

## **MSPOA Policy Guidelines for Use of Common Area Property**

Mayan Seaside Property Owners Association  
Mission statement:

***"To Create a Culture of Kindness and Respect within Our Community and With Nature, That Builds a Safe and Sustainable Environment"***

The purpose for developing this policy is to fulfill our responsibility to "...control, maintain and preserve certain buildings, parks and roads within the Mayan Seaside community" as stated in the Memorandum of Association. We are fortunate to have a development that includes amenities such as parks, beaches, a dock, horseshoe pit, shuffle board court and a community building.

### **Common Area Property (CAP)**

The Common Area Property (CAP) is available for the quiet enjoyment of all Mayan Seaside property owners. Common Area Property as defined in the By-Laws is "All areas in the subdivision except those areas that are residential lots owned by owners." (Sec.2.i)

Permission is needed to change, modify, build on or add to the common area property. Mayan Seaside Architectural Committee recommendation is required for permanent structures. The Grounds and/or Facilities Committees need to be consulted for maintenance requirements.

### **Use of Common Area Property (CAP) of Mayan Seaside**

MSPOA is currently bound by a lease agreement with the developer. The following restrictions are set out in the lease:

- "Lessee may not assign or sublease any interest in the premises during the tenantable period."
- "Lessee shall be responsible for their interests in the premises and property located on the premises."
- "Lessee shall be responsible for the upkeep and maintenance of all properties, buildings and water systems."
- "Lessee will keep the premises in a clean and wholesome condition and will comply at all times with all lawful health and police regulations and will keep the demised premises, any improvements thereon and the areas adjacent thereto in a safe, secure and attractive condition."
- "Lessee is required to obtain written approval from the Lessor before the removal of any mature live tree in the leased areas with the following exceptions: Diseased trees; trees which become hazards to owners using said leased areas; and the removal of any new growth of trees or saplings, in leased areas."
- The property herein above described shall be leased by the Lessee as a location for the Mayan Seaside parks, community building(s) and community water systems. No other use may be made of the leased premises without the written consent of the Lessor.
- When Title to CAP is transferred to MSPOA the "Registered Land Act Encumbrance Restrictive Agreement" will apply.

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### Additionally

- Activities that are illegal under the laws of Belize are not acceptable.
- Activities that physically endanger anyone are not acceptable i.e. jumping off dock railings and benches, BBQ or cooking on the dock.
- Fires are not permitted on the common areas with the exception of portable BBQ grills.
- Activities that cause or could possibly cause damage to structures belonging to MSPOA or other persons are not acceptable.
- Speed limits must be observed on all roads within the community.
- No motorized vehicles are to be used on the walking paths with the exception of vehicles for the purpose of emergencies, maintenance or mobility aids.
- The wide trail from the Community building to the pier area may be used by golf carts and small scooters/motorcycles (200cc's max.) as well as motorized vehicles in order to launch small boats, deliver equipment, supplies etc. It may also be used to drop off or pick up handicapped individuals. No parking is allowed in the pier area. Exceptions for this area can be made upon request.
- No parking is allowed on the CAP with the exception of the area designated for parking at the community building or the road sides.
- No walking and climbing on the earthen Mayan mounds except for maintenance purposes
- At no time are any structures to be built on the Mayan mounds.
- Available amenities, such as the kayaks, etc. are not available for use by large groups unless specifically requested and their use approved by the MSPOA Board.
- Events staged on any of the common areas by an individual owner (or group) requires notification to all owners with 5 days lead time. Notice to be sent by Board Secretary.
- Owner(s) are responsible for ensuring site is left clean after group event.
- Notice of any and all community functions taking place on the common areas must be sent to all the owners with appropriate lead times. Notice to be sent by Board Secretary.
- Owners and accompanied guests assume full liability for the use of the amenities and hold harmless MSPOA members and/or members of the MSPOA Board.
- Invited non-resident guests must be accompanied by an Owner when using the CAP.
- Owners must request approval from the Board seven (7) days in advance when inviting more than ten (10) guests to use CAP. Request to include the number of guests, date and time. Board Secretary to distribute a general notice.
- Sunrise Park is intended to be a sandy waterfront for the use of Owners and their families. Restrictions on group size and BBQ's will apply to Sunrise Park when lot #87, the private lot next to the park, is sold by Renaissance Properties LTD to a new owner. In any case, these additional restrictions will not go into effect until December 31, 2018 at the earliest.
- All requests for approvals or use of amenities by large groups should be made by email to the Board Secretary.

This policy has been developed to enable the owners and residents in Mayan Seaside to live in peace and harmony with each other.

## MSPOA Policy Guidelines for Use of Common Area Property

### Glossary

- Guest:* *An individual(s) or family member(s) of a property owner, who is visiting or residing in Mayan Seaside*
- Non-resident Guest:* *A non-resident invited individual(s) of a property owner*
- Accompanied Guest:* *All guests to be accompanied by invitee (exception- family members)*
- Large Group:* *More than ten (10) guests*
- Motorized Vehicles:* *Cars, trucks, tractors, scooters, motor cycles, golf carts etc.,*
- Parking Exceptions:* *Exceptions may be requested for mobility reasons. Only physically handicapped Owners, that have no one to drive them, will be granted an exemption upon request. However, if someone in a vehicle can walk and drive, they should drop the physically handicapped person off and then park in the Community Centre parking lot. When exceptions are made a general notice will be sent out by the Board Secretary. Committee members and volunteers are permitted to park at Pier area when performing scheduled maintenance work*
- General Notice:* *Notice sent by Board Secretary to all members of MSPOA*

**The Common Area Policy (CAP) can be changed at any time with Board approval.**