



HERON

L A K E

City of Auburn - Planned Unit Development

Heron Lake & Site

Uses, Rules, Regulations, & Guidelines

Profotorma

Adopted: December 31, 2017

Heron Lake Planned Unit Development

Heron Lake & Site - Uses, Rules, Regulations, & Guidelines

Introduction

The Heron Lake Planned Unit Development was enacted on June 20th, 2017 by the Common Council of the City of Auburn, Indiana, and recorded as Ordinance No. 2017-06 in the Office of the Recorder of DeKalb County, Indiana. Such Planned Unit Development and the real estate comprising it, including any future annexations of additional real estate into the same, shall be referred to hereinafter as the "Heron Lake PUD" and the ordinance enacting the same shall be referred to hereinafter as the "Heron Lake PUD Ordinance".

The Dedication and Declaration of Protective Restrictions, Covenants, Limitations, Easements, and Approvals appended to as part of the Heron Lake PUD, Jackson Township, DeKalb County, Indiana was recorded as Document No. **XXXXXXXX** in the Office of the Recorder of DeKalb County, Indiana. Such covenants, agreements, restrictions, easements and limitations have been impressed upon the Heron Lake PUD and they shall be considered a part of every conveyance of land within the Heron Lake PUD, without being written therein. Those provisions contained are for the mutual benefit and protection of the owners present and future of any and all land in the Heron Lake PUD, and they shall run with and bind the land and shall inure to the benefit of and be enforceable by the owners of land included therein, their respective legal representatives, successors, grantees and assigns in accordance to and subject to the terms and conditions contained therein, shall be referred to hereinafter as the "Heron Lake Covenants".

This document, hereinafter referred to as the "Lake Rules", contains rules and regulations promulgated pursuant to Article II and Article VII, Section 19 of the Heron Lake Covenants. These rules and regulations are adopted and promulgated to carry out the intent and purpose of the Heron Lake Covenants and, as set forth in the Heron Lake Covenants, shall be enforceable by Heron Development, LLC, or its successors, assigns, or designated representatives (collectively, the "Developer") in the same manner as the restrictions and covenants contained in the Heron Lake Covenants. Additionally, the Developer's remedies, including the imposition of liens, monetary fines, and penalties are as set forth in these rules and regulations and the Heron Lake Covenants as authorized by the Heron Lake Covenants

Preface

The Lake Rules are intended to: assure personal and group safety, provide consideration for the usage rights of all Residents, and to provide the means for all reasonable and appropriate maintenance of Developer property and equipment.



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Notwithstanding anything to the contrary in these Lake Rules, Residents and Operators are bound by the terms of the HLPUD and applicable Covenants.

A. DEFINITIONS

Refer to Covenants for definitions of:

Architectural Control Committee, Common Area, Developer, Improvement, Lake, Lot, Operator, Owner, Resident(s), Restrictions.

Advisor - A Resident that is appointed at the sole discretion of the Developer to provide opinions and guidance on specific community related issues and applications.

Tenant - Those parties that rent, lease, or operate facilities owned by others within the Heron Lake PUD.

Common Abbreviations:

HLPUD - Heron Lake Planned Unit Development

HPM - Heron Property Management

ID - Identification

B. PRIVILEGES

- 1) All Operators, with a Resident status, are entitled to:
 - a) Access to the recreational multi-use trail.
 - b) Access to the three marina facilities.
 - c) Access the vessel launching facilities at the Wilson Marina for purposes of launching or retrieving water craft.
 - d) Reasonable use of the lake as restricted by the guidelines herein, including but not limited to the identification requirements detailed in Section II - Identification.
 - e) Receive all Developer directories and communications for the general Ownership.
 - f) Operators, with a Resident status, may attend Resident Meetings, but may only address and/or vote on agenda items which are directly related to the amenities for which the Operator is entitled.
 - g) Receive a copy of the current Lake Rules and all Developer newsletters.
- 2) All Residents are entitled to the above and to the following additional privileges:
 - a) Usage of Developer Amenities. Developer Amenities being, but not limited to: managed beaches, recreational building spaces, pavilion buildings, clubhouses, marina slips, and other Developer managed facilities. A fee set by the Develop may be levied for marina slip, recreational building, and Island Pavilion usage, see Fee & Assessment Table.
 - b) Usage of the Vineyard Clubhouse, Island Pavilion, and other Developer managed gathering or recreational buildings. Use will be restricted per the regulations described herein.
 - c) Eligibility to become an Advisor to the Architectural Control Committee (ACC), position appointed solely at the discretion of the Developer.
 - d) Complimentary participation in all Developer sponsored activities within the HLPUD.
 - e) Public road snow removal by Developer.

Summary

- Don't forget to also review the Covenants for the overall site!

- HPM - Heron Property Management

- Operators enjoy the privileges of lake access but not the daily amenities common to those living in the residential regions.

- Residents enjoy the most amount of base privileges.

- Additional services chosen by Residents will incur additional fees and assessments



- 3) Developer retains the right to add, suspend, change, or terminate defined Privileges.

II. IDENTIFICATION

A. TYPES OF IDENTIFICATION

There are three types of HLPUD IDs: (1) Vehicle, (2) Watercraft, and (3) Beach Objects (Docks, Rafts, etc.). These ID's will be issued by Developer upon receipt of assessments or dues.

- 1) Vehicle: Issued annually for each Resident or Operator vehicle with marina access privileges, these stickers need to be prominently displayed on the corresponding vehicle and are not transferrable to guests or tenants. At the request of a Resident or Operator, a temporary guest vehicle ID, typically a hangtag, may be authorized at the discretion of Developer. Vehicle ID's are only transferrable, on a limited basis, for a Tenant (not a guest) of a Resident's or Operator's property.
- 2) Watercraft: Issued annually for each Resident's or Operator's watercraft with lake access privileges. These ID's need to be prominently displayed on the corresponding watercraft and are not transferrable. At the request of a Resident, a temporary guest watercraft ID may be authorized at the discretion of Developer. At the request of an Operator, a temporary Tenant watercraft ID may be authorized at the discretion of Developer but typically also requires an accompanying Marina Slip rental for Tenant watercraft storage.
- 3) Beach Objects: Issued annually for each Resident or Operator owned Beach Object which protrudes onto or within the lake. Beach Objects may include but are not limited to: Rafts, docks, shades, and boat lifts. No temporary guest or Tenant Beach Object ID's will be authorized.
- 4) Maximum number of IDs allowed: The Developer retains full discretion on the number of ID's that shall be issued to Residents, Operators, guests, or Tenants. Vehicle ID's are typically limited by the number vehicle storage spaces within the applicant Resident's or Operator's Lot. Watercraft and Beach Object ID's are typically limited to the number of slip spaces, dock spaces, marina slips, or other approved storage locations attributed to or controlled by the Resident or Operator applicant.

B. TENANT'S IDENTIFICATION

Residents or Operators who hold rental contracts within HLPUD will be responsible for transferring appropriate ID's to their Tenants. Tenant ID's shall be identical to Resident ID's and not transferrable to another party. Tenant ID's shall not be issued annually and are only valid during the timeframe that the rental or lease agreement is in force.

C. AFFIXING LOCATION

Developer will issue IDs in a form suitable for affixing as detailed below. For prominent visibility IDs should typically be affixed:

- 1) Vehicle: Hangtags should be left on rearview mirror. Stickers should be affixed on rear bumper or rear window.
- 2) Watercraft: The Indiana Department of Natural Resources (IDNR) guidelines for watercraft registration will be followed. Any additional identification shall be affixed in a location to be readily visible while at lowest

- Vehicles may not enter the marinas or other Developer spaces without an ID.

- Watercraft may not be operated or launched upon the lake without an ID.

- Operators can get watercraft ID's.

- Guests & Tenants cannot get Beach Object ID's

- There is a maximum number of ID's allowed. Consult with the Developer for details.

- Tenants might be able to get a watercraft ID but will probably require a marina slip rental.

- Beach Object IDs are more about registration than placing stickers on objects.



buoyancy point. ID preferably affixed between the aft and port quarter of the vessel for visibility while docked or slipped at the marina.

- 3) Beach Objects: ID's need not be affixed. However, affixing readily visible IDs on floating objects, such as rafts, is encouraged. Developer will maintain ID records and will enforce assessment for unauthorized Beach Objects.

D. INDIVIDUAL IDENTIFICATION

Developer reserves the right conduct restricted access events or sponsor restricted access group activities within HLPUD. Individual identification may be required at those events or activities. Daily access to and unrestricted events within the HLPUD site does not require individual IDs. Employees of Developer or their designated representatives shall dress or identify themselves in a prominent manner as a member or representative of Developer.

Summary

- Beach Object IDs are more about registration than placing stickers on objects.

- Individual ID's may be tags, physical cards, but will always be based in the smartphone app. Your registered app will provide access when required.



Sample IDs Exhibit



Vehicle ID:

- » R - Resident, O - Operator, G - Guest, T - Tenant
- » For 2017 calendar year
- » Contains Lot information



Watercraft ID:

- » R - Resident, O - Operator, G - Guest, T - Tenant
- » For 2017 calendar year
- » Contains Operator information



Individual ID:

- » R - Resident, O - Operator, G - Guest, T - Tenant
- » For 2017 calendar year, or may be altered for specific events
- » Contains sponsoring Lot information
- » Includes two access scan function
- » May incorporate photo ID for security
- » May detail access locations
- » May be based in smartphone app

NOTE: Appearance and contents may vary from time to time at discretion of Developer



Summary

- If you can drive it on the public roads, you can drive it at Heron.

- Heron encourages golfcarts for access, just stay within the Heron community!

- Make sure you know what the potential fines are for infractions!

- If you can't launch your boat on a public lake, then you probably can't launch it here either.

- Heron encourages fishing, just refer to the Fishing Regulations for catch limits and seasons.

- Have a special boating use, talk to Heron about it, they'd love to try and accommodate reasonable requests!

- You can't launch a watercraft without an ID!

E. VEHICLE USE

- 1) Only vehicles which may be lawfully operated on the public roadways of the State of Indiana may be operated on the public roadways within HLPUD. Such vehicles shall only be operated as lawfully allowed on said public highways.
- 2) Vehicles specifically allowed to operate, lawfully and per manufacturer's express instructions, within facilities owned by Developer are as follows, without limitation of the foregoing: golf carts, manually powered vehicles, mobility scooters, and pedestrian vehicles.
- 3) Vehicles specifically prohibited from operating within HLPUD are as follows, without limitation of the foregoing: ATVs, UTVs, off road two wheeled vehicles, and tracked vehicles.
- 4) Upon written application, substantiated as required by Developer, exceptions to the vehicle prohibition may be made at the sole discretion of Developer.
- 5) Violation of this vehicle prohibition shall result in the imposition of a fine, to increase with subsequent infractions. Amounts for these fines shall be listed within the Fees & Assessments Table.

F. WATERCRAFT & LAKE USE

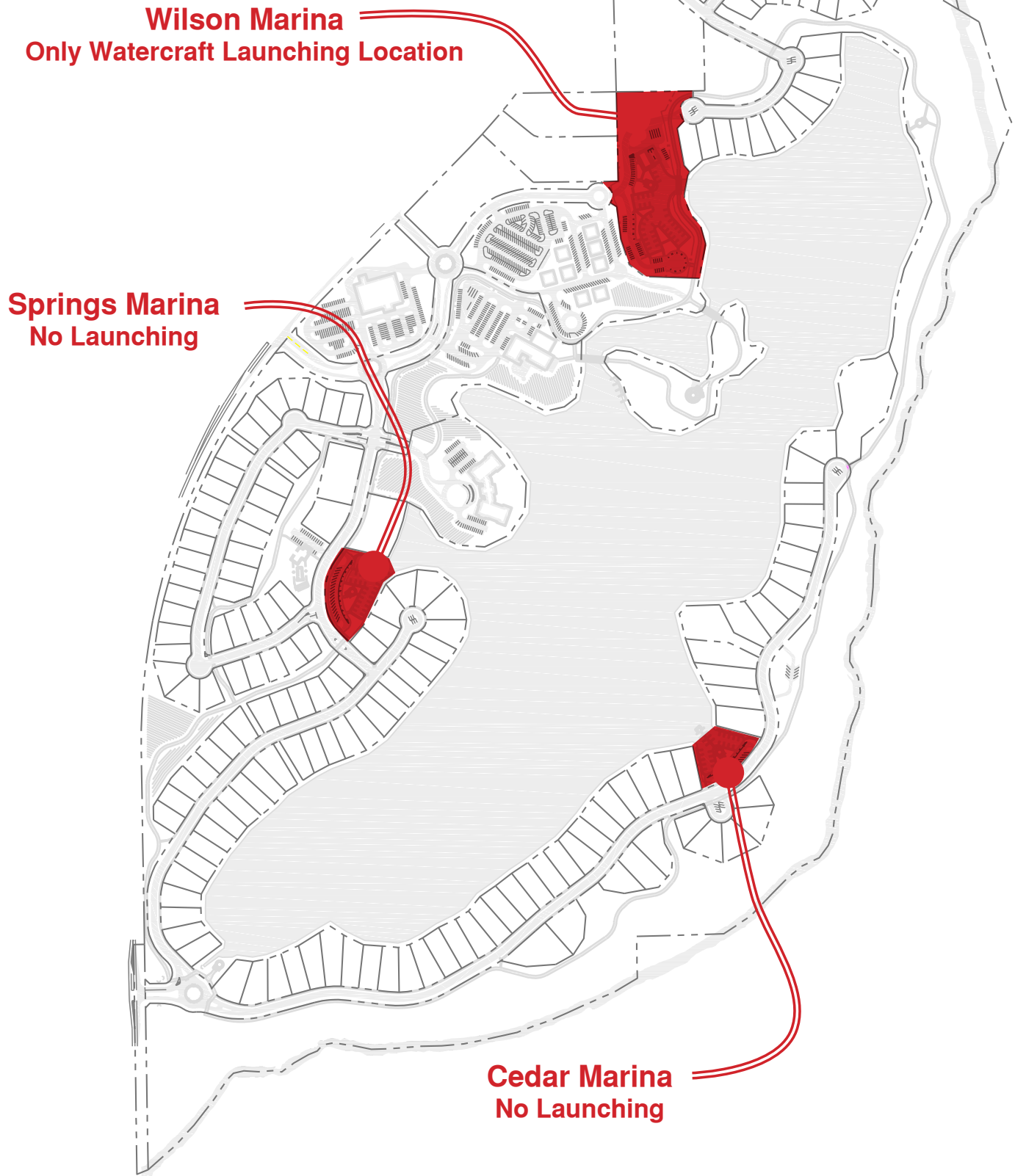
- 1) Watercraft with proper ID may utilize the Developer watercraft launching and retrieval area at the Wilson Marina and the lake itself.
- 2) All watercraft launching and retrieval activities subject to inspection by Developer for the express purpose of preventing exotic or invasive plant and animal placement into or out of Heron Lake.
- 3) Operation of all watercraft of any type shall be subject to regulations established and promulgated by Developer including the establishment of use zones in various regions and watercraft restrictions.
- 4) Personal watercraft are allowed, providing the use conforms with Developer guidelines.
- 5) Fishing shall be allowed by Developer per guidelines established for the various species present in the lake. These guidelines are subject to seasonal adjustment and are listed in the General Fishing Regulations exhibit.
- 6) Watercraft should be operated at Idle Speed between sunset and sunrise. Idle Speed herein defined as a speed which does not create undue wake.
- 7) No watercraft use shall pass or approach another watercraft in such a manner as to create hazardous wake or wash.
- 8) All watercraft shall be operated with appropriate safety equipment as approved and condoned by the United States Coast Guard.
- 9) All watercraft operators shall conform to standard recreational boating standards as defined by the United States Coast Guard.
- 10) All accidents shall be immediately reported to the applicable governmental entity.

G. WATERCRAFT RESTRICTIONS

- 1) Rental watercraft are not permitted on the lake or marina areas without proper ID.
- 2) Watercraft activities are allowed and restrictions waived at the sole discretion of Developer.
- 3) The overall maximum speed for the lake is 45 miles per hour (45 mph).

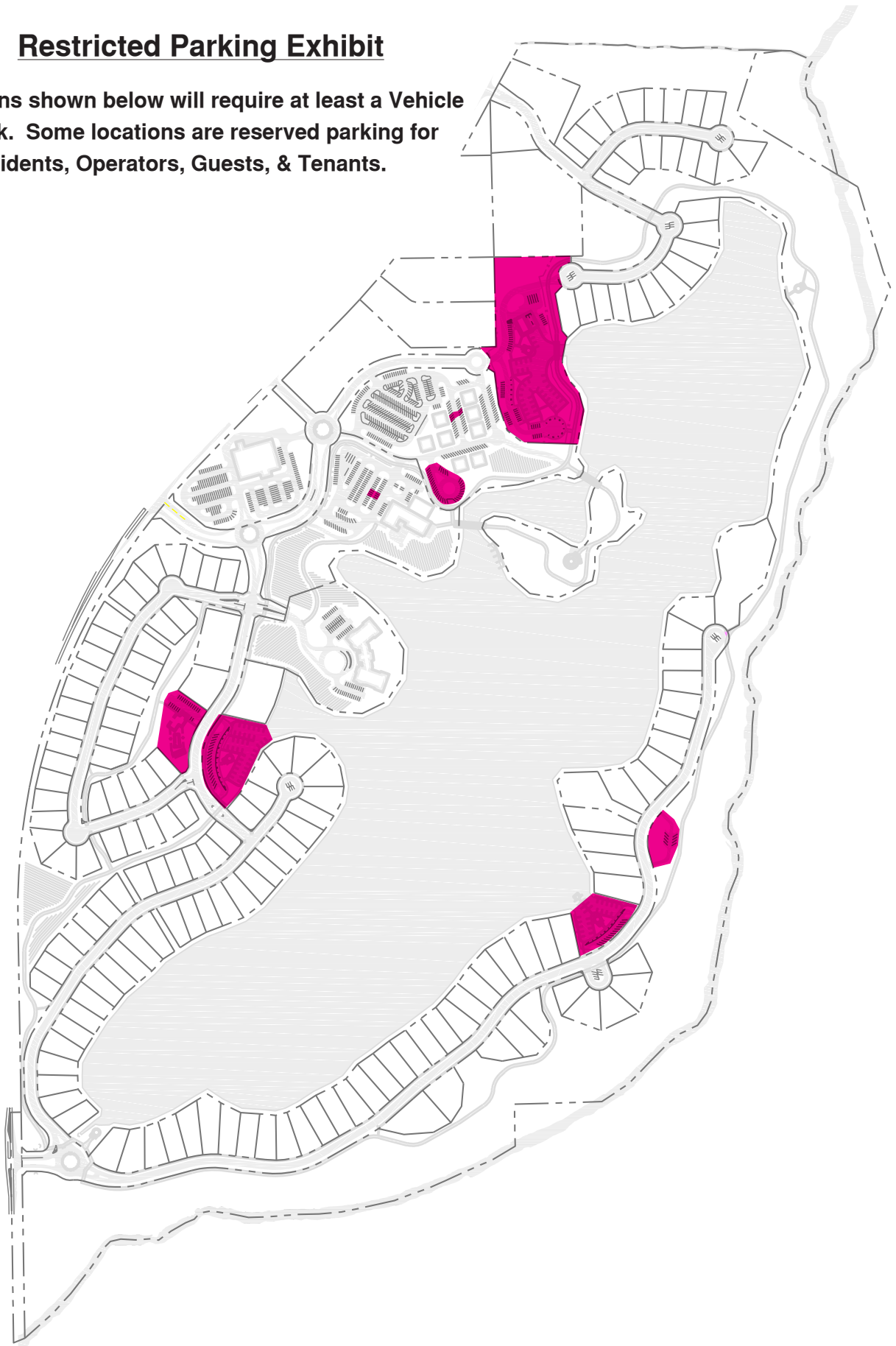


Launching Location Exhibit



Restricted Parking Exhibit

The locations shown below will require at least a Vehicle ID to park. Some locations are reserved parking for Residents, Operators, Guests, & Tenants.



Summary

- No watercraft over 200 horsepower are allowed without approval of the Developer.

- Dock placement is reviewed by HPM. The typical arrangements and sizes allowed are shown on the following page.

- We encourage you to share the site with your guests, just make sure they know the rules, Residents are responsible for their guests.

- Yes, you can rent your house, but no more than one Tenant every 6 nights.

- 4) Power watercraft shall be driven by a single engine, not to exceed 200 horsepower without prior written permission of the Developer. Power watercraft creating excessive noise will not be permitted.
- 5) No watercraft shall be powered in excess of the manufacturer's hull rating or Coast Guard rating for the hull.
- 6) Watercraft are generally limited to an overall length of 28ft with an 8ft beam. Houseboats or watercraft intended for living aboard are generally not permitted for that use.
- 7) Watercraft shall not discharge sewage or wastewater into the lake.
- 8) Developer shall be the only entity with authority to permit or operate work oriented watercraft.

H. DOCK USE, PLACEMENT, & STORAGE

Lakefront properties have the right to place a single dock into the lake. Selection of, authorization of, and placement of docks will be at the discretion of Developer. All Beach Objects use and placement shall be reviewed and approved by Developer. Storage of docks shall not occur on the residential lot but at a designated location within HLPUD.

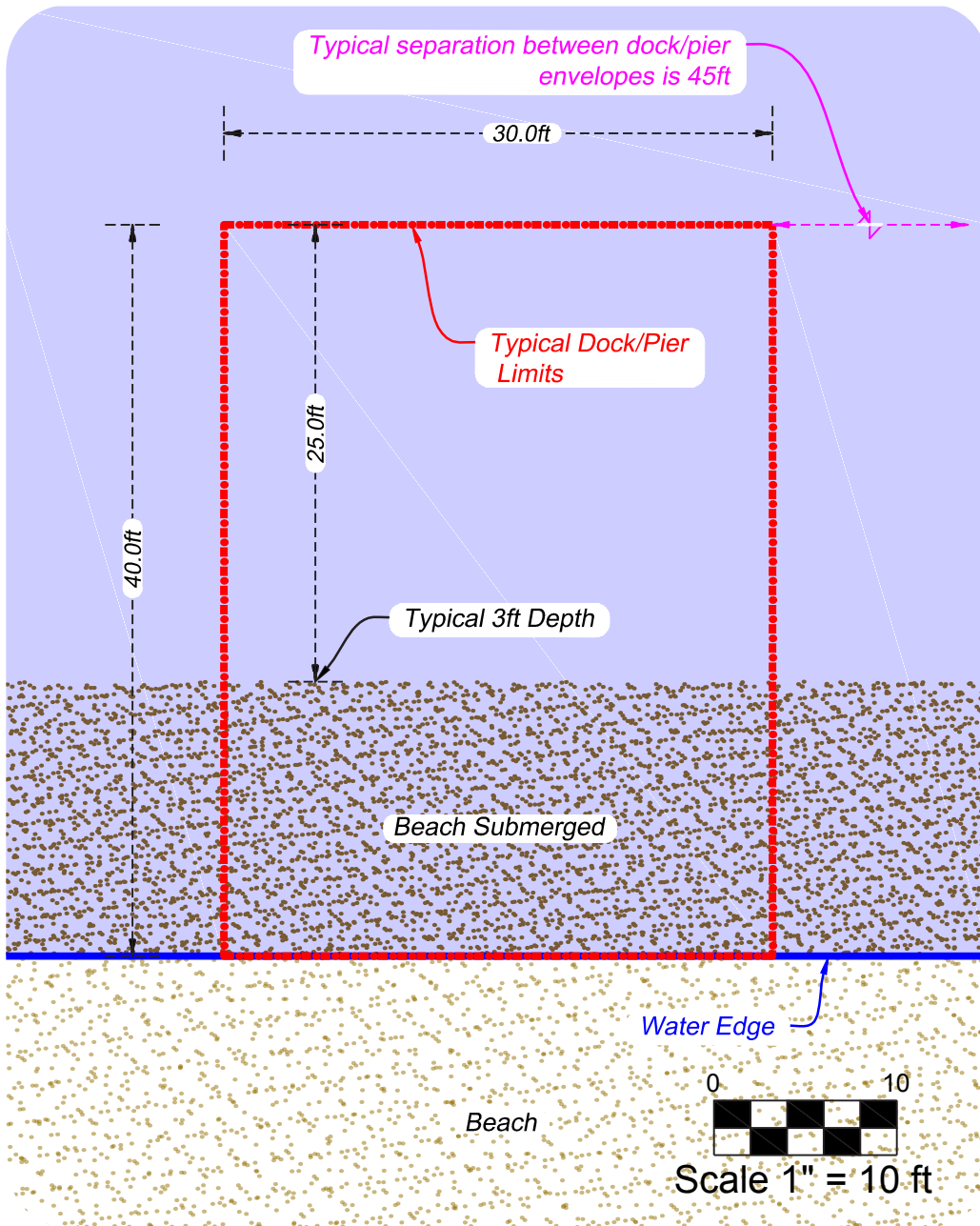
I. USE OF LOTS

- 1) Plant removal within the Lake is prohibited. Developer is responsible for all maintenance activities within the Lake.
- 2) No Resident may remove debris or plants from or place debris or plants onto the Lot of another Resident.
- 3) Residents with lakefront Lots may not authorize use or provide access to the Lake for unauthorized individuals or companies.
- 4) Residents may obtain guest IDs for marina access from Developer.
- 5) Noise levels can be amplified by the lake. Residents should take care that their activities and noise levels not be intrusive upon other Residents. Developer will respond to and resolve complaints.
- 6) Tourist Homes
 - a) Residents and Operators who choose to rent their Lots are responsible for the behavior of their Tenants. Tenants will be assumed to be knowledgeable in the Restrictions and Covenants of the HLPUD. Violation penalties of the Site and Lake Use Guidelines, as well as other Covenants, will be assessed to the Resident or Operator.
 - b) Providing accurate IDs for Tenants to Developer will be the responsibility of the Resident or Operator.
 - c) Use of Developer owned amenities and Lots is restricted to Residents, Operators, and their guests. Renting or leasing of lake access, amenities, and other features is prohibited.
 - d) A Resident may only rent or lease their Lot and assign Resident privileges for a temporary amount of time.
 - e) A Operator may only rent or lease their Lot and assign Operator privileges for a temporary amount of time.
 - d) Residents and Operators may only rent or lease their Lots for a minimum of 7 days (6 consecutive overnight stays) per Tenant agreement. This expressly prohibits more than one Tenant agreement per 6 consecutive nights. Longer period agreements are encouraged by the Developer.



Dock / Pier Sizing Exhibit

Purpose: Regardless of configuration selected, see Dock/Pier Configuration Exhibit, the overall Dock/Pier structure shall fit within the Typical Dock/Pier Limits shown below in red. Waivers may be granted by the Developer.



Intent: The Typical Dock/Pier Limits shown below in red, is intended to provide adequate docking/mooring space as to not infringe on the submerged portions of the beach. The limit is a guideline and will be evaluated at each proposed shoreline location.

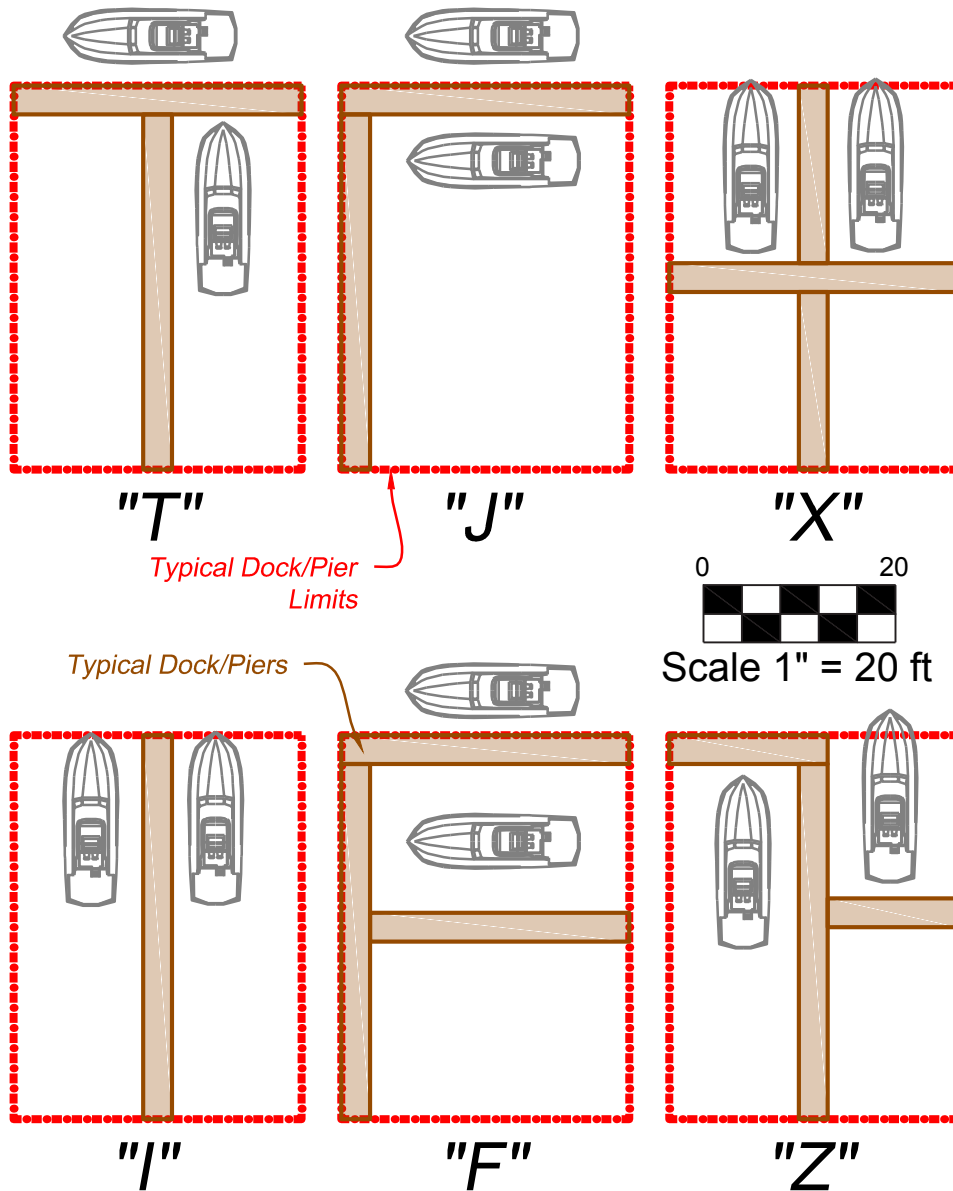
Summary

- No dock/pier shall infringe on an adjoining Lot's Lake access.
- Design your dock/pier to fit within a 30ft x 40ft rectangle.
- Centering your dock/pier on your Lot line is advised but not required depending on shoreline.



Dock / Pier Configuration Exhibit

Purpose: HPM shall make available these dock configurations. The overall size and specific configuration is at the discretion of the Resident or Tenant providing the overall size does not exceed the dock size envelope. Waivers may be granted by the Developer.



Intent: The Typical Dock/Pier Configurations shown above in brown, are intended to provide adequate docking/mooring space (3-4 total watercraft) to allow a variety of watercraft and adequate approved storage locations.

Summary

- No dock/pier shall infringe on an adjoining Lot's Lake access.
- Configure your dock/pier to fit within a 30ft x 40ft rectangle. The watercraft are not included in that size limit.
- Centering your dock/pier on your Lot line is advised but not required depending on shoreline.



J. WATERSHED RESPONSIBILITIES

- 1) Residents and guests are responsible for ensuring run off from their property does not unduly affect lake health. To this end Residents must use phosphorous-free fertilizers, soaps and detergents wherever feasible.
- 2) The following activities, all of which affect the lake either directly or indirectly, are strictly prohibited:
 - a) Placing non-native debris into the lake (trash, etc.)
 - b) Adding non-native materials to beaches or lake bottom without express consent of Developer.
 - c) Washing objects or pets in the lake with un-approved soap or detergent.
 - d) Allowing any person or pet to pollute the lake with urine or feces.
 - e) Painting of Beach Objects in the lake.
- 3) Dumping of any unauthorized liquids, solids, waste, or other debris into the lake is prohibited.

III. GENERAL

A. Developer OFFICE LOCATION/ADDRESS NOTIFICATION

The Developer Office is located near the Wilson Marina at XXX. Developer maintains site records and Resident and Operator records at this location. All Site and Lake Use Guidelines, Bylaws and general information concerning Developer-owned facilities may be reviewed at this location. Each Resident and Operator is responsible for reporting a current address and phone number to Developer.

B. COMPLAINTS OF VIOLATIONS OF SITE AND LAKE USE GUIDELINES

Developer will make every reasonable attempt and take every reasonable action to resolve complaints formally presented. However, anonymous complaints will not be given priority as Developer cannot report the status of resolution or determine if the complaint has been resolved. The identity of a complainant will not be divulged unless Developer is instructed to do so. Developer will provide a variety of measures by which a written complaint can be made directly and confidentially to Developer. Time sensitive complaints such as boating violations and safety concerns can be reported via phone, text, or the Developer smartphone application.

C. SCHEDULE OF FEES FOR Residents AND OPERATORS AND FINES FOR VIOLATIONS OF SITE AND LAKE USE GUIDELINES

Refer to the Schedule of Fees, Assessments, and Fines exhibit. Fees, Assessments, and Fines will be levied for but not limited to the following activities or services:

- 1) Assessment: **A.1 - A.6** - Required Resident and Operator assessment for privileges as defined previously.
- 2) Assessment: **A.7 - A.8** - Voluntary assessment for Villaminium-style services as defined in the Villa Services contract. Minimum time length for securing services is 3 months.
- 3) Fee: **F.1 - F.3** - Required Fee for issuing and replacing Developer Identification.
- 4) Fee: **F.4 - F.5** - Recovery of unrestrained or capsized watercraft and beach objects - cost of recovery may include fine. Developer may waive fee

- Make sure you only use approved cleaners and methods when cleaning outside.

- If all else fails, during normal business hours, you can always speak to someone at the HPM office, or find hard copies of the Rules and Covenants.

- Anonymous complaints will not be given priority as no follow-up or ability to determine if the issue is resolved is possible.

- Use your smartphone app to connect with and inform HPM.

- The Covenants control the maximum amount of increase per year for Assessments and Fees (8% per year).



Summary

- The pavilions and regions of the lake may be rented/reserved by Residents.

- Remember that the HPM fine will be in addition to any other fine imposed by other parties or law enforcement.

- There are areas of dedicated parking for Residents throughout the Heron Lake site.

- A standing \$1,000 reward is available to help prevent vandalism.

- Operators or Tenants may operate their commercial enterprise but it may not be lake related without consent of the Developer.

- Use the smartphone app to connect with other Residents and be informed about activities and opportunities.

and/or fine based on weather conditions and extenuating circumstances.

- 5) Fee - Rental: **R.1 - R.3** - Residents or Operators may rent facilities within the HLPUD per contracts and requirements specified by Developer.
- 6) Fee - Rental: **R.4** - Residents, Operators, or Tenants may rent marina slip facilities as available within the HLPUD per contracts and requirements specified by Developer.
- 7) Fee - Rental: **R.5 - R.6** - Residents or Operators may reserve regions of the Lake for specific uses per oversight of the Developer. Restricted uses, such as sitewide athletic events, public gatherings, fundraisers, may also be approved per contracts and requirements specified by Developer.

NOTE: All fines based on material property damage experienced during infraction.

- 8) Fine: **P.1** - Plant debris dumping in lake or on other property
- 9) Fine: **P.2** - Garbage dumping in lake or on other property
- 10) Fine: **P.3** - Vandalism - Developer offers a standing \$1000.00 reward for conviction of vandalism perpetrators. Developer will attempt to seek restitution from all individuals (guardians if vandal is minor)
- 11) Fine: **P.4** - Vehicle trespassing - law enforcement notification, fine, restitution, and/or repair costs.
- 12) Fine: **P.5** - Improper use of facilities resulting in damages to facilities or amenities. Activities may include improper use of unapproved fertilizers, vehicular damage to landscaped areas, trail facility damage. Developer will attempt to seek restitution from all individuals involved. Developer may waive fee and/or fine based on weather conditions and extenuating circumstances.
- 13) Fine: **P.6** - Tree removal from tree protection zone without Developer consent is strictly prohibited.

D. PARKING

Parking is permitted for vehicles with IDs at the marinas and parkspaces. During times of parking lot repair, inclement weather, and/or snow removal these facilities may be unavailable.

E. VANDALISM

Acts of vandalism or other acts of malicious mischief or damage to Developer property will be prosecuted. Residents and Operators will be held responsible for their Guests and/or Tenants. Developer offers a \$1,000 reward for providing information leading to the conviction of anyone damaging or vandalizing Developer property.

F. COMMERCIAL ENTERPRISE

Residents may not engage in any commercial enterprise of any sort, including those related to boating, fishing, swimming, in or upon the lake. Developer may grant exemptions for personal businesses, which do not require the coming and going of clients and which do not engage in obnoxious noises or manufacturing related concerns.

G. PERSONAL NOTICES

Residents may post notices at public bulletin boards located in and around the marinas and Developer office. Residents and Operators are encouraged to use the Heron Lake smartphone application for posting notices and reviewing the latest updates and news items from the Developer. Electronic notifications may also be included in Developer communications.



Schedule of Fees, Assessments, Penalties & Fines - Heron Lake

Adopted: December 31, 2017 [Valid 12 months]

Assessments		Payment Options	
		Monthly	Annual [Lump Sum]
Resident			
A.1	Lakefront	\$320.00	\$3,500.00
A.2	Lakefront - Full AI / ACC Waiver	\$230.00	\$2,500.00
A.3	Non-Lakefront	\$250.00	\$2,750.00
A.4	Non-Lakefront - Full AI / ACC Waiver	\$160.00	\$1,750.00
Operator			
A.5	Owner	\$590.00	\$6,500.00
A.6	Tenant	\$480.00	\$5,300.00
Villa Services			
A.7	Lakefront	\$410.00	\$4,500.00
A.8	Non-lakefront	\$295.00	\$3,250.00
A.9	Commercial [per acre/site]	\$590.00	\$6,500.00

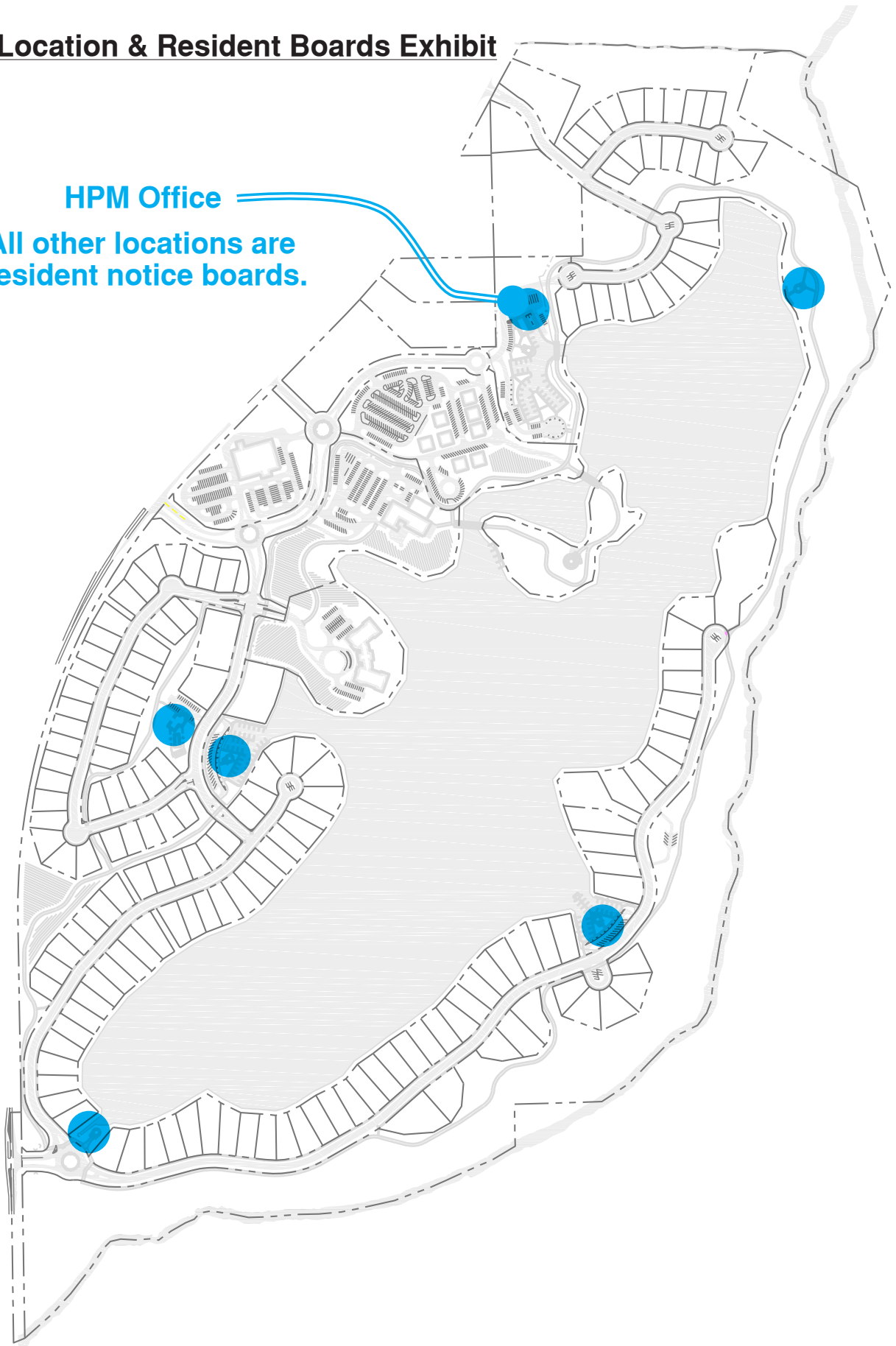
Fees		New / Instance	Replacement
ID's			
F.1	Resident, Operator, Tenant, & Guest	\$50.00	\$30.00
F.2	Watercraft	\$75.00	\$50.00
F.3	Beach Object	\$20.00	\$20.00
Recovery			
F.4	Watercraft	\$200.00*	
F.5	Beach Objects	\$150.00*	
Notes: * - Fee may be waived or varied due to circumstance or severity of retrieval			

Rentals		Resident	Non-resident
Buildings			
R.1	Vineyard Lodge	\$30.00/hr	
R.2	Trail Pavilions	\$0.00/hr	
R.3	Island Pavilion	\$200.00/hr	\$300.00/hr
Lake			
R.4	Marina Slip	\$850.00/year	
R.5	Region	\$50.00/region	
R.6	Restricted Use	\$50.00/event	
Cleaning fees may be added due to condition of buildings after rental.			

Penalties / Fines		Offense			
		1st	2nd	3rd	Recurring
Offenses					
P.1	Plant Debris Dumping	\$500.00 LE	\$750.00 LE	\$1,000.00 LE	LE
P.2	Garbage Dumping	\$1,000.00 LE	\$2,000.00 LE	LE	LE
P.3	Vandalism	Reward	LE		LE
P.4	Vehicle Trespassing	\$500.00 LE			LE
P.5	Improper Facility Damaging Use	\$100.00	\$250.00	\$400.00	\$400.00
P.6	Improper Tree Removal	\$1,000.00	\$1,000.00	\$1,000.00	LE
Notes: LE - Law Enforcement will be notified. Reward - Standing \$1,000 reward for information.					

Office Location & Resident Boards Exhibit

HPM Office
All other locations are Resident notice boards.



H. GENERAL NUISANCES

Residents and Operators shall not produce obnoxious conditions nor contribute to such conditions. Residents and Operators shall endeavor to ensure that all surrounding Residents and Operators may be able to fully benefit from the enjoyment of their property. Developer will enforce resolution for all complaints and ensure that Residents and Operators may enjoy their property and the Lake.

Residents and Operators may not use outdoor power equipment or produce excessive noise between the hours of 9:00PM and 8:00AM. Lawn care activities, in particular, should be performed at appropriate times.

I. ECOLOGICAL CONCERNS

- a) Waterfront Residents or Operators should consult Developer regarding any maintenance concerns along the lakeshore or conservancy district.
- b) Feeding waterfowl can lead to unwanted animal densities and accompanying fecal pollution. This unnatural feeding can also inhibit migratory patterns. Developer is committed to maintaining a healthy animal population with minimal negative impacts to the animals or Residents.

J. FIREWORKS

- 1) State of Indiana regulations pertaining to Fireworks and Firework Displays will hold for the HLPUD.
- 2) Fireworks that are not restricted by the State of Indiana (sparklers, snakes, waterfalls, etc.) may be enjoyed by Residents without prior notification to Developer.

K. RISK NOTIFICATION & ACCIDENT REPORTING

The use of Developer-owned facilities, lake, and amenities is at the user's own risk. Should an accident or an injury be sustained during use of a Developer facility, after appropriate healthcare and/or police notification, the Developer Office and/or a Developer Officer must be notified. Developer may be contacted for this purpose at: 260-920-8121 or via the emergency notification option within the smartphone application.

L. SECURITY

- 1) Police services are provided by the DeKalb County Sheriff's Department. They can be contacted at: 260-925-3365 or 911 in an emergency.
- 2) HLPUD Residents and Operators have the authority to notify trespassers to leave Developer property.
- 3) Developer personnel have the authority to notify trespassers to leave Developer property and will notify law enforcement personnel as appropriate.
- 4) Developer can be contacted at: 260-920-8121 or via the smartphone application.

M. BOATING REGULATIONS

- 1) Watercraft propelled by combustion engines in excess of 200 horsepower are prohibited on Heron Lake. Waivers may be granted by Developer
- 2) All watercraft operators using the lake should be familiar with the current State of Indiana, Department of Natural Resources Boating Handbook and accompanying regulations.

- Outdoor activities should take your neighbors enjoyment of their lot into consideration.

- The site is being professionally maintained, please do not intentionally attract nuisance animals.

- Always contact the appropriate public agency, or health services company, prior to notifying HPM of accidents or perceived emergencies.

- Make sure you are familiar with the boating regulations for the State of Indiana.



Summary

- Enjoy your boating activities safely and responsibly.

- 3) Any watercraft must be operated in a responsible manner. Indiana state law generally prohibits operating a watercraft while:
 - a) Intoxicated
 - b) Consuming an alcoholic product
 - c) Within prohibited areas
 - d) Loaded beyond its safe carrying capacity
- 4) Designated swimming areas are off limits to all watercraft.
- 5) Deliberate capsizing of watercraft (with the exception of formal boating instruction or proper use of kayaks) is strictly prohibited.

N. FISHING

- 1) Only Residents, Operators and/or Guests, Tenants may fish the Lake. Indiana State Conservation Laws concerning fishing methods, wanton waste, and species introduction will apply. Seasons, species, sizing, and bag limits will be determined by the Developer.
- 2) Fishing or casting lines is prohibited within 50 feet of the designated swimming areas.
- 3) Ice fishing is subject to the same regulations as fishing from a watercraft and requires a Developer ID.
- 4) The cleaning of fish in any non-designated fish cleaning area on Developer owned property, such as on the lake, or at the lakeside is prohibited.
- 5) Use of any chemical or electrical attractant or chumming is strictly forbidden.

O. DOCKS

- 1) Waterfront property owners may have one dock per residence.
- 2) Developer may oversee all dock placements and retrievals.

P. THE CLUBHOUSE

The Developer Clubhouse is located near the Springs Marina. These facilities are for the enjoyment of Residents and may be reserved for large parties or group meetings.

- The Clubhouse may be rented/reserved by Residents.

Q. HUNTING, TRAPPING, WEAPONS

- 3) Hunting within HLPUD is specifically PROHIBITED AND FORBIDDEN. This includes use of any of the following in pursuit of game: Pistol, rifle, shot gun, pellet gun, B-B gun, slingshot, crossbow, and bow and arrow.
- 4) For reasons of public safety, recreational use of firearms within the HLPUD is STRICTLY PROHIBITED. Individuals who wish to engage in such recreational use should use the various commercial firing ranges available in the surrounding community.
- 5) Recreational use of bow and arrow on one's own property is PERMITTED, provided that all pertinent safety provisions (e.g. target backstops, etc.) are complied with. This includes making certain that the location of the target and allowable distance is such that projectiles do not crossover to the property of other lot owners, Developer property, or the lake.
- 6) The discharging of any weapon is totally prohibited.
- 7) Trapping for household rodent control is permitted. Other forms of trapping are prohibited. Developer hires a state- approved trapper to remove beavers because of the damage they do to the trees and because of the huge hutches they produce on the lake.

- The Heron Lake site will eventually be within the City of Auburn municipal limits, only those appropriate activities will be allowed.



IV. AMENDMENTS

Amendments to the Site and Lake Use Guidelines may be proposed by any member of the Developer. The Developer will then decide which amendments to adopt. The Developer invites comment from the Residents regarding amendments, both proposed and those under review.

Summary

- Voice your opinion to the Developer at any time regarding proposed amendments or concerns over existing regulations.



General Boating Regulations Exhibit

General: Operators of watercraft shall observe traffic rules detailed within the Indiana Boating Rules.

Site specific traffic rules:

- 1 - Marinas, coves, bays, and connecting waterways shall be minimum speed zones, "Idle Zones", speed not to exceed 5 MPH and shall cause minimal wake.
- 2 - Watercraft exiting Idle Zones shall yield to watercraft underway.
- 3 - No mooring or anchoring watercraft in a location that impedes the traffic flow.
- 4 - Watercraft underway shall not operate closer than 35 feet to any other watercraft and/or 50 feet from the shoreline.
- 5 - Within skiing or special use regions no watercraft other than those specific to the region's activities shall be allowed.
- 6 - The maximum speed of any watercraft is 45 MPH. Waivers may be granted by Developer within special region zones.

Special use regions:

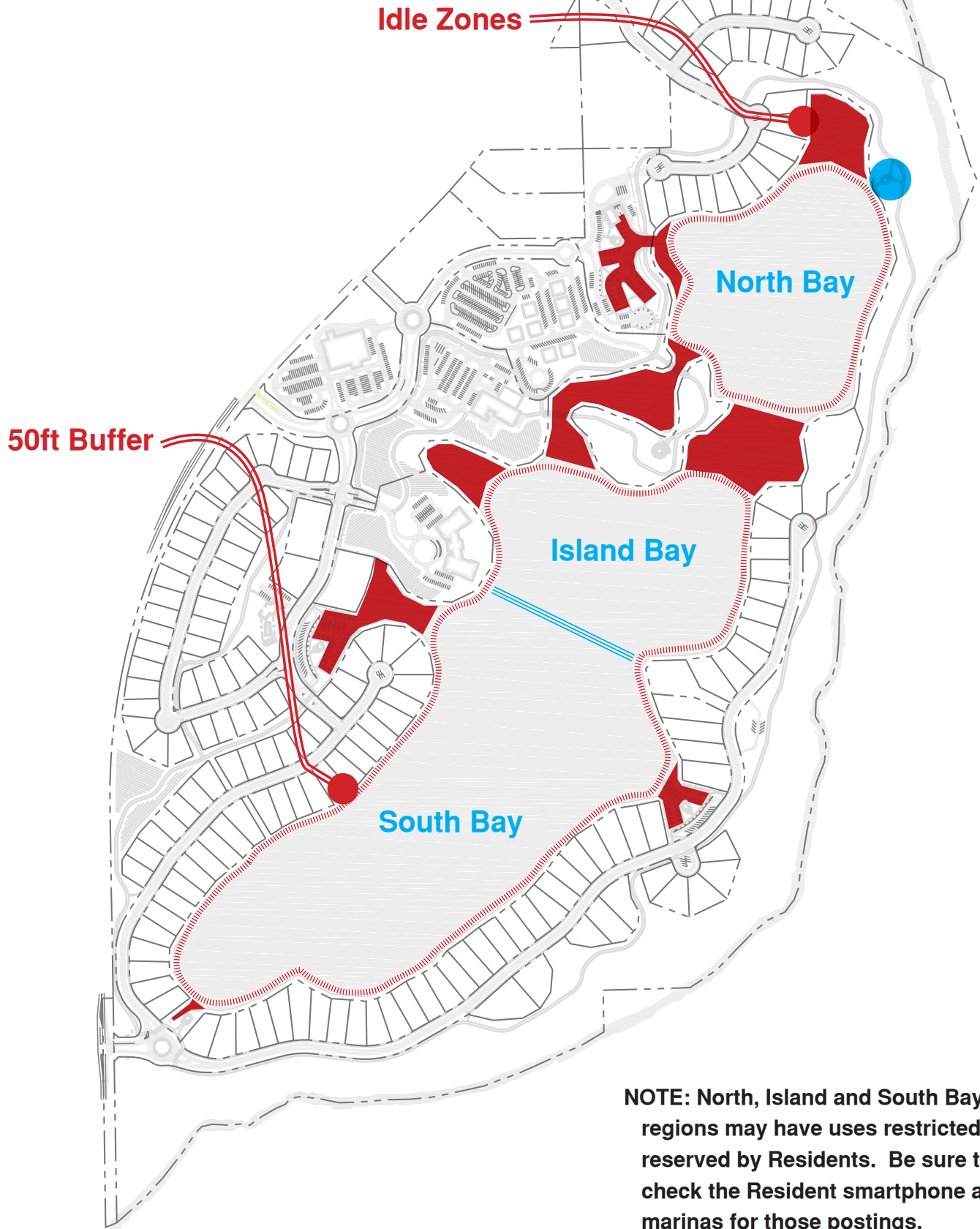
- 1 - The Lake has been divided into 3 distinct regions to allow for use designation and restriction of activities in a specific area for a specific purpose without impacting the entire Lake. Those regions are detailed on the following page.
- 1 - When regions have been set aside for a specific use, placards or other notifications shall be posted to indicate restrictions. Colors shall be used to indicate special region speed and use limits:
 - A - Red : No watercraft allowed. Swimming permitted.
 - B - Yellow : Watercraft at idle speed only. SCUBA Diving allowed. Swimming permitted.
 - C - Green : Region specific uses allowed. SCUBA by permit only. No swimming permitted.

Towing Method (Skiing, Tubing, Knee Boarding, Wake Boarding, etc.) Lakesports:

- 1 - No towing method lakesports shall be permitted within Idle Zones.
- 2 - No towing method lakesports shall be permitted without at least one operator and one observer on the towing watercraft. An exception is made for emergency boat retrieval or other similar uses.
- 3 - No watercraft shall pull more than 2 distinct towed objects at one time.
- 4 - Personal watercraft shall not tow any object. An exception is made for emergency boat retrieval or other similar uses.
- 5 - No para-sailing or kite based towing activities shall be permitted.
- 6 - Residents and Operators are encouraged to reserve times and regions for specific unique uses.



General Boating Exhibit



NOTE: North, Island and South Bay regions may have uses restricted or reserved by Residents. Be sure to check the Resident smartphone app or marinas for those postings.



General Fishing Regulations Exhibit

Preface: Only Residents, Operators and/or Guests, Tenants may fish the Lake. Indiana State Conservation Laws concerning fishing methods, wanton waste, and species introduction will apply. Seasons, species, sizing, and bag limits will be determined by the Developer.

General Fishing rules:

- 1 - Fish may be kept per the fishing regulations.
- 2 - Fish stocking is the sole responsibility of the Developer. No other person or entity may introduce any species or type of aquatic animal without written consent of the Developer.
- 3 - All people fishing are encouraged to make a reasonable effort to maintain the healthy condition of all fish. Should a fish expire during capture and/or release, do not place back into Lake.

Special use activities:

- 1 - Lakewide fishing activities, such as tournaments or other gatherings, may occur from time to time. During those activities fishing privileges may be suspended temporarily for those not participating.
- 2 - Colors shall be used to indicate special region speed and use limits:
 - A - Red : No watercraft allowed. Swimming permitted.
 - B - Yellow : Watercraft at idle speed only. SCUBA Diving allowed. Swimming permitted.
 - C - Green : Region specific uses allowed. SCUBA by permit only. No swimming permitted.

Penalties for non-compliance:

Flagrant disregard for the fishing regulations will result in all Lake access privileges being revoked for a period of time. The severity of the penalty will be at the sole discretion of the Developer. No refunds on Assessments will be given if/when privileges are revoked.

Schedule of Bag Limits, Sizing, & Species - Heron Lake				
Adopted: December 31, 2017 [Valid 12 months]				
Season	Species	Minimum Size*	Limits [Per Angler]	
			Daily	Annual
Resident or Operator [Guest or Tenant is included within Limits]				
-	Black Bass: Largemouth, Smallmouth, Spotted	14"	5	-
-	Perch: Yellow	12"	10	-
-	Sunfish: Bluegill, Redear	-	15	-
-	Panfish: Black Crappie, White Crappie	-	20	-
-	Catfish: Blue, Channel, Flathead	14"	5	-
-	Walleye	16"	C/R	-
-	Turtle: Spiny Spotted Softshell	12"	C/R	-
Jul 1 - Mar 31	Turtle: Eastern Snapping, Smooth Softshell	12"	2	4
Jun 15 - Apr 30	Game Frog: Bull, Green	-	25	50
NOTES: * = Tip of snout to end of tail, ** = Carapace length, C/R = Catch & Release Only,				



Comments/Response:

- Mail
- Will Pick Up
- Email
- Request HPM Meeting

HPM Office: App #: _____
 Date Received: _____ By: _____

Heron Lake - General Resident / Operator Application

Applicant Information:

Resident/Operator:

Name: _____ Resident/Operator #: _____
 Address: _____ Region [Springs, etc.]: _____
 Phone: _____ Lot #: _____
 Email: _____



Purpose of Application:

General:

- Dock Placement
- Dock Rental
- Watercraft / Object Retrieval
- Villa Service Request
- Other: _____

ID's:

- Individual
- Vehicle
- Watercraft
- Beach Object
- Replacement: _____
- Guest / Tenant

Facility Rental:

- Trail Pavilion
- Island Pavilion
- Vineyard Cluhouse
- Marina Slip
- Lake Region
- Restricted Use

Guest / Tenant ID

Name: _____
 Site Address: _____
 Phone: _____
 Email: _____

Pavilion / Clubhouse Rental

Desired Rental
 Location: _____
 Date: _____
 Time: _____
 HPM Services: Yes / No

Watercraft / Beach Object ID [only those applicable]

IN Registration: _____
 Watercraft VIN: _____
 HP / Length: _____
 Object Type: _____

Lake Region / Restricted Use

Desired Region
 Location: _____
 Date: _____
 Time: _____
 HPM Services: Yes / No

Total Fees: _____

*Fees from Schedule of Fees Exhibit
 Make payable to "Heron Property Management"*

By submitting this application I authorize HPM or its agent to perform on-site observations, including taking photographs, etc., of the watercraft, vehicle or beach object and/or reviewing supporting documentation for compliance.

Applicant Signature: _____ **Date:** _____

HPM Response:

- Approved
- Approved with *Conditions*
- Rejected

Conditions:

- Alt Time: _____
- # of IDs: _____
- Retrieval Agreement req'd
- Villa Service Agreement req'd
- HPM Service Agreement (cleaning, etc.)
- HPM waives watercraft requirements

Fees Received By: _____

HPM Member #1

HPM Member #2

Receipt of Approval if signed

ID # Approved: _____

[See back of page for General Application Package Requirements]

Heron Lake - General Application Requirements

Pre-Submittal: Applicants are encouraged to discuss Application requirements and Application contents with the HPM Office prior to official submittal. The HPM Office maintains regular office hours and would prefer to address deficiencies and propose solutions prior to official submittal.

Submittal: Application, required fees, and accompanying documentation must be submitted in person to the HPM Office. A dropbox location shall be provided for after hour submittals. Incomplete applications will be returned without review.

Materials Returned: A copy of the Application with findings will be returned to Applicant via method selected by Applicant. All accompanying documentation will be retained by ACC for archival purposes. If Applicant wishes to receive a copy of approved documentation with ACC approval stamp, submit number of copies desired along with Application.

General Application Requirements:

All electronic requirements may be submitted via the smartphone app or to applications@herondev.com [As Applicable]

Dock Placement:

- Provide preferred location of dock attachment point. A simple sketch with approximate distances from property corners or lot features is sufficient.
- Provide special instructions for installation (preferred dates, to be done with Resident/Operator oversight, etc).

Dock Rental:

- Same as Dock Placement plus:
- Provide preferred dock configuration and sizing.

Villa Services:

- Provide unique requests.
- Provide signed (or redlined) Services Agreement.

ID's:

- Provide a copy of the accompanying documentation:
 - **Individual:**
Photo ID
 - **Watercraft:**
Photo
IN Registration Info
 - **Vehicle:**
Drivers License
Photo
Registration Info
Insurance Info
 - **Beach Object:**
Photo

Facility Rental:

- Provide signed (or redlined) Rental Agreement.
- Provide a copy of the accompanying documentation:
 - **Island Pavilion:**
Photo ID
 - **Marina Slip:**
Photo ID
Preferred slip location
 - **Lake Region:**
Preferred regions. (See map provided by HPM)
 - **Restricted Use:**
Provide narrative of event and purpose.
Preferred regions.

Misc Application Requirements: Applicants are encouraged to provide as much information as feasibly available to define the application proposed. Narratives and other information will allow HPM to provide feedback and initial responses. Electronic files are encouraged to eliminate excessive printing needs.

