

EFPOA  
GENERAL RULES AND REGULATIONS

Protecting Your Rights,  
Privileges and Investment  
In The Enchanted Forest

To Be Read By All  
Property Owners

## **EFPOA RULES AND REGULATIONS**

### **THE ENCHANTED FOREST – A HISTORICAL PERSPECTIVE**

In 1970, a parcel of pristine land was purchased by the Bradford-Scott Development Company from Donald Gilbert, who had inherited the land from his father. Robert Elliot, CEO of Bradford-Scott, began to develop the land, named “Guthrie Lakes Enchanted Forest”, and offered 660 lots for sale. With the promise of a clubhouse, lakes, beaches, parks and picnic areas, 500 lots were quickly sold and the Enchanted Forest Property Owners Association (EFPOA) was formed.

Property Owners have access to over 90 acres of parks with 2000 feet of lake-frontage on Guthrie and Section One Lakes. The Clubhouse amenities include a gathering room, computer and TV room, and an outdoor pool. The upper level is used for Board of Directors’ meetings, and also houses the Manager(s)’ office. The lower level has recreational facilities, including an exercise area, foosball table, locker rooms, saunas, and an indoor shallow pool which extends out to the main pool and surrounding deck.

The “Guthrie Lakes Enchanted Forest”, as it is now known, is fifteen miles south of Gaylord and fifteen miles north of Grayling, four miles east on Marlette Road from I- 75 (Exit #270).

### **GOVERNANCE**

The Enchanted Forest Property Owners Association is governed by a Board of Directors, elected by Property Owners in good standing. The Board of Directors was established pursuant to Recorded Restrictions filed with Otsego County Register of Deeds. This document, which also describes such restrictions as land use, type, and size of construction and provides for annual maintenance fees, is binding on all Enchanted Forest Property Owners. The Board of Directors has established a number of committees, including a Rules and Regulations Committee, (RRC), chaired by a Board Member, which includes the Manager(s) and other members appointed at large. Over the years, Rules and Regulations have been established, amended and modified as needed, by the Board. Authority to interpret and enforce these rules has been delegated by the Board of Directors to the Committee and the Manager(s). In those instances not covered by a specific Regulation, the RRC will make an advisory determination, subject to the final decision of the Board of Directors. The Board of Directors is the final authority on adoption, implementation, modification, and enforcement of these Rules and Regulations. Neither the EFPOA, RRC, the Board of Directors, nor the Manager(s) assume any personal liability in the implementation of these Rules and Regulations in the operation of the Clubhouse complex amenities or other common areas owned by the EFPOA within the Community.

## **MEMBER PRIVILEGES**

Property Owners in “good standing” are entitled to the use and privileges of Association amenities. These “amenities” include the Clubhouse and pool, beaches, parks and all other property owned by the EFPOA. Property Owners are in “good standing” when Association dues and assessments are fully paid, and the Board of Directors has not revoked “good standing” status for breaches of Recorded Restrictions or these Rules and Regulations.

## **GENERAL REGULATIONS**

1. Property Owners have the responsibility to notify the EFPOA of any changes of address or ownership.
2. The following are prohibited within the Community: HUNTING, TRAPPING, AND DISCHARGE OF FIREARMS OR ANY OTHER WEAPON AND BURNING OF GARBAGE, and TRASH OR OTHER REFUSE. Residents may maintain archery ranges on their property, but only if the range has been approved by the Manager(s) and does not constitute a risk of harm to other persons or property.
3. Brush, leaves, and twigs may be burned, however, a DNR permit must be obtained in advance.
4. Rubbish and garbage are collected on Wednesday of each week. Check with the refuse company or Township for exceptions during holiday weeks. Garbage and rubbish may be left at driveway entrances, but only on the day of pick up. Garbage and rubbish must be placed in animal-proof sealed containers. In the event that public health or safety concerns require placing garbage and rubbish earlier than on the day of pick up, it may be placed out the night before and it must be placed in proper animal-proof, sealed containers. No garbage or garbage containers shall be left at the roadside other than the day of pick-up or the night before pickup. In the event that public health or safety concerns require the EFPOA to remove improperly contained garbage or rubbish, the Property Owner responsible shall reimburse the EFPOA for the cost of such removal. A minimum fee of \$75.00 will be charged to the property owner. Storage or disposal of material deemed “hazardous” or “environmentally dangerous” by any Federal or State agency is strictly forbidden. Those who will not be able to set out rubbish on the appropriate day or night before pick up should make arrangements with other residents to be responsible for correct disposal.
5. Storage of personal property in common property areas (beach, parks, etc.) is not permitted unless specifically authorized in writing by the Board of Directors.
6. Boats, boat trailers, snowmobiles, snowmobile trailers, pop-up travel trailers, and recreational vehicles, if stored on any lot within the Community, must not detract from the attractiveness of the property. No such vehicle or equipment including tents shall be used as temporary living quarters. Storage and/or parking of this

equipment on the roadway is not permitted. See current county ordinances for Platted Subdivisions. Property owners may erect tents, but only for 48 hours or less without the approval of the Manager(s). If any property owner wishes to erect a tent for longer than 48 hours, said property owner shall secure permission from the Manager(s) at least 48 hours in advance of the erecting of a tent. No tents shall be erected nor shall there be camping of any kind on undeveloped lots. Temporary canvas, plastic, fiberglass, metal, etc., carport structures are not permitted in Enchanted Forest Subdivisions as of Saturday, February 12, 2000. Refurbishing of such existing structures is not permitted.

7. Real Property For Sale Signs: The EFPOA Board of Directors will not take a position if a property owner places one For Sale sign, no larger than 24" x 28", legible, and in good condition, to advertise that their parcel of real property is for sale provided that such advertisement is limited to one sign located on the parcel on the road side of the property. If the parcel of real property for sale is a lakefront lot, the Board of Directors will not take a position if the property owner places one additional for sale sign meeting the size and conditions above located on the parcel on the lakeside of the property.
8. Property Owners will be strictly responsible for damage to Association property and/or equipment including, but not limited to the Clubhouse, parks, beaches, and picnic areas and other common areas. Repeated misuse will be cause for reprimand and/or loss of Property Owner's privileges.
9. The Recorded Restrictions describe land use, type, and size of construction, setback requirements, and limits on tree clearing. Property Owners must be familiar with these restrictions before clearing their property or building. The Manager(s) must be consulted before such activities take place, since approval of building plans by the EFPOA is required prior to the start of construction.
10. Property Owners are reminded that the Recorded Restrictions provide that no animals other than domestic house pets under leash, or other control, will be allowed to be housed or otherwise maintained on lands within the Guthrie Lakes community.
11. Pursuant to the Recorded Restrictions, all Property Owners are required to maintain their lots in a clean and attractive state. Failure by any Property Owner to properly maintain his/her lot(s) shall subject the Property Owner to the enforcement procedures set forth in 'Enforcement' (last) section of these Rules and Regulations. The term "clean and attractive state" as used in this section, shall be determined by the Manager(s) in conjunction with the Building and Grounds Committee, at their sole discretion.
12. The use of any EFPOA funds, including funds raised by any EFPOA committee, for the purchase of alcoholic beverages is prohibited.

13. The selling of alcohol is prohibited on association property. Selling as defined by Merriam Webster's on-line dictionary includes: (1) to give up (property) to another for something of value (as money), (2) to offer for sale.
14. No gambling of any kind for money or any other item of value will take place on EFPOA owned property. This applies to gaming of any kind.

### **VEHICLE AND TRAFFIC REGULATIONS**

1. All paved roads within the Community have been dedicated to Otsego County. For the safety and well-being of the Enchanted Forest children, bikers and walkers, a speed limit of no more than 25 miles per hour is advised.
2. Property Owners are responsible for knowing and complying with all State Laws, including the Motor Vehicle Code, as well as any and all other operation, licensing, and insurance regulations regarding the use of motorized vehicles including cars, boats, snowmobiles, personal water craft, recreational vehicles, etc. Motorized vehicles must conform to noise decibel regulations.
3. Automobiles, as well as other motorized vehicles, should not be parked on any roadways during the winter. The County will not plow where cars are parked. The cooperation of the Property Owners is requested to keep vehicles off the roadways for safety of both owners and drivers.
4. No motorized vehicle of any kind (except emergency vehicles or vehicles as needed to provide maintenance) may be operated on the beaches, playgrounds, nature trails, parks, picnic areas, and other designated areas or staked lots,

### **CLUBHOUSE REGULATIONS**

Clubhouse hours vary by season and holiday and are posted at the Clubhouse.

Activities and special information are available at the Clubhouse.

**Phone: (989) 732-1942**

To maintain our Clubhouse facilities, to promote orderly use, and to avoid potential conflicts over such use, these Rules and Regulations must be observed.

1. The use of the Clubhouse and the scheduling of various activities must be coordinated through the Manager. The manager schedules events and assures that all proposed events are appropriate for the Clubhouse and to prevent conflicts by competing events.
  - a. Private event insurance and waiver of Liability rule. Effective as of December 5, 2024

- b. Enchanted Forest Property Owners Association (the "Association") is responsible for administering the affairs of (i) Enchanted Forest according to the Building Restrictions recorded at Liber 148, 199, Otsego County Records, the Building and Use Restrictions recorded at Liber 148, Page 224, Otsego County Records, and the Additional Building and Use Restrictions recorded at Liber 184, Page 50, Otsego County Records, (ii) Enchanted Forest No. 2 according to the Building Restrictions recorded at Liber 156, Page 156, Page 1, Otsego County Records and the Supplementary Declaration of Building and Use Restrictions recorded at Liber 153, Page 346, Otsego County Records, (iii) Enchanted Forest No. 3 according to the Building Restrictions recorded at Liber 160, Page 231, Otsego County Records and the Supplementary Declaration of Building and Use Restrictions recorded at Liber 160, Page 164, Otsego County Records, and (iv) Enchanted Forest No. 4 according to the Building Restrictions recorded at Liber 162, Page 541, Otsego County Records and the Building Restrictions recorded at Liber 162, Page 590, Otsego County Records (collectively "Enchanted Forest").
- c. Pursuant to Article XII, Section 2 of the Bylaws of Enchanted Forest Property Owners Association, the Board of Directors of the Association (the "Board") is empowered to adopt rules concerning the use of the Association's property in consideration of the interests of the members of the Association. Under Paragraph VII (2) of the Building and Use Restrictions for Enchanted Forest and Paragraph VII (2) of the Supplementary Building and Use Restrictions for Enchanted Forest No. 2 and No. 3, which also apply to Enchanted Forest No. 4 through Paragraph I (B) of the Building Restrictions recorded at Liber 162, Page 590, Otsego County Records, the common properties of the Association, including the clubhouse, pool, picnic areas, games areas, parks, and docks, are subject to rules, restrictions, and regulation adopted by the Board. As it pertains to the common properties, the Association may charge an admission fee, rental payment, or other fee for the use of the common properties.
- d. The Board deems it desirable and necessary to protect the Association and its members by adopting this Private Event Insurance and Waiver of Liability Rule (the "Event Rule") to require all members to obtain event insurance at their own cost when hosting private events at the common properties or to execute a liability waiver for such events.
- e. NOW, THEREFORE, the Association adopts this Event Rule which states as follows:
- f. Any member desiring to host a private event on the common properties of Enchanted Forest, which includes the attendance of non-members or residents and the service or consumption of alcohol, the member shall obtain a special event insurance policy with minimum coverage of \$1,000,000 per occurrence and \$3,000,000 aggregate for their private

event. The special event insurance policy shall name Enchanted Forest Property Owners Association as an additional insured. The member must inform the Association that they will obtain special event insurance along with their request to rent or use the common properties. Proof of the insurance policy must be provided to the Association at least seven (7) days before the date of the event, or by such other deadline required by the Association.

- g. If a member fails to provide proof of special event insurance at least seven (7) days before the date of the private event, or by the specific deadline required by the Association, then the Association may purchase such insurance on behalf of the member and assess the cost against the member in the manner provided in Paragraph VI of the Building and Use Restrictions for Enchanted Forest and Paragraph VI of the Supplementary Building and Use Restrictions for Enchanted Forest No. 2 and No. 3 pertaining to the maintenance fund.
  - h. Notwithstanding the foregoing, a member desiring to host a private event on the common properties which includes the attendance of non-members or residents but not the service or consumption of alcohol, must execute a waiver of liability in lieu of obtaining a special event insurance policy. Such waiver shall state that the member assumes all responsibility and liability for all claims of loss, damage, injuries to person or property, death, demands, lawsuits, expenses and any other liability of any kind, directly or indirectly arising out of or in connection with the private event. Such waiver shall also state that the member agrees to indemnify, defend, and hold harmless the Association for any claims, damages, losses, or liability (including costs and attorney fees) related to the private event.
- 2. Rowdy behavior, profanity, fighting, or other objectionable behavior is not allowed at the Clubhouse or pool. The Manager(s) or the Clubhouse Supervisors have the discretion to eject any person(s), Property Owner(s) or Guest(s) from the Clubhouse or pool area for such conduct.
  - 3. Crowded conditions may require additional restrictions regarding use of the Clubhouse. Additional requirements will be administered by the Manager(s) and may include:
    - a. guests being accompanied by the Property Owner;
    - b. limiting guests to no more than four (4) per family;
    - c. Admitting one (1) family of guests per Property Owner at one time.
  - 4. While many enjoy relaxing with an alcoholic beverage, public intoxication is not permitted. Misbehavior, such as the use of illegal substances or destruction of

property is strictly prohibited and will be cause for immediate ejection and/or loss of Property Owner's privileges.

5. Children under 13 years of age must be directly supervised by a parent or responsible person (Caregiver) unless attending a scheduled event or to use the restrooms. Parents will be strictly liable for their children's conduct (regardless of age) and thus may incur financial obligations as a result of their children's actions. The EFPOA shall have no liability for improper conduct of children or parents or care givers.
6. Pets are not allowed in White Birch Park, the Clubhouse grounds or within 20 feet of picnic tables or grills in common areas.
7. Shirts and dry shoes are required in the Clubhouse. Wet swimsuits are restricted to the pool and locker room areas.
8. Clubhouse lockers are for the use of bathers. (Users may furnish their own lock if desired; however, locks are to be removed at the end of each day's use.) The EFPOA shall have no liability for missing or stolen items of personal property.
9. **PRIVATE EVENTS**. Private events are not allowed.
10. **NO SMOKING**. There is no smoking anywhere within the clubhouse. This rule was adopted in July 1994 based upon the ballot vote of the membership.

### **BEACH AND POOL REGULATIONS**

ALL persons swim at their own risk. The EFPOA and its Board expressly disclaim any and all liability for personal injury and/or property damage as a result of injury incurred at the pool, the beach, or elsewhere. Failure to follow posted rules will be cause for reprimand and/or immediate ejection from the swimming areas.

1. Children under 13 years of age must be accompanied by a responsible person at all times in the pool area and beach. Unaccompanied children under 13 years of age will be ejected immediately from the pool or beach. (See Clubhouse Regulations number 5).
2. Proper swimming attire is required at the pool and on the beaches. Cutoffs are not permitted in the pool; disposable diapers are not allowed in the pool or the beach.
3. Glass or other breakable objects are not permitted in the pool enclosure or on the beach.
4. Persons with skin, eye, nose or throat infections, or other communicable diseases may not use the pool or beach.



5. Pets are not allowed in the Clubhouse, pool area or beaches except as noted in Clubhouse Regulation number 6.
6. The pool and/or facilities may be closed at any time at the discretion of the Manager(s) or clubhouse supervisor, if the safety of swimmers may be at risk due to bad weather, maintenance requirements, equipment malfunctions, or health or safety considerations.

### **PARKS AND OTHER COMMON AREAS**

1. Use of the parks and other types of common recreational activity areas are on a first come – first serve basis. For court activities, such as basketball, volleyball, or shuffleboard, there shall be a limit of one hour per area, unless there are no players for the next hour.
2. Appropriate shoes and attire are required for the use of the various activities.
3. Special equipment provided by the Association for use will be signed out in the Clubhouse or Boathouse. Members are strictly responsible for damages.
4. Food and beverages are allowed in the designated picnic areas. Members are responsible for cleanup of the area.
5. The hours for use by Property Owners of common areas are 7:00 a.m. to 11:00 p.m. The hours between 11:00 p.m. and 7:00 a.m. are “quiet time” in the common areas. “Quiet time” as used herein shall have the same meaning when used by the DNR in connection with the state-owned parks. The Boathouse hours are 10:00 a.m. to 6:00 p.m. Members utilizing these park areas for social events are encouraged to be considerate of neighboring residents. In the event of complaints by said residents to the Manager(s), the Manager(s) shall have the authority to terminate any social event that the Manager(s) believe to be excessively noisy or otherwise disruptive. In addition, the Manager(s) is authorized to terminate any event that violates the “quiet time” use restrictions of the beaches and parks.

### **LAKES AND STREAMS REGULATIONS**

1. Life jackets are recommended for all boaters. Boaters assume any and all risk of harm.
2. Those who fish must comply with the Rules of the Department of Natural Resources Fishing Guide (current edition).
3. Property Owners must comply with all local watercraft controls, as well as state, county and local ordinances regarding the operation of watercraft. Any Property Owner who disregards applicable laws assumes any and all risk of harm.

4. Private boats may only be tied or moored to Association property or stored on Association property from the hours of 7:00 a.m. to 11:00 p.m. Overnight mooring or storage of boats on Association property is not permitted. Boats must be launched at designated launch sites.
5. When circling the lake, boats and other personal watercraft are to follow a counter-clockwise route around the lake.
6. Boats are not allowed in swimming areas which are defined by "floats". Boaters who intrude in such areas shall be strictly liable for all harm that results.
7. Everyone using Association boats must wear a life jacket. Children under 13 years of age must be accompanied by a responsible person (See Clubhouse Regulation number 5) when using Association boats. Parents of children who disregard this regulation shall have no recourse against the Association for injury to said children or damage to property.
8. Boats in operation will remain at least 100 feet from docks, rafts, anchored and moored boats, swimmers, and diver's floats.
9. DNR regulations prohibit high-speed boating, water-skiing on Section One Lake.
10. The Main Beach (White Birch Park) Common Dock is restricted for Association equipment and daytime use by Property Owners enjoying the beach facilities and may not be used for overnight or multiple day usage. Other common docking areas are for the use of non-lake Property Owners.

**GUESTS and RENTERS (Permissible Rentals/Renters as defined in the EFPOA Bylaws)**

1. Guests and/or Renters must abide by all these Rules and Regulations to the same extent as Property Owners. Failure to do so may result in the termination of privileges at the discretion of the Manager(s).
2. The Manager(s) or the Clubhouse supervisors will have the authority in his/their sole discretion to refuse use or admittance to any Guest(s) and/or Renters whose conduct violates these Rules and Regulations. Property Owners will be responsible for the conduct of their Guests and/or Renters. It shall be the responsibility of the Property Owner to notify, in advance, the Manager(s) (either in writing or personally) of the names of the Guest(s) and/or Renters and the inclusive dates amenities will be used by the Guests and/or Renters.
3. Any damage caused by Guest(s) and/or Renters, to the Clubhouse or other EFPOA facilities and/or equipment shall be the responsibility of the Property Owner.
4. Property Owners will provide a copy of these Rules and Regulations to Guest(s) and/or Renters. The Property Owners' membership card should be available for

Guest(s) and/or Renters to demonstrate that they have the permission of the Property Owner to use the facilities.

### **ENFORCEMENT**

Breaches of the Recorded Restrictions or Rules and Regulations will be reported to the RRC or to the Manager(s). The following general course of action will be taken, except that where maintenance fees are unpaid, the matter shall proceed directly into suspension of privileges and, when appropriate, legal action:

1. Verbal warning to the violator, or Property Owner if the violation is by any Guests, will be given by the Manager(s).
2. If the verbal warning is not effective, a written warning/ notice will be issued from the Board of Directors specifying the details of the violation.
3. If the written warning/notice does not resolve the problem, the Board of Directors will revoke the "good standing" status of the Property Owner, thereby suspending their use and privileges of Association facilities and amenities of that person, including guest(s). In cases of unpaid maintenance fees, this suspension shall become automatic on the date payment of maintenance fees becomes due.
4. Should revocation of "good standing" status not resolve the situation, legal action will be taken. The Board of Directors will seek such relief as may be available to it at law. In the case of Property Owners failure to pay his/her maintenance fees, "legal action" may include referral to a collection agency. All costs incurred, including EFPOA's attorney fees and when incurred, collection agency charges, shall be recoverable from the violator.