

**A Resolution Regarding Marina Safety
and the Use of the Landings Marina and Dock Systems
Revised August 10, 2024**

Be it resolved that a dock and marina policy be established per the following guidelines

The marina size shall be for 66 hoist spaces. The Iowa Department of Natural Resources has approved 66 slips/hoists for the Landing Association. Every owner of a property in Nantucket, Marina Village, and the Landings Estates is entitled to one hoist per property. The order of Priority for hoists shall be as follows:

1. Nantucket Condos shall have priority for 20 hoist spaces.
2. Marina Village and Estates shall next have priority for 46 hoist spaces.
3. The 66 hoist spaces are limited to conventional sized runabouts, pontoons, fishing boats, large sailboats and personal water craft (wave runners). Conventional means the size of boat that can only be moved with a boat trailer requiring a pickup truck or SUV for towing. The maximum boat hoist size shall not exceed 144 inches in width for outside measurement which includes any outside curtains or any mechanical devices.
4. However, an exception has been made in the case of Dave Kuker and Peggy Bergh-Kuker. The Kukers own a Landings Property at 5600 Furman Road consisting of two lots. Two lots entitles the Kukers to two hoist spaces in the Landings Marina. An agreement has been entered into between the Landings Homeowners Association and the Kukers whereby the Kukers have given up one of their hoist spaces in exchange for the right to place in the Landings Marina a 31 foot SeaRay Boat in an 11,000 pound Hoist that is 156 inches wide, This agreement does not run with the land and is exclusive to the Kukers personally. This agreement does not permit the Kuker's to replace their current boat with a larger boat or a larger hoist.
5. The hoist covers must be white. If an owner prefers a personal water craft (PWC) in their hoist space versus a conventional boat/pontoon the PWC hoist must be a double hoist not to exceed 144 inches in width. It should be noted that the DNR classifies a single personal water craft (PWC) hoist as one hoist and a double PWC hoist is also classified as one hoist. All new or used Boat or PWC hoists coming in to the Landings Marina may not exceed the 144 inch outside width restriction. There are presently 3 waverunner hoists which exceed the 144 inch limit and those 3 waverunner hoists have been in use for several years and may continue to be used in the Landings Marina. However, if replaced, these waverunner hoists must be replaced with a dual hoist not exceeding the 144 inch width limit. This provision restricting the width of a boat hoist or PWC Hoist replaces the former restriction on boat length.

- a. Non-use of a hoist space does not forfeit any future use of the 66 allocated spaces for Landings unit owners nor do these rules change or limit the by-laws of the association. Residents may not lease, or transfer use of a hoist space to another resident or non-resident.
6. There shall be no overnight mooring to the dock system (out-side of a hoist) by residents or guests of residents. All passenger exchanges and docking shall take place at the end of the boat docks
 - a. On windy days or heavy boat traffic days, Boats/Pontoons/PWC will not be tied to the dock. These rules apply to owners, family members and guests
 - b. There will be no storage of Boats/Pontoons/PWC of any kind on the beach area
 - c. Boats/Pontoons or PWC's are not allowed to dock on the two center swim docks allowing swimmers a safe environment
 - d. No water craft should be tied to a catwalk at anytime.
 - e. Boats/Pontoons/PWC will not cross between the center swim docks and the swim platform.
7. Treetops owners may use the marina per the Landings Covenants on a space available basis under the same rules stated above, if space is available. Tree Top owners must pay a fee set by the Landings Board to utilize Landings entities such as Marina, beach, pool, and clubhouse. The fee is used to assist the Landings in their costs for maintaining the entities and liability insurance.
 - a. Treetop owners with conventional Boats/Pontoon hoists will be removed immediately as space is needed when the Landings Marina reaches capacity of the 66 hoists. Landings owner rights for a second hoist does not take precedence over Treetop owners requests. Landings owner second hoists will follow the procedures stated in this document.
8. If the 66 hoists approved by the DNR are not being totally used By Nantucket, Marina Village, Estate and Treetop owners, the remaining unused hoists can be used by Nantucket, Marina Village or Estate owners for Personal Water Craft (PWC), commonly known as "Wave Runners". Only "Wave Runners" (PWC) are allowed on a hoist in the Landings Marina
 - a. This does not include watercraft considered portable such as Kayaks, canoes, paddleboats, paddleboards, and small sailboats. No device used to hang on the dock a kayak, canoe or other small watercraft shall be permitted since those are hoists according to the DNR
9. Each Nantucket, Marina Village, or Estates property owner with a DNR approved Boat/Pontoon hoist shall be entitled to one (1) additional PWC, if space is

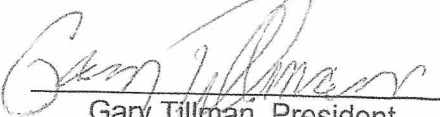
available, on a double hoist on a first in – last out basis. This personal watercraft space must be relinquished if the Marina exceeds the 66 hoist spaces in use by the Nantucket, Marina Village, Estates and Tree-Top hoist owners or single PWC owners of a senior status under the first in – last out basis.

- a. No single Personal Water Craft Hoists are permitted. As previously mentioned, the DNR classifies a single Personal Water Craft (PWC) hoist as one hoist and a double PWC hoist is also classified as one hoist.
 - b. The two owners grandfathered in with a second PWC will be required to remove them in the first in – last out procedure if another Landings owner wishes to put a PWC on a double hoist. If that space is needed for a boat/pontoon, both owners will need to remove their second PWC and join together on a double hoist. Landings owners with one PWC will not be asked to remove a hoist space until the two owners with two Wave Runners remove their second PWC.
10. The initial list of PWC hoists will be established by listing those currently having PWC hoists by date the PWC hoist was assigned and installed. As written requests are received by the dock committee the names will be added to the list and PWC hoists will be assigned based on the date the request was received by the dock committee
 11. If all the PWC hoists have been assigned the name of the requestor will be added to the list in sequential order of the date received. As hoist spaces become available the owner whom has been on the list the longest will be assigned a space. Upon notification of the availability of the PWC hoist the owner will have 30 days to install a double hoist or join an owner who has space on an existing double hoist. There will be a fee set by the board for the additional hoist. After 30 days if no hoist is installed the owner will need to reapply to have a second hoist and will be added to the bottom of the list of those wanting a second hoist based on the date the new request was received by the dock committee
 12. If a property owner who does not have a first hoist and wishes to have a hoist, the owner will need to contact the Dock Committee. The Dock Committee will assign a spot for the hoist. The Dock Committee will determine the hoist space location by owners location, boat size, and PWC hoist in shallow water, etc. If all the DNR allocated 66 hoists are filled with some of the 66 spaces being used for second hoists the procedure of first in-last out owners will be notified by the Dock Committee that they will need to vacate the space within 30 days. This procedure could very well involve the reshuffling of two second hoist owners.
 13. Only one conventional sized runabout, pontoon boat, fishing boat or large sailboat will be allowed per owner.

14. After the docks have been built in the spring, the costs of any relocation of hoists or additions to docks will be the cost of the new resident user. Treetops owners may use the marina per the Landings Covenants on a space available basis under the same rules stated above.
15. The use of the marina and dock system is subject to user being current with all Landings Assoc. dues, assessments, and charges. Any user not current at the time of dock installation will not have hoist space available to them until paid in full. If delinquent account is paid after docks have been built, paragraph 9 shall apply. At no time shall any Landings Owner take any action that is intentionally designed to circumvent the Landings Dock and Marina Policy.

Dated this 10th day of August, 2024

The Landing Association Board


Gary Tillman, President