. These personal items left after 6:00 pm may be subject to immediate disposal without notice. Homeowners are encouraged to place litter in the provided receptacles, and work together to keep the lakefront area clean and uncluttered.
9. Shore stations must be approved by the Board prior to their installation. At the end of each season these items must be stored at the dry storage boat racks, or removed from the lakefront. Shore stations may not be placed near the boat launch area for safety concerns.
10. Boaters may not block launching access for the boats stored on dry-storage so that they may be launched into the water.
11. In-water moored watercraft may securely attach floating devices such as:

tubes, jet-skis, paddleboats etc. in line with their watercraft; provided that it does not encroach on another's mooring area.

12. Boaters are subject to all applicable state and federal boating rules and regulations.
13. There shall be no parking of trailers at the beach area or the access road.
14. Boaters must remove their in-water pole(s) within two weeks of the Fall Retrieval Day.
15. This Program is for the exclusive use by SCHOA Homeowners – No visitor watercraft will be allowed.
16. To be eligible as a participant in this Program, a SCHOA homeowner may not be past due on any assessments, late fees, fines, penalties, or court costs and attorney fees, or in non-conformance with declarations and covenants of SCHOA.
- 17. Violations of any of the above rules shall cause the homeowner to become liable for a \$100.00 fine for each violation of the above; to be assessed with each separate occurrence.**
18. Repeated violations of the above Rules and Regulations of this Program will not only result in fines, but also a possible revocation of boating privileges pending a Board review and vote.
19. Homeowner's signature on the attached Program application indicates their understanding and agreement with all rules, regulations, benefits, fees, fines, limitations and penalties outlined above as part of the 2014 Boating, Watercraft and Natural Areas Program in its entirety.

Process for Assessment of Fines

1. Complaint received by Management Company.
2. Within three (3) days of complaint Management Company will send a letter requesting the Homeowner to contact the Management Company to rebut complaint.
3. Homeowner may wish to take the opportunity to state their rebuttal to the Board at the next scheduled Board meeting.
4. Management Company will notify Homeowner of the Board's decision regarding the disposition of that complaint.

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Homeowners approved for In-Water Buoy Mooring will be notified of their acceptance AND their assigned In-Water Mooring Buoy position.

The Board in its sole discretion will assign homeowners to specific lakefront buoy positions. Only with the agreed, informed consent of both Homeowners involved; may spots be traded between homeowners.

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Mooring Buoy and Designated Spring Days for Launch shall be on the 2nd Saturday in May, which is May 10, 2014

Mooring Buoy and Designated Fall Day for Retrieval shall be the 2nd Saturday in October, which is October 11, 2014

Shore stations must be stored by dry storage racks or by shed by October 11, or will be subject to fine, and/or costs incurred for removal.

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2014 Boating and Watercraft and Natural Areas Program Application

Name: _____

Address: _____

Email _____
Daytime phone: _____ Evening Phone: _____
Description of Watercraft: _____
Type: _____ (row, paddle, canoe, sail, motor boat, PWC, other)
Length of watercraft: _____ Color: _____
Illinois Registration Numbers: _____ Year: _____

Launching/Mooring/Storage Options and Fees

The following options/costs apply for the current boating season only (please circle those that are applicable).

In-Water Mooring \$400

Available for all watercraft, but designed for motorboats. ***Watercraft participating in this option must be launched before 10:00am or after 6:00pm. Violations will incur an immediate fine of \$100.00. Repeated violations may result in revocation of participation in 2014 and subsequent programs.***

Waters Edge Tie-offs \$75

Designed for frequent uses of rowboats, canoes, paddleboats, kayaks, sailboats, and PWC's. Not available for motorboats. (Includes storage rack)

Watercraft participating in this option must be moved to the storage rack after the boating season. Watercraft participating in this option must be launched before 10:00am or after 6:00pm. Violations will incur an immediate fine of \$100.00. Repeated violations may result in revocation of participation in 2014 and subsequent programs.

Day Launch \$0

Available for all watercraft, *All Watercraft must be owned and registered to a Sedgewood Cove Homeowner and documented with the Management Company prior to launching.*

Watercraft participating in this option must be launched before 10:00am or after 6:00pm. Violations will incur an immediate fine of \$100.00. Repeated violations may result in revocation of participation in 2014 and subsequent programs

Storage Rack \$20

Watercraft must display a current tag, and be returned to their rack position after each day of use.

- All Boats will require a 2014 SCHOA boating program sticker. If a Boat does not have a 2014 sticker by June 1, 2014 it will be removed and auctioned off, or otherwise disposed of.

I agree to abide by all State and Federal, laws pertaining to the operation of watercraft.

* I agree to abide by all rules set forth by the above 2014 Boating, /Watercraft and Natural Areas Program in addition to fines and penalties set forth in this Program.

I agree and accept all portions of the SCHOA Boating Program for the current year including all rules, regulations, fees, and fines, and purchase of liability insurance that may be placed upon me by the Board of Directors.

I understand that my SCHOA account must be current with all dues, fines, legal fees, etc. or I am NOT eligible to take participate in any part of the SCHOA Boating Program. Boat owners agree to indemnify and hold harmless the Sedgewood Cove Homeowner's Association (SCHOA), it's officers and members of any claims, whether to person and/or property arising from the operation, storage or to his/her use of the above named watercraft, powered or not, on Crooked Lake. Sedgewood Cove Wetlands, Common Area (beach, moorings, land or shore storage, emergency access road, piers or other facilities) including but not limited to the resident boat owner, their family, friends, or guests

Process for Assessment of Fines

5. Complaint received by Management Company.
6. Within three (3) days of complaint Management Company will send a letter requesting the Homeowner to contact the Management Company to rebut complaint.
7. Homeowner may wish to take the opportunity to state their rebuttal to the Board at the next scheduled Board meeting.
8. Management Company will notify Homeowner of the Board's decision regarding the disposition of that complaint.

Your signature below ascertains agreement to all terms, conditions, limitations, terms and benefits provided for herein:

Signature _____ Date _____

Completed application form and payment in full must accompany this application, and be received no later than May 6, 2014.

All applications must be sent to:

Kovitz, Shifrin, Nesbit

C/O Deborah Schwartz

750 W. Lake Cook Rd, Suite 350

Buffalo Grove, IL 60089

*****No application is complete without a check for payment in full and copies of proof of in force liability insurance for each motorized watercraft in this program*****