

# RULES AND REGULATIONS



## BACKWATER LANDING

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Revised September 1, 2002

## RULES AND REGULATIONS

### TO OUR RESIDENTS

Backwater Landing assumes the best of every resident, and in the unlikely event a failure to observe a rule does occur the management assumes that it may be due to a misunderstanding or oversight without the intention to willfully violate. In such cases, the management intends to provide guidance and, where appropriate, provide sanctions. Enforcement, however, must be in place to provide for those few cases which require measures that protect the interests of all those who do honorably perform as they should without problems.

We have personally been involved with Land Lease Developments in Florida. The developments that were the least successful had few rules and, what they did have, were not enforced. Those developments that were successful had one thing in common, good rules that were enforced. The value of re-sales, the quality of the owners, the involvement in activities, and pride in their development remained high.

This is what Joe and Wylie Lipchik have set out to do at Backwater. Our Number One goal is to protect your investment and make it more valuable each year. We are sorry if it offends anyone, but it takes fair Rules and Regulations along with your cooperation to enjoy what we all have here at Backwater. We will always be working to improve the quality of enjoyment here.

We hope this explains our need for Rules and Regulations.

### I. TENANTS

- A. The Cottages are designed for only two persons on a **full time basis**. It is acceptable to have more than two people stay in your Cottage, but not as year round permanent residents without additional fees. A third person would be considered a full time resident if he resides at Backwater for more than three months in a calendar year.
  1. You must notify the office when **family or friends are using your Cottage** during periods when you are **not** present.
  2. **Day visitors.** Guests are welcome at Backwater under the following conditions: (1) You are present at Backwater, or (2) You are not present but have notified the office that you are allowing guests access to your cottage. For security reasons, we want to avoid tenants sending guests to Backwater that live nearby or are visiting Lake Keowee for the day, just to use the facilities without the owner being present.
  3. **All students** and children under the age of 21 must be accompanied by an adult if staying overnight. We realize there are those students who would not abuse the privilege of using the facilities and would follow the rules and regulations and be responsible for their guests. There are also those students who would not. Unfortunately, rules have to be addressed to those who would not respect the rights of others, adhere to the legal age of drinking, or the fine furnishings and equipment at the Lodge.

## II. CONDUCT

- A. The management may require any Tenant to leave or vacate the community and terminate the rental agreement for being a nuisance, engaging in improper conduct, violating rules or regulations of the community, engaging in any illegal activity, threats, or engaging in any activity that may be detrimental to other tenants or the staff.
- B. The Cottage Owner has the responsibility of assuring that all guests comply with the Rules and Regulations of Backwater Landing.
- C. Everyone is expected to conduct himself in a neighborly manner and to be considerate of others with regard to radio and television noise, a barking dog, and general conduct.
- D. Littering of any kind is **NOT PERMITTED**. We hope to promote pride in this community to ensure a high degree of respect and maintain the highest investment value. We were encouraged by some members of the community to "Adopt a Highway" and were pleased to do so. Although it is not necessary for everyone to participate, while walking on Melton Road and Winston Way, should you feel like picking up trash when you see it, your effort will always be appreciated!
- E. The **shoreline** of Backwater is for fishing, **not swimming, fires, or the mooring of watercraft**. A beach area is provided for the tenants to use at their own risk. Please be careful of broken glass. Our shoreline was used and abused for many years. Our intent for this rule is to maintain as peaceful an atmosphere as possible near the Cottages.
- F. No **fires** are permitted anywhere in Backwater or along the shoreline.
- G. Love grass is planted on banks and slopes for erosion control. Please use the steps or roads to preserve the landscaping material. We plan on improving these areas. They are not for "**short cut**" use or **play areas**.

## III. COTTAGES

- A. **The Regime Fee** includes site rental, water, sewer, trash removal, lawn maintenance, landscaping, and the use of the Lodge and recreational facilities for you and your guests.
- B. **Sale and Renting of Cottages**
  - 1. All residents wishing to place their Cottage for sale in the community may list their Cottage through the Backwater Sales Office, an outside Real-estate agency, or sell it on their own. "For Sale" signs cannot be placed in or on the Cottages or posted anywhere else within Backwater. Should you choose not to list your cottage with Backwater, check with the office to obtain the current regime fee. Backwater will not be held responsible for any misrepresentation, ambiguities, or inaccurate disclosures of Backwater's lease requirements. Should you acquire a buyer on your own or choose to use an outside agency, a Backwater form must be signed prior to the sale or before a new lease can be signed with the new buyer. Should an owner sell his own cottage, a \$100.00 fee will be charged to the seller for terminating the lease, executing a new lease, transferring the ownership, and notifying the tax assessor's office of the change of ownership.
  - 2. **Prior to sale**, if exterior improvements are needed to bring the Cottage up to current standards, they must be met. All outstanding charges must have been paid in full. These items must be completed before Backwater will release the Owner from the current lease. A new lease cannot be executed unless these items are completed.

3. **The rental of a Cottage** to outsiders is strongly discouraged but exceptions may be made with prior written permission. Rentals must be handled through Backwater. Backwater will set a minimum rental rate. Backwater will be paid a commission that covers the collection of fees, security deposits, registration, and final inspection. Housekeeping will be charged separately.
4. If you are in need of **extra space for visiting families or friends**, call Backwater's Office for the names of Owners willing to rent within the Community. Backwater does not need to be involved in these arrangements. We only need to know who is coming, when they are arriving, and where they will be staying.

C. **Soliciting** of any kind is prohibited within the community of Backwater.

D. **Repairs, Maintenance and Housekeeping**

1. **Permission must be obtained** from Backwater before any construction, changes, or additions of any kind can be made on either the tenant's site or cottage. In order to insure the security, continuity, and proper building standards, Backwater Landing will do any construction on your cottage. A charge of time and materials plus 15% will be applied. We will permit an outside sub-contractor to do remodeling on your Cottage providing the following criteria is met:
  - a. The **sub-contractor** must be certified and licensed in Oconee County and furnish proof of insurance and workman's compensation prior to the start of any construction.
  - b. Backwater will charge a **minimum supervision fee** in order to assure that the job meets Backwater's standards. This supervision depends on the type of work that is to be done.
  - c. **Interior painting, wallpapering, and carpeting** will not require approval.
2. We will observe the **condition of your cottage** and notify you if attention is needed. You may choose to do the work yourself, contract outside services or we will do the work for you. In all cases, if work is needed, it must be done in a timely manner.
3. **Exterior shutters** may be ordered through Backwater at any time. **Canvas awnings** are available through an approved local source and you may deal with the company direct. Call the Office for additional information.
4. **Water hoses** must be kept in the under cottage storage areas or stored out of sight when hose is not in use. If you need an additional hose bib, it can be installed for your convenience at our cost plus fee. Attaching hoses to the outside of the cottage is not permitted.
5. **Stepping stones** absolutely need to be recessed in the ground for mowing. If you are unable to recess them, we will provide the service for a fee. If you have "temporary" stepping stones, such as Tiger Paws for Game weekends, they must be stored under the cottage when not in use.
6. **Water Shut-Off Valves** – It is in your best interest that you turn your water off when you are not using your Cottage for a long period of time. This will prevent any accidental flooding due to a broken water line, leak from pipes due to cold temperatures, pinched or cracked icemaker water lines, or the rusting out of the ball valve in a toilet tank. Backwater will notify you as to where the location of your shut-off valve is located.
7. **Grills** – Only gas and electric grills are permitted within the community. No charcoal or open fire grills are permitted. **Propane tanks** must be kept out of sight when not in use. Grills must have covers and be stored on the Owner's porch or in the storage rooms when Owner is not using the Cottage. Gray or black covers are recommended. Storing them along side the Cottage is not permitted.

8. **Lawn Furniture** is to be kept on the Owner's porch or in the under cottage storage areas when the Owner is not using the Cottage. Lawn Furniture cannot be left in the courtyard areas as it interferes with lawn care.
  9. **Seasonal exterior lights and decorations** must be confined to those celebrations. Example, Christmas decorations may be displayed just before Thanksgiving and must be removed by January 8<sup>th</sup>.
  10. No **clotheslines** are permitted. Drying of towels, etc on railings is permitted TEMPORARILY ONLY.
  11. No appliances or other **unsightly items** may be kept on the decks.
  12. G.E. technicians recommend running **dishwashers and washing machines** one cycle a month if you are gone for an extended period of time. This prevents water seals from cracking. Call the office if this service is needed.
  13. **Canoes or Rubber Rafts** must be stored under your cottage or arrangements made to keep them out of sight when not in use. These items are **not permitted to be tied along the shoreline**.
- E. **Deliveries** (UPS, Fed X, Moving Vans, U-Hauls)
1. **UPS and Fed X** make drop-offs at 1224 Melton Rd. or the Office. Check with us if you are expecting a package. We will watch for its arrival.
  2. **Moving Vans and U-Hauls** cannot get next to your Cottage. We must control where "Drivers" take their trucks. If our staff is needed to help move we must charge for time. If a "Driver" does any damage and we were not involved, you will be charged for any repair necessary. Landscaping and sprinklers are most frequently damaged.

#### IV. LANDSCAPING

The **management's intent** is to have a natural type of landscaping on banks. The management understands that it is a bit wild as of the date of the printing of these Rules and Regulations. The landscaping will improve! We must insist on continuity throughout the development for the best interests of all. We ask all owners to discuss any changes they personally wish to make. Please confine your individuality to your personal courtyards. Common areas are not yours to plant.

- A. **Garden and lawn ornaments** such as, ceramic animals, statues, windmills, pink flamingos, etc. will not be permitted. Birdhouses and birdfeeders, within reason, are exceptions as well as items that blend with the landscaping materials. They must be kept in the mulched areas or areas not mowed. This is a difficult area to govern. The management does not want to be put in a position of determining what is tasteful and what is not or what is excessive. The intent of this rule is to not have the Cottages appear "junky" or "cluttered". **Use discretion.** Remember that this rule is to protect your investment and overall appearance of the community.
- B. **Maintaining the lawns** is the responsibility of the Management. Absolutely no overseeding is permitted. If an Owner wishes to repair grass, only Bermuda grass seed may be used.
- C. If an Owner wishes to add **additional trees or shrubs** to his Cottage area, the Owner must check with the management regarding the placement and the type of plant. This will prevent damage to electrical lines, telephone lines, or sprinkling systems. It will also prevent the use of plants that will not be appropriate in size for the space available. Backwater will not be responsible for any special care required for the Owner's additional plants. It is also understood that whatever additions are made, remain the property of Backwater Landing. For example, should you move, the tree stays. Birdhouses, feeders, garden ornaments, of course, are excluded. Any additional landscaping must be placed on the entrance side of the Owner's cottage. This is considered the Owner's Courtyard.

- D. The Owner may plant **annuals or perennials** within the mulched areas. The Owner will be responsible for maintaining the perennials and removing any dead plants.
- E. Written permission must be obtained from the management before **the removal or cutting of any plants, trees, or tree limbs**. A breach of this rule could result in the termination of the Owner's present lease. A new lease figured at the highest rate being offered would have to be signed. The management will consider any reasonable request for removal of a plant or tree.

#### V. PETS

- A. The **office must be notified** if you have a pet. Pets must have shots. A current picture, name, and breed must be given Backwater. We have had one incidence of biting and that is the reason for this rule. The pet obviously must be identified.
- B. At no time may pets be left outside unattended. **Pets must be leashed** when walked within the community.
- C. **Pets are not permitted** in the Lodge, on the Lodge porches, or around the swimming pool area. No exceptions.
- D. **Pet litter must be removed immediately** from the lot of the owner. When walking a pet, the owner must immediately clean up after the pet. Primarily guests have repeatedly violated this rule. Please inform your guests of this rule because you are responsible for your guests.
- E. **Repeated complaints concerning a pet** or owners not cleaning up after their pets will cause their pet to not be allowed in the community.
- F. Consideration for those without pets must always be kept in mind.
- G. **If your dog is barking** on your porch or deck, out of respect for the community, it is expected that you put your dog inside your Cottage.
- H. **Pooper - scoopers** must be kept in the Owner's storage room or in the under cottage storage area when the Owner is not using his Cottage.

#### VI. UTILITIES

- A. The Owner will make his own applications for service to the electric, telephone and satellite companies and pay all bills rendered for such services.
- B. Because Cable TV is unavailable, **only 18" Satellite Dishes** will be permitted. Location of such dishes must be approved by the management in advance of installation. Under no circumstances will a dish be placed above the roofline. No exterior antennas are permitted. Additional antennas may be placed under the Cottage or in the Attic. If we are not notified and a dish needs to be relocated, it will be at your expense. Backwater will approve 24" satellite dishes if they are required for the high definition TV. Placement of the dishes will remain the same. Contact the office if this is of interest to you.
- C. **Water usage.** Water is part of your regime fee for normal cottage usage. Backwater expects each Cottage Owner to guard against abuse and wasteful usage. All cottages are irrigated and the lawns are watered ten minutes daily during drought conditions. Owners are not permitted to manually interfere with the sprinkling system. Please notify us if the systems are not working properly in your area.

## VII. REFUSE HANDLING

- A. **All garbage must be placed in plastic bags** and put in the appropriate containers that are provided by Backwater. We cannot tolerate unwrapped garbage. This leads to pest control problems. Trash removal is done on Monday, Wednesday, and Friday mornings. Boxes must be broken down and placed on the outside of the garbage hide. Do not fill garbage cans with burnable refuse or plant material.

## VIII. AUTHORIZED VEHICLES - PARKING

- A. The **speed limit** in the community is **fourteen and one half ( 14 1/2) miles per hour** on the main road. The point is, no one should drive as fast as Wylie. At some dangerous intersections speed bumps will be installed. You need to be slower and more conscious on the transition roads.
- B. Positively **no major repair work** to cars, boats, trucks, or other vehicles will be allowed within the community. Inoperative, abandoned, or unlicensed vehicles shall be towed away at the Owner's expense within 48 hours of discovery of said condition. **No motor homes, trailers, or campers** will be stored **within the community**. Please check with Backwater for available space outside the gated area.
- C. **No motorcycles**, dune buggies, go-carts, mopeds or any other such unconventional vehicles may be operated within the community. **Excessive noise from vehicles** is prohibited.
- D. **Children using skateboards, bicycles, scooters, etc. must wear helmets.** Children should not play near the gatehouse or on the steep hills or in the parking areas.
- E. **Bicycles** in use after dark must have both front and rear lights as well as pedal reflectors. Store your bike out of sight when you are not staying at Backwater.
- F. Bicycles in public areas must be parked in designated **bike racks**.
- G. **Automobiles** must be parked in designated parking areas. Special events and major holidays may require exception.
- H. **Each Cottage Owner** will be assigned one parking space as close to their Cottage as possible. Additional spaces for general parking will be provided in the near future. No resident is permitted to use another resident's space without written permission presented to Backwater Management.
- I. **Parking spaces** are numbered. You or your guests do not have permission to park in someone's numbered space without their authorization. If you call the office, we may be able to let you know who may be out of town in your area in order to use their parking space. This may help. We will continue to improve these conditions.

## IX. GOLF CARTS

- A. **Only electric golf carts**, which are sold through Backwater, are permitted. No exceptions.
- B. All golf cart owners must maintain **liability insurance** on golf carts.
- C. For safety, the maximum carrying capacity of persons per cart should not be exceeded.
- D. All golf carts must be parked in designated parking areas and not on walkways, etc.
- E. All golf cart drivers must have a valid driver's license. Children may not use the golf carts.

## X. BOARDWALK

- A. **No golf carts permitted on boardwalk.**
- B. **No bicycles, skateboards, or roller blades** permitted on boardwalk.
- C. **Be aware of where you are walking.** Boards could become loose. It would be appreciated by the management if you would drop a note in the Box designated "Office" in the mailbox area beside the Gatehouse when you see any indication of needed repairs to the boardwalk.

## XI. SWIMMING POOL

- A. **Please obey the signs** posted by the Department of Health. Any temporary restriction on pool use for cleaning or chemical treatment of the water will be confined to Thursdays. Exceptions would be for emergency reasons.
- B. **No toys less than 4 inches in diameter** are permitted in the pool. Small items can cause damage to the filtering system.
- C. **No running or pushing** around the pool area. **No Diving – Shallow Water!**
- D. **Do not throw balls** if people other than your immediate family are in the pool.
- E. **"Adults Only" swim** will be 8 AM to 10 AM and from 7 PM to 9:00 PM daily. **Children accompanied by adults may swim from 10 am to 7 pm.**
- F. Please **use the shower or the hose** to rinse excessive oil and sand from body before entering pool. The footbath is not a play area.
- G. Please **use caution** if wet when entering the downstairs of the Lodge for bathroom use. **The floors can be slippery.** Footwear is advised.
- H. **Wet bathing suits are permitted** in the downstairs bathrooms of the Lodge ONLY. No wet bathing suits are permitted upstairs, exercise room, or playroom.
- I. **Pool furniture must not leave the pool area.** Feel free to move pool furniture to meet your needs but return it to its original site before leaving pool. We do not have a permanent Lodge attendant to take care of this on a daily basis. We prefer the chairs be lifted and moved rather than dragged. Dragging damages the furniture. Your cooperation will be appreciated.
- J. **Life saving equipment** attached to the fence, such as, the ring buoy and grab hook is absolutely not for play. They are for emergency use only.
- K. **Rafts** may be used in the pool unless the pool becomes crowded. Use discretion.
- L. **First Aid Kit & Emergency Telephone** are located in the Exercise Room.

## XII. LODGE

- A. We are proud of the Lodge and hope that the Owner's will respect it as they would their own home. This means **cleaning up after yourself**.
- B. Because of recent incidences at the Lodge, we would like **the upstairs** to be used by adults or children accompanied by adults.



- C. **Telephones are located** in the Exercise Room to the right inside the door and on the wall near the ovens in the kitchen. The Phone number is 888-1136. Only local calls can be made. Please do not turn the ringers off.
- D. **No wet bathing suits upstairs. Proper footwear and cover-ups are required upstairs.** We have provided fine furniture. Suntan oils will ruin and stain the upholstery and leather.
- E. **Absolutely no pets permitted in the lodge**, on the veranda, front porch, or inside the pool fenced area. Pets are not to be tied to trees around the Lodge and left unattended.
- F. **Billiards Room**
1. **An adult must accompany children under the age of 18.**
  2. We have removed the dart game because of improper use and lack of adult supervision.
  3. **The pool table is a championship table.** Treat it with respect. No drinks or children are allowed to sit on the side rails. Use the corner tables and the coasters provided.
- G. **Media Room/Library**
1. **Our intent** is for this room to be used primarily by adults. This is an area where the Golden Rule must apply. Children's videos and games are to be used in the downstairs playroom. We are attempting to make the downstairs room more family friendly so that while children watch videos and their shows, adults may be watching sports or their programs upstairs. This will permit the Media Room to be accessible by more people.
  2. **We welcome contributions to the lending library.** When you return the books, try to replace them in the area you found them. We have no full time librarian!
  3. **Be conscious of the time you spend in the room.** Should others obviously want to use the room too, be respectful of the time you have used it and share. If there are complaints, we may have to resort to a sign-up sheet for reservations for those who rent videos or want to watch special programs not received in their cottage. Being respectful of the time you use the room also applies to the Billiards Room.
  4. Please follow instructions provided for media room equipment which are located somewhere.
- H. **Great Room**
1. **Our intent for this room** is that it be used as an adult social room. Adults should feel free to play cards, read, and watch the TV at the bar etc. whenever they want. **Our Owners**, not guests, have the privilege of reserving the room for private use. Check with the management for approval. There will be a minimal charge for housekeeping services after each function, **if necessary.** If additional help is required, the owner will be billed. Everyone is responsible for clean up. Leave it as you found it.
  2. **The silverware, dishes, glasses, etc. are to remain in the upstairs area.** Please clean up after yourself by rinsing dishes and placing them in the dishwasher. When the dishwasher is full, it should be run just as you would do in your own home. Dishwasher soap is provided under the range.
  3. **The refrigerator** is for cooling food and beverages you bring to the Lodge. It is not for overnight storage. Items provided in the kitchen are for your use. Treat them as you would your own.

4. **The icemaker** is NOT to be used for filling personal coolers. When it is used in this manner, it deprives other Owners of ice for beverages. Do not place cans or other items in the icemaker. Make sure you close the door. Use scoops provided -- not hands!
5. **Firewood is provided for the fireplace.** Only use 1 or 2 pieces of kindling per fire. Please clean up debris after preparing the fire.
6. **The lamps in the Great Room** are switched on the wall by the ovens.

#### I. Putting Green

1. Children may use it. **Parental guidance** is appreciated.
2. **It is not a driving range.** Instruct the children on how to putt so they do not hit balls out of the putting green area. Place the equipment in designated area.

#### J. Exercise Room

1. **This is not a play area.** Parents must accompany and supervise children. The room is intended primarily for adults. We do not want any child hurt on the equipment because of improper supervision.
2. **As the community grows,** we will add a sign-up sheet for reservations for specific equipment.
3. **Adults exercise at your own risk.** Please be careful.
4. Follow audio/video instructions for TV use, if you can find them.
5. After using the equipment, please disinfect the machines you use with the supplies provided. Leave a note in the "Office" box located by the Gatehouse if supplies run out.

#### K. Children's Playroom

1. It is **our intent** that this be a FAMILY FRIENDLY room. Small children may need supervision. Children's games, puzzles, videos are to remain in the room and picked up after use. Toys in the Lodge are to be confined to this room only.
2. **Windows are to remain closed at all times.** Children are not allowed to crawl in and out of the windows. This room is Air Conditioned

#### L. Beach Area

1. **Please keep sand in sandbox.**
2. **Remember that you are swimming at your own risk.** This area is the safest for swimming, but caution should always be observed.
3. **Please rinse sand off before going into the swimming pool.**
5. This is the only area in Backwater where swimming is permitted off the shoreline.

### XIII. BOAT SLIPS

- A. **Boat slips are for boat owners who have an annual lease with Backwater.** Temporary mooring for daytime visitors is available at the outside end of each dock. Boat slips might also be available. In all cases, **residents must notify the office** of visitors and make arrangements for temporary mooring. There is a charge of ten dollars for overnight docking by residents or guests at Backwater.
2. **Chairs and personal items** are not to be left on docks when not in use.
3. **Swimming is not permitted off the boat docks.** We have had one resident bit by a snake in the dock area.
4. **Inflated objects** should be placed on boats and not left in the water tied to boats or on the walkways.
5. **Gas cans** should not be left near the boat dock area. **Empty cans** may be stored under your cottage. On occasion we have had to slowly release air from a can that was ready to explode. No permission will be granted for storing gas in Backwater.
6. **Dispensing of gasoline** into your boats is a dangerous and environmentally unsafe activity. Backwater hopes to create a safe area for personal fueling of the boats. Backwater has elected not to get involved in commercial gas sales due to the fact that permitting such activity would require Backwater to sell to the public. We do not want our area of the Lake to have any more traffic than necessary and we do not want our shoreline polluted as a result of spills.
- N. **Boat and/or Trailer Storage** This year we will complete the area where boats have been stored. The land will be prepared with road base and level sites for boats and trailers. If you have a boat and/or trailer being stored we need to know. If your trailer has a lock on it, Backwater will need a key. There are times when these trailers need to be moved. Starting January 1, 2003 a minimal charge for storage will begin.

### XIV. BOAT RENTAL

- A. Backwater offers a pontoon boat for rental to residents and their guests only. The fee is for a full day (8 AM to 7 PM) only and includes a full tank of gas. This boat is for pleasure cruising only and is not to be used to pull skiers, tubes, kneeboards, etc. Advance reservations may be made through the office. Advance cancellation is a must.

*The management appreciates suggestions and comments on the Rules and Regulations. We want to be fair to all our Residents and keep the best interest of everyone in mind. It is not always an easy task.*

*We have tried to address all the situations where problems have occurred. Let's work together to monitor any misuse of our Community and the beautiful Lodge.*

*Backwater continues to increase the value of the Owner's investment by providing quality amenities. Some areas have been difficult to manage for various reasons such as, landscaping. Rest assured – Backwater will continue to strive to make this community AND your investment one of which you can be proud. You, the cottage owners, are the most important people to us. Your confidence in investing into this development is something we take very seriously. Backwater Landing is very stable, and we are growing at our own pace. We have our growing pains, but we will get the job done, and done right. We sincerely appreciate your patience.*

### **Backwater Landing**