

Matanzas Shores Owners' Association, Inc (MSOA)
Kayak Storage Policy & Procedures
January 1, 2023

- I. Policy & Procedures**
- II. Waiver of Liability**
- III. Renewal Information**

I. Policy & Procedures

MSOA kayak racks are provided for the convenience and enjoyment of MSOA owners. MSOA assumes no liability for equipment loss, damage, or personal injury related to the use of the provided racks. Renters of MSOA kayak racks must sign a waiver of liability to be assigned a rack.

Rack users must provide safety equipment for users of any kayak stored in a MSOA rack. Additionally, renters must provide locks and/or cables to effectuate ample security for kayaks stored in racks, pursuant to Article XII, Section 25 of the MSOA Covenants.

All kayaks stored in the MSOA racks must have a kayak decal which should be easily visible to management as they walk through the storage areas. Kayaks without decals and kayaks laying on the ground will be considered unauthorized. These will be confiscated and stored at \$5.00 per day. After a kayak has been stored for a minimum of 180 days, the Association reserves to consider the equipment abandoned and will exercise the right to sell or dispose of the equipment.

MSOA kayak space renters traveling from Surf Club should use the north entrance to Lakeside (San Juan Drive). Use the callbox to dial #001 for the guard to open the gate. All residents shall observe the posted parking zones, the 25-mph speed limit within Lakeside and the 10-mph speed limit on the boat club road.

Parking, other than in designated spaces and overnight parking, is prohibited. Violators will be fined \$50 per occurrence. No open fires or grills are permitted to be used in the boat club area due to community safety concerns. Violators will be fined \$50 per occurrence.

Guests, other than house guests, are limited to 3 per household and owner must accompany them at all times while using kayak amenities.

MSOA anticipates that kayakers will exercise good environmental stewardship. No petroleum products shall be used and no garbage shall be left in the kayak area. Kayakers are to use the hose provided at the kayak washing station area for cleaning their equipment. Use of any other hose at the boat club site is prohibited.

The MSOA kayak racks are the property of the MSOA and MSOA may remove or restrict an owner's permission to use the racks if the owner does not comply with the Kayak Policies and Procedures. **A one-time fee (\$180 for double rack and \$150 for single rack with the first year's fee included) to cover construction and maintenance costs is to be assessed to any owner upon the assignment of a kayak rack.** The fees apply for each new assignment. The annual renewal fee is \$50 for a double rack and \$40 for a single. If the rack is not used for a period of 12 months, MSOA will consider the assignment of the rack relinquished, **the renter will be notified, and the rack will be reassigned.**

Racks will be assigned to the next person on the waiting list as they become available. Only one rack per household. Location cannot be chosen. If you are on the waiting list and you are offered a rack, but you do not take it, your name will go to the bottom of the waiting list. If your condo or home is primarily a leased property, you cannot rent a kayak space until all owners on the waiting list have been assigned a kayak rack.

While MSOA assigns racks to owners who are members of the Association, the assignments are for the use of the rack only and no actual ownership is transferred. Likewise, when an owner sells their unit, no rights to the rack, ownership or usage rights, shall exist or transfer. By the same token, the sale of a kayak occupying a rack does not transfer any rights of ownership or usage. **As a public organization with an obligation toward the health and safety of visitors and residents, MSOA reserves the right to restrict or forbid individuals from using its**

amenities and reserves the right to prosecute persons failing to abide by rules and regulations, causing damage(s) or posing threats to other amenity users.

This document was approved by the MSOA Board of Directors at the December 7, 2018 meeting. The minutes of this meeting can be found on the MSOA website: matanzasshoreshoa.com

The following definitions identify and clarify the terminology used in this document:

MSOA – Matanzas Shores Owners’ Association which is the community governing body for all property, access and use common to all owners of property in the Matanzas Shores north tract parcels.

MSOA Property Owner (Owner) – For purposes of this policy, a property owner is any individual who owns a house or condominium in the MSOA north tract and pays MSOA north tract dues.

Kayak – The kayaks referred to in this policy are small, narrow watercraft which are propelled by means of a double-bladed paddle. The kayak has a covered deck and one or more cockpits, each seating one paddler. Paddle boards are permitted; however, special accommodations can be made for canoes. Gheenoes and John boats are not permitted in MSOA kayak racks.

Kayak Rack – A structure having a base and several levels of arms designed to act as a storage shelf. Single racks are designed to hold one kayak. Double racks are designed to hold two kayaks.

Please fill out this document in its entirety, sign it, and mail with your check to:

Matanzas Shores Owners’ Association
110 E. Collector Road
Palm Coast, FL 32137

II. Waiver of Liability

I, _____, the undersigned, by my signature, affirm that I am an owner of a house or condo as a member of MSOA and I have read the MSOA requirements for the lease and use of a MSOA kayak rack. In submitting my request for lease of a kayak rack, I pledge to comply with the written regulations cited herein and understand that I waive any liability against MSOA and its agents.

III. Renewal: Due by 2/1/23

Printed Name

Date

MSOA Address

Cell Phone Number

Mailing Address

Email

Assigned Rack Space Single or Double

Kayak Decal Number(s)

X _____
Signature