



## **EMERALD BAY ESTATES LAKE RULES**

Emerald Bay Estates Homeowners' Association ("Association") authorizes its Members, as defined in the Declaration of Covenants, Conditions, Restrictions, Easements and Disclosures for Emerald Bay Estates (the "Declaration"), to engage in recreational activities on the lake (the "Lake Area") located within Reserve C, Emerald Bay Estates, Wichita, Sedgwick County, Kansas. Accordingly, in order to promote (BUT NOT ASSURE) safety, rules regarding the use of the lake within the Lake Area must be promulgated and enforced.

EACH MEMBER AND OTHER AUTHORIZED PARTY, THEIR GUESTS, AND INVITEES WHO UTILIZE THE LAKE AREA FOR RECREATION, DO SO **AT THEIR OWN RISK** AND SHALL ASSUME ALL LIABILITY FOR THEIR OWN ACTIONS IN PURSUING ALL LAKE AREA RECREATIONAL ACTIVITIES. **Each Member is solely responsible for informing their guests and invitees of ALL of the Lake Area rules.** Neither SNAR, LLC, a Kansas limited liability company ("Developer") nor the Association and their respective managers, officers, directors, or employees, or the members of Developer, shall have any liabilities or responsibilities for the acts or omissions of any persons with regard to activities within the Lake Area, or the condition of the Lake Area, and all such persons conducting activities within the Lake Area are deemed to have released and held Developer and the Association, and their respective managers, officers, directors and employees and the members of Developer, harmless from such liabilities or responsibilities.

### **General Rules**

1. The Association, or its designees, shall have complete control regarding enforcement of the rules regarding the Lake Area and shall have the right to take all action it deems appropriate to enforce the same.
2. Approved watercraft shall include ski boats with a maximum horsepower of 350 for inboard or inboard/outboard and 200 for outboard (horsepower limits are to provide for boats adequate to pull skiers and not to provide for excessive speed or noise on the lake); personal watercraft such as jet skis, wet bikes, wave runners, etc.; pontoon boats; sailboats; and windsurf craft. **For safety purposes, no more than four (4) motorized watercraft shall be permitted on the lake within the Lake Ski Area at any one time.** Further, ski boats and personal watercraft shall be utilized for no more than a **2 hour continuous period** with not less than a **2 hour non-use period** following a 2 hour continuous period.
3. No waste or sewage may be dumped in the lake.
4. All use of the lake must be in accordance with all State of Kansas and Sedgwick County laws and regulations regarding the use of watercraft or these rules,

whichever is **more** restrictive. All watercraft shall have an approved life jacket for each person on board when on the lake.

5. There shall be no activity on the ice on the lake at any time.
6. There shall be no swimming in the portion of the lake boating areas beyond a distance of 35' from the shoreline. ANY SWIMMING AND THE USE OF A SWIMMING PLATFORM AND/OR BOAT DOCK SHALL BE AT THE SOLE RISK OF THE SWIMMER/USER. PARTICULARLY, IN VIEW OF BOATING ACTIVITIES, SWIMMING OR OTHER SUCH ACTIVITY MAY BE DANGEROUS.
7. No animals or livestock, including dogs and horses, are allowed in the lake at any time.
8. No unsafe or reckless operation of any motorized or non-motorized craft on the lake is permitted.
9. All construction along the lake shore must first be approved by the board of the Association (the "Board") prior to construction and must thereafter be maintained in a first class condition.
10. The owner or an age-appropriate immediate family member must be present when any watercraft is being operated on the lake. Guests are not allowed to operate a boat without a Member of the Association being present. No fishing or skiing shall be permitted without a member being present.
11. Guests are not permitted to bring their own watercraft to the lake.
12. All appropriate care shall be taken in filling gasoline tanks or putting oil into engines at or near the lake so as not to spill any gasoline or oil.
13. The maximum permitted length of any boat on the lake shall be 21' as determined by the manufacturer's specifications; provided, however, pontoon boats may be up to 24' in length but shall not have enclosed cabins, and ski boats designed for low wakes (Ski Natique, Mastercraft, etc.) may be up to 23' in length.
14. No parasailing or aircraft may be used in connection with the lake.
15. Prior to putting any watercraft in the lake, the Association requires a form of identification (provided by the Association) for all watercraft, including a requirement that the same be prominently displayed thereon. Any new boat (never launched in the water) will not require an inspection. Used boats may (at the option of the Association) require an inspection to prevent the spreading of Zebra mussels into the lake.
16. No watercraft of any type, motorized or not, shall be operated by anyone under the influence of alcohol or drugs.

17. No private boat docks, swimming platforms, piers, moorings, boat houses, slips or similar improvements may be constructed adjoining the Lake Area without written approval by Design Commission. These items will be utilized at the **SOLE RISK** of the Members and other authorized parties.

### **Motorized Watercraft**

1. In order to assure safety in the operation of motorized watercraft, **all watercraft shall be operated around the lake in a counterclockwise direction**, however, if there are **no other boats in the portion of the Lake Area to be used for water skiing**, a counterclockwise figure eight may be used, but once another boat approaches such area, the aforementioned counterclockwise configuration shall apply.
2. The **maximum speed limit** of any craft on the lake is **35 miles per hour, subject to further limitations contained in these rules**.
3. All watercraft motors must have a muffler, underwater exhaust, or other device that adequately and affirmatively suppresses the sound of the motor, it being intended hereby that there shall be a minimum of noise generated by such craft.
4. No wake is permitted and no speed above 5 mph shall be permitted within the northern portion of the Lake Area cross-hatched on the drawing attached hereto as Attachment 1. The limitation of four (4) motorized watercraft at any one time referenced in General Rule 2 above, shall not apply to the “no wake” area.
5. The watercraft to the right shall have the right-of-way when two watercraft approach each other at right angles.
6. No person under 16 years of age shall operate personal watercraft unless a person of 18 years of age or older is aboard, except that a person under 16 years of age may operate a ski boat so long as such person has successfully completed a safety course approved by the State of Kansas and has received a valid boating safety certificate and has been approved by the Board.
7. No watercraft shall pull or tow any person or device after sunset. A no wake speed limit or idle speed limit for boats shall be in effect after sunset.
8. All watercraft, motor or sail, operating on the lake after sunset to sunrise must be lighted with a combination red and green light on the bow and a white light aft, visible 360 degrees.
9. There shall be no towing of a person on water skis, aqua plane, surfboard, or similar device unless there is a mirror providing the operator a wide field of vision to the rear or unless another person in the towing watercraft is continuously watching the person.

10. Waterskiing and similar acts are prohibited between sunset and sunrise of the following day.
11. Water ski ropes may not be longer than 60' in length.
12. Non-motorized watercraft have the right-of-way over motorized watercraft in all situations except when the non-motorized craft is overtaking or passing.
13. All motorized boats must have on board one Coast Guard approved fire extinguisher.

### **Personal Watercraft**

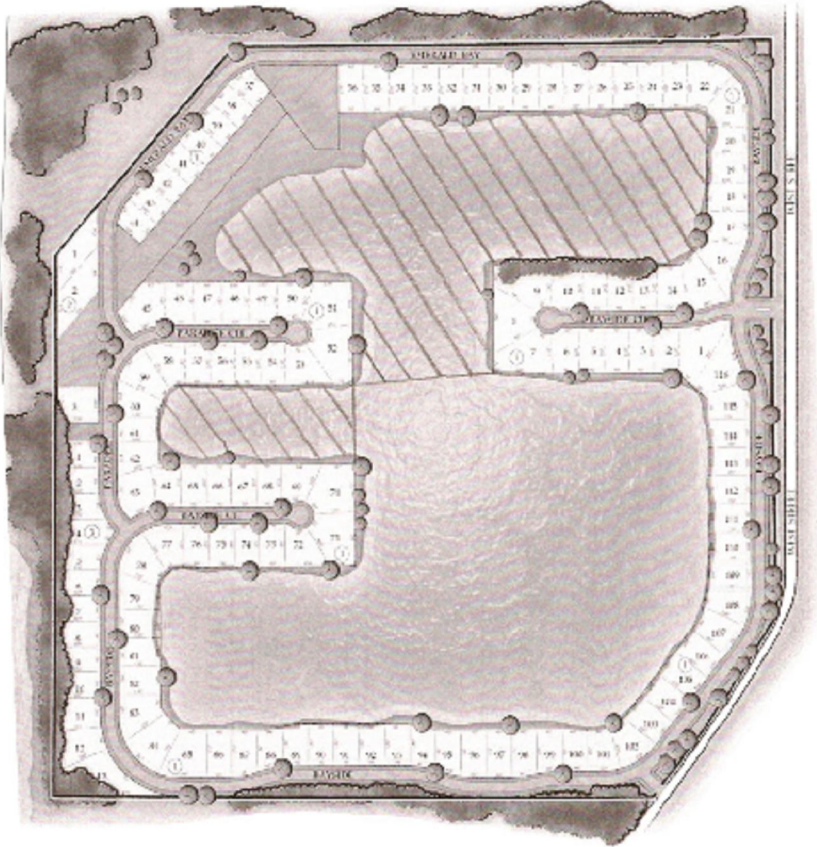
1. Personal watercraft such as jet skis, wet bikes, wave runners, etc. may not operate between **sunset and 8:30 a.m.** the following day.
2. There should be no operation of such craft at greater than a slow, no-wake speed within 100 feet of any shore line, dock, swimmer, swimming raft, any moored or anchored watercraft, or non-motorized watercraft at any time.
3. Use of the manufacturer's equipped lanyard-type engine cut-off switch is mandatory.
4. There shall be no chasing or harassing wildlife.
5. There shall be no weaving through congested watercraft traffic or jumping the wake of another watercraft within 100' thereof.
6. Towing behind personal watercraft, jet skis, wet bikes, etc. is permitted only if the driver is 21 years of age or older.

### **Fishing**

1. Seining, fish traps and trot lines are prohibited. No fisherman shall use more than two lines at one time, nor more than two hooks on each line. There shall be no limb lines.
2. Size and bag limits are in accordance with the Board's fishing rules for the current year.
3. All fishermen must have an appropriate fishing license in accordance with the laws of the State of Kansas.

**These rules are subject to amendment, restatement, modification, supplementation, withdrawal or additions at any time and from time to time by the Board without an approval by the Members.**

No Wake Zone:



- Remember to stay 100' from all shorelines and boat docks