

**HERITAGE HARBOUR COMMUNITY ASSOCIATION**

**POLICY RESOLUTION NO. 8**

**RECREATIONAL FACILITIES FEE**

**(Includes restated Policy Resolution No. 8 [Amendment 1]; Amendment 2 and Amendment 3**

**I. GENERAL**

- A. There is hereby imposed a two thousand dollar (\$2,000) Recreational Facilities Fee (the Fee) upon the purchaser of a residence in Heritage Harbour.
- B. The revenue from the Fee shall only be deposited in the Capital Improvements Reserve Fund for use in creating new or improving existing recreational facilities.

**II. RESPONSIBILITIES**

The Management Agent has the following responsibilities.

- A. The deposit of the Fees collected in the Capital Improvement Reserve Fund.
- B. Determining whether the Fee has been paid before issuing a Membership Card to residents.
- C. Maintaining records necessary for the administration of this Resolution.

**III. APPLICABILITY**

- A. The Fee shall be paid by the purchaser at settlement on all transfers of ownership, as of January 1, 2006, except that the initial purchase of condominium units that are included in the agreement dated April 25, 2005, between the Heritage Harbour Community Association, Inc. and South River Associates, LLC are exempt from the payment of the Fee.
- B. New residents of Heritage Harbour shall not be issued Association Membership Cards or permitted to use of any of the Association's recreational facilities unless they have registered at the office at the Lodge and have provided evidence of payment of the Fee.

**IV. CLAIMS FOR REFUND OF THE FEE**

- A. The Board of Directors (the Board) may authorize the refund of the Fee if paid by persons meeting the criteria below. Persons who meet any of these criteria may submit a claim accompanied by the required documentation for consideration.

- 1. Owners of a residence in Heritage Harbour on January 1, 2006, or any owners that have paid the Recreational Facility Fee on an initial purchase of a home in Heritage

Harbour, who have maintained continuous residency and who have sold that residence and purchased another residence in Heritage Harbour as a primary residence. Copies of settlement sheets for both residences must be provided with the claim.

2. Persons who have acquired the residence in Heritage Harbour by inheritance. Copies of documents showing that the person is an inheritor, the transfer of ownership, and payment of the Fee must be provided with the claim.

3. Owners that purchased a unit in Heritage Harbour and have found they are unable to occupy the unit and have sold the unit. The unit must remain vacant until sold. Copies of the settlement sheets of the purchase and the sale of the unit must accompany the claim.

B. Claims for refund of the Fee must be in writing, addressed to the President of the Association and delivered to the office at the Lodge or mailed to:

Heritage Harbour Community Association, Inc.  
959 River Strand Loop  
Annapolis, MD 21401

By submitting an application by mail the applicant assumes all responsibility for the use of the U.S. Postal Service.