

**Resolution:**

**Resolution to Grant Common Area Easements for Docks and Ramps**

*Adopted - members  
and board -  
20 March 1999*

WHEREAS, The Landings at Inverness Homeowners' Association, Inc., hereinafter referred to as the Association, is the owner of real property known as the common areas lying between the borders of Little Lake Henderson and privately owned lots in The Landings at Inverness subdivision.

WHEREAS, Article I, Section 8, of the Declaration of Covenants, Conditions, and Restrictions of The Landings at Inverness provides as follows:

"Common Area Easements" shall include all nonexclusive easements granted to lot owners on the plat, in the conveyance of title or otherwise, for the purpose of reasonable, orderly use of the common areas in such a way as to not be detrimental to the rights and property values of the other lot owners.

WHEREAS, Article II, Section 2, (c), of the Declaration of Covenants, Conditions, and Restrictions of The Landings at Inverness provides for

the right of the Association to dedicate or transfer all or any part of the Common Area . . . to any . . . private entity . . . for such purposes and subject to such conditions as may be agreed to by the members.

WHEREAS, the provisions of the above-cited Declaration indicate that the Association may grant a common area easement to a lot owner for the purpose of reasonable and orderly use of the common area in such a way as not to be detrimental to the rights and property values of other lot owners.

WHEREAS, it seems that the common areas bordering Little Lake Henderson are of no significant use to lot owners in The Landings, with the exception of lakefront lot owners for dock and ramp purposes.

WHEREAS, there are already in existence several docks in The Landings where common area easements have not been granted and which docks encroach over common areas owned by the Association.

THEREFORE, by virtue of the foregoing, the undersigned building unit owners in The Landings and members of the Association hereby resolve that the Association's Board of Directors shall be empowered, upon application and assent to the provisions of this resolution, to grant common area easements in perpetuity to lakefront lot owners who pay a consideration of \$2,000.00 to the Association for such easement and who agree to comply with other conditions listed below:

1. Applicant agrees to assume all expenses incident to the grant of a common area easement, including but not limited to surveying, legal, and recording costs.
2. Applicant agrees for inclusion of language in the common area which will permit any building unit owner in The Landings, or his or her guests or invitees the right of ingress and egress over that portion of the dock or ramp encroaching over the common area.
3. Applicant shall furnish to the Association's Architectural Committee plans including location of the dock and/or ramp on the lot and drawings for the proposed dock and/or ramp, but in any case no dock and/or ramp together with any platform shall exceed 50 feet in length or 50 inches (outside dimension) in width (except for a platform which shall not exceed in its dimensions 12 feet X 12 feet, and no dock and/or ramp shall have built upon it any fish-cleaning facilities or any walled or roofed structure.
4. Applicant agrees to retain liability insurance covering the common area easement and agrees to make the Association whole for any claim for damages relating to any incident occurring on the common area easement.

Dated: March 13, 1999