

RELEASE AND WAIVER OF LIABILITY AND INDEMNITY AGREEMENT

In 2019, the **WONDER LAKE MASTER PROPERTY OWNER'S ASSOCIATION (M.P.O.A.) IN WONDER LAKE, ILLINOIS** will permit individuals with current M.P.O.A. Decals to operate and ride WATERCRAFT ("ACTIVITY") on Wonder Lake upon certain conditions.

IN CONSIDERATION of being permitted to enter for any purpose upon any PRIVATE LAND OWNED, OPERATED OR MANAGED BY THE WONDER LAKE MASTER PROPERTY OWNER'S ASSOCIATION ("M.P.O.A.") (herein defined as including but not limited to the lake, lakeshore, and through-ways, either by land or by water, paths, roads, streets, fields, or other property reserved and intended for use by M.P.O.A. property owners or open to the general public, all walkways, and any other areas appurtenant to any area where the activity takes place) (the "RESTRICTED AREA"), or being permitted to ride or operate a WATERCRAFT or other vehicle, observe, or for any purpose participate in the activity in any way, THE UNDERSIGNED, for himself, his personal representatives, heirs, and next of kin, acknowledges, agrees and represents that:

He has, or will immediately upon entering any such restricted areas, and will continuously thereafter, inspect such restricted areas and all portions thereof which he enters and with which he comes in contact, and he does further warrant that his entry upon such restricted area or areas and his participation, if any, in the activity constitutes an acknowledgement that he has inspected such restricted area and that he finds and accepts the same as being safe and reasonably suited for the purposes of his use, and he further agrees and warrants that if, at any time, he is in or about restricted areas and he feels anything to be unsafe, he will immediately advise an officer or employee of the M.P.O.A. of such and will leave the unsafe area; and

THE UNDERSIGNED FURTHER:

1. HEREBY RELEASES, WAIVES, DISCHARGES AND COVENANTS NOT TO SUE the activity participants, the M.P.O.A. or any subdivision thereof, the officers, directors, employees, agents, contractor, or delegates of the M.P.O.A., any persons in any restricted area, owners and lessees of premises used to conduct the activity and each of them, their officers, directors, employees, agents, or delegates all for the purposes herein referred to as "releasees," from all liability to the undersigned, his personal representatives, assigns, heirs, and next of kin for any and all loss or damage, and any claim or demands therefore on account of injury to the person or property or resulting in death of the undersigned, whether caused by natural or artificial conditions of the restricted areas, the negligence of the releasees, or otherwise, except that which is the result of gross negligence and/or willful and wanton misconduct, while the undersigned is in or upon the restricted area for any reason, and/or in any way engaging in the activity or observing the activity;
2. HEREBY AGREES TO INDEMNIFY AND SAVE AND HOLD HARMLESS the releasees and each of them from any loss, liability, damage, or cost they may incur due to the presence of the undersigned in or upon the restricted area for any reason and/or in any way engaging in the activity or observing the activity, whether caused by the natural or artificial conditions of the restricted area, the negligence of the releasees, or otherwise.
3. HEREBY ASSUMES FULL RESPONSIBILITY FOR AND RISK OF BODILY INJURY, DEATH OR PROPERTY DAMAGE due to the natural or artificial conditions of the restricted area, the negligence of the releasees, or otherwise while in or upon the restricted area for any reason and/or in any way engaging in the activity or observing the activity.

THE UNDERSIGNED HAS READ AND VOLUNTARILY SIGNS THE RELEASE AND WAIVER OF LIABILITY AND INDEMNITY AGREEMENT, and further agrees that no oral representations, statements or inducements apart from the foregoing written agreement have been made.

I HAVE READ THIS DOCUMENT. I UNDERSTAND IT IS A RELEASE OF ALL CLAIMS.

I VOLUNTARILY SIGN MY NAME EVIDENCING MY ACCEPTANCE OF THE ABOVE PROVISIONS.

Date: _____

Signature

Print Name

Wonder Lake Master Property Owner's Association Acknowledgment Form

As part of applying for / receiving my 2019 M.P.O.A. Boat Decal(s), I acknowledge that:

- 1.) I have received, read, and understood the Wonder Lake **M.P.O.A. Notice to Lake Users – 2019 Boating Season (In Lake Equipment and Vehicle Regulations, and Regulations and Safety Recommendations)** ; and
- 2.) The Notice describes the general safety conditions I must observe, including hazards to navigation, restricted areas, and other considerations; and
- 3.) I have received and executed the **RELEASE AND WAIVER OF LIABILITY AND INDEMNITY AGREEMENT**, which will be kept on file at the M.P.O.A. office.

Signature: _____

Print Name: _____

Today's Date: _____

2019 M.P.O.A. Decal Number(s) Issued (OFFICE USE ONLY): _____

PROPERTY OWNER MUST SIGN AND COMPLETE. MUST HAVE NOTARIZED PRIOR TO DECAL BEING ISSUED. NOTARY SERVICE WILL BE PROVIDED BY M.P.O.A. OFFICE AT NO CHARGE. ANY DOCUMENTS NOTARIZED MUST BE SIGNED IN PERSON WITH PROPER IDENTIFICATION. BOTH FORMS IN THE MAILING MUST BE SIGNED AND COMPLETED BY THE HOME OWNER. FAILURE TO NOTARIZE AND HAVE FORMS SIGNED WILL RESULT IN DECAL NOT BEING ISSUED. ANY NOTARY CAN BE USED. YOUR LOCAL BANK OR CURRENCY EXCHANGE WILL TYPICALLY HAVE A NOTARY.

Proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument

WITNESS my hand and official seal

(Notary Signature)

Stamp Notary Seal Above

My Commission Expires: _____

NOTE: PAGES ONE AND TWO MUST BE SIGNED BY THE HOMEOWNER AND NOTARIZED. THEY MUST BE RETURNED BACK TO THE M.P.O.A. ALONG WITH APPLICATION. DECALS WILL NOT BE ISSUED WITHOUT CURRENT WATERCRAFT REGISTRATION ON FILE.

WONDER LAKE RECREATION VEHICLE REGULATIONS AND SAFETY RECOMMENDATIONS

2019 EDITION

The Master Property Owners Association welcomes you to another year of recreation and enjoyment on Wonder Lake.

Wonder Lake is a private lake owned by the MPOA (Master Property Owners Association). Property owners with deeded lake rights may place equipment and accessories in / on the MPOA property provided that the MPOA regulations are followed.

The lake bottom is located within the Village of Wonder Lake. Enforcement of these regulations will be performed by the Wonder Lake Police Department - Marine Patrol and Illinois Department of Natural Resources.

Boating on Wonder Lake is regulated by the *Illinois Boating and Safety Act*. All vehicles operated on Wonder Lake must conform to these regulations. These regulations require all vehicles operated on waters in the State of Illinois to be registered with a state and to display a valid state registration decal.

Vehicles must also display a current MPOA Decal or Guest Pass. Annual MPOA decals must be permanently affixed to the watercraft.

Copies of the *Wonder Lake Recreation Vehicle Regulations and Safety Recommendations* are available in the MPOA office, and online at www.wlmpoa.org

PURPOSE OF VEHICLE DECAL REGISTRATION

To clearly identify those vehicles registered to MPOA property owners and residents, which will assist in keeping Wonder Lake private for the use of MPOA members and their guests.

VEHICLE REGISTRATION REGULATIONS

In accordance with Article XI, Section 2C of the MPOA bylaws, all Vehicles operated on the waters of Wonder Lake must display a current MPOA vehicle decal. This includes all boats, canoes, kayaks, and personal watercraft.

- Decals are valid from April 1st of the current year to March 31st of the following year.

REGISTRATION FOR DECALS

Registration materials will be mailed to owners and residents of record from the previous year in the first half of January. Registration applications may be mailed back with copies of the required documentation and fees or returned in person to the MPOA office. Registrants can purchase decals anytime at the MPOA office during posted business hours.

2019 DECAL FEES

Decal fees for water vehicles are determined by the horsepower of the vehicle:

ALL NON-MOTORZIED WATERCRAFT	\$10-
ALL WATERCRAFT 1- 39 HP	\$20-
ALL WATERCRAFT 40 HP AND OVER	\$40-
ALL PERSONAL WATERCRAFT (JET SKI'S)	\$40-
WINTER DECALS (SNOWMOBILES, ATV's, etc)	\$5-

VEHICLE DECALS CANNOT BE PURCHASED WITHOUT THE FOLLOWING INFORMATION ON RECORD

Current proof of property ownership or residence.

Copy of current subdivision dues receipt, tax bill, deed, utility bill, drivers' license or other acceptable proof of ownership or lease.

PROOF OF VEHICLE REGISTRATION

Copy of current state registration for the vehicle to be registered by the property owner or resident. If the vehicle has been recently purchased, a copy of the temporary state registration is acceptable for a Decal.

The property owner or resident will be responsible for updating any and all information (such as a purchase or transfer of ownership, or receipt of permanent vehicle registration) with the MPOA in a timely manner throughout the season.

DECAL DISPLAY

Decals shall be positioned on the right side of the windshield. If there is no windshield, the Decal should be placed on the right side of the hull near the front, but not adjacent to the IDNR Registration. In the case of snowmobiles and ATV's, the Decal should be displayed on the right side of the vehicle.

NOTARY SERVICES

Notary services will be provided at the MPOA office at no charge. Any documents notarized must be signed in person with proper identification.

DECAL VIOLATION PROPERTY OWNERS / NON - RESIDENTS

Owners who allow renters and / or guests to use the lake must certify to the MPOA that they will assume responsibility for any damages caused by any guests or renters while they use the lake. The penalty for property owners or residents operating a vehicle on Wonder Lake without a valid MPOA Decal is \$100.00, plus all administrative and legal costs for enforcement and collection. All watercraft on Wonder Lake, including moored vehicles and vehicles on boatlifts must display a valid MPOA decal or are in violation of this regulation. The Wonder Lake Police Department – Marine Patrol enforces all applicable regulations.

NON PROPERTY OWNERS / NON - RESIDENTS

Non-property owners and non-residents operating a vehicle on Wonder Lake without a valid MPOA Decal or Guest Pass will be prosecuted as trespassers to the fullest extent of the law.

MPOA GUEST PASS

A Guest Pass can be issued to an MPOA property owner or resident who wishes to sponsor a non-resident guest and their vehicle.

The sponsoring property owner / resident is responsible for the actions of their guest.

Each Guest Pass is valid for a 72 hour time period and must be kept with the vehicle at all times. Guest passes are available at the MPOA office during normal office hours for \$ 20.00.

SAFETY REMINDERS

1. An effort is made to identify hazardous areas of Wonder Lake with MPOA buoys. Please notify the MPOA office if you notice damaged buoys or buoys that have moved from their original placed position.
MPOA Office: (815) 653-1000
2. It is recommended on weekends and holidays that all powered watercraft should move in a counter-clockwise direction around the lake.
3. Vehicle operators are reminded to respect other vehicles and their operators, and all shoreline property.
4. When towing a water skier, or anyone on a flotation device, at least two competent persons must be in the boat AND display a bright ORANGE flag not less than 12" x 12".
5. All people in a watercraft under the age of 13 must be wearing a flotation device.
6. **In case of emergency, call 911.** For non-emergency assistance on the Lake, call the Village of Wonder Lake Police Department at (815) 728-0535.
7. The MPOA by-laws prohibit the operation of all automobiles, trucks and SUV's from the bed or surface of Wonder Lake at any time.
8. Lake users should be aware of the potential of floating debris at all times, and particularly after heavy rainfall events. If in-lake debris is observed, Email **office@wlmhoa.org** or call **815-653-1000**.
9. Heavy rainfall can also result in swimming beach advisories or closures, as determined by the McHenry County Department of Health. <https://www.mchenrycountyil.gov/county-government/departments-a-i/health-department/environmental-health/public-beaches>
10. Heavy rainfall and runoff events will also cause lake levels to rise, increasing the potential for dock and shoreline damage from boat wakes, and making it likely that the lake will be subject to a "No-Wake" or "Lake Closure" condition until water levels recede. Good judgement should be used when installing your docks so that they are not under water during high water events.

WONDER LAKE MPOA IN LAKE EQUIPMENT AND VEHICLE REGULATIONS

2019 EDITION

Property owners with deeded lake rights by access to the lake through subdivision parks, or shoreline residents are allowed to use the waters and lake bottom of Wonder Lake provided the following regulations be followed. These regulations were established to aid in the installation, use, and removal of seasonal equipment and to protect against infringement of users rights.

All Commercial Marine Operators must furnish a Certificate of Insurance to the MPOA each year, which identifies the MPOA as a named co-insured. The minimum amount of liability insurance required is one (1) million dollars AND (1) million dollars in workers compensation insurance.

Should the MPOA determine that in-water equipment impairs navigation, creates a hazard, or in any way infringes upon the rights or interests of MPOA members and lake users, the property owner will be required to make necessary modification to the equipment as determined by the MPOA.

Lake users are subject to all applicable rules and regulations of the MPOA, the US Coast Guard, IEPA, IDNR, and Village of Wonder Lake.

INSTALLATION AND REMOVAL OF IN-WATER EQUIPMENT

In-water equipment includes: docks, boatlifts, swim platforms, etc. Equipment may be placed in or on the waters of Wonder Lake as soon after "ice-out" as deemed advisable by each owner of the equipment. Removal of all in-water equipment shall be accomplished prior to first ice.

All in-lake equipment is installed at the sole risk and responsibility of its owner.

In-water equipment must be marked by reflective devices and Docks must display owner's address.

REGULATIONS FOR DOCKS, LIFTS, SWIM PLATFORMS, RAILWAYS OR ANY OTHER FORM OF IN-WATER EQUIPMENT

1. In-water equipment **including** all of the above shall not project more than 40 feet into the lake from the nearest shoreline
2. Docks shall be no greater than 10 feet wide.
3. For L-shaped or T-shaped docks, the length of that portion parallel to the shoreline shall not exceed 50% of the landowner's shoreline footage.
4. All in-water equipment shall be aligned so as not to cross the projection of property lines. Docks shall not come within 10 feet of the perpendicular projection of the property lines.
5. All in-water equipment including bumpers shall be securely anchored to prevent detachment.
6. Good judgement should be used when installing your docks so that they are not under water during high water events.

SWIM BUOYS

Subdivisions may place swim buoys to identify areas that have been designated by the subdivision as swimming areas. These buoys should not obstruct general lake usage. No swim buoys can be placed by individual shoreline landowners.

MPOA BUOYS

There are four types of MPOA buoys:

- NO WAKE
- SHALLOW AREA
- ANCHOR AREA
- DANGER - DAM

ONLY buoys approved by the MPOA may be placed in the Lake. **No other marker or anchor buoys may be placed.**

If unauthorized buoys are identified, they will be removed under the supervision of the Wonder Lake Police Department (WLPD).

If hazardous buoys are noticed, they will be removed under the supervision of the WLPD.

Please do not move or damage buoys placed for your safety. Please report damaged buoys and buoys that have moved from their correct position to the MPOA office. Email: office@wlmpoa.org or call 815-653-1000.

NO-WAKE AREAS

MPOA No-Wake Buoys designate the following No-Wake areas:

- ◆ White Oaks Bay (commonly known as Party Bay)
- ◆ Channel between Yacht Club Island and the shore of White Oaks Bay Subdivision
- ◆ Channel between the islands and shoal of O'Brien Shoals and the shore of Deep Springs Woods and Deep Springs Woods Country Club

No-Wake areas are patrolled by the Wonder Lake Police Department – Marine Patrol to ensure safe boating.

SHALLOW AREAS

Shallow areas are marked where there is either a known underwater hazard or water is less than 3.5 feet in depth. However, boaters are solely responsible for exercising extreme caution and reducing speeds when boating in or near shallow areas of the lake, or when the normal lake level is low due to dam maintenance, dry weather, etc.

Boaters should also be vigilant for any floating or partially submerged debris that could pose a safety hazard, and notify the MPOA office.

ANCHOR AREA

- ◆ White Oaks Bay (commonly known as Party Bay)

DANGER – DAM

Danger - Dam warning buoys are present at the Wonder Lake Dam spillway at the northeast end of the lake. Lake users should always stay a minimum of fifty (50) feet from the dam spillway.

**Information on current lake conditions, including
No-Wake Status or Lake Closure following heavy rains, swimming beach status, can be found at:
www.wlmpoa.org**

**Lake Users should sign up to receive "Important Lake Update" email notices from the MPOA regarding lake use issues.
Sign up by sending an e-mail to: office@wlmpoa.org**

DUCK BLINDS

Only MPOA approved duck blinds may be placed in or on Wonder Lake. A map showing all MPOA approved duck blind locations and the list of duck blind owners is available at the MPOA office.

Duck blinds may be readied no more than 14 days prior to the start of the duck season. The Wonder Lake Sportsman's Club Duck Blind Committee shall inspect and approve blinds the weekend prior to the start of duck season.

Removal of in-water duck blinds must be completed by the weekend following the close of duck season. Failure to adhere to these conditions will result in the loss of the blind permit to the duck blind owner.

If any blind on the lake is deemed unkempt or unsightly (blinds are to be kept free of debris and loose or broken boards in the non-hunting season) by the MPOA, the owner of the blind shall be given 14 day notice in writing by the Sportsman's Club to correct the situation or remove the blind.

RECOMMENDATIONS

Boat horsepower should not exceed the manufacturer's recommendations for each watercraft. The WLPD shall monitor for compliance with noise regulations.

Good judgement should be used when installing your docks so that they are not under water during high water events.

The use of tires as dock bumpers is strongly discouraged since they frequently become a breeding site for mosquitoes.

ICE FISHING SHANTIES

Ice shanties must display the name and address of the owner at all times. **All ice shanties must be removed from the lake daily.**

MASTER PROPERTY OWNERS ASSOCIATION INFORMATION

The Master Property Owners Association (MPOA) is a volunteer organization is charged with the safety and management of Wonder Lake. The MPOA Board of Directors is made up of volunteers elected from each member subdivision. Please contact your Subdivision Director for more information.

**MASTER PROPERTY OWNERS ASSOCIATION, INC.
7602 HANCOCK DRIVE
WONDER LAKE, ILLINOIS 60097**

(HOURS)

WINTER HOURS (NOV THROUGH FEB)
TUESDAY – FRIDAY 10:00AM TO 2:00PM

WINTER HOURS (MARCH AND APRIL)
TUESDAY – FRIDAY 10:00AM TO 2:00PM
SATURDAY 9:00AM TO 2:00PM

SPRING HOURS (MAY AND JUNE)
TUESDAY – THURSDAY 10:00AM TO 2:00PM
FRIDAY 3:00PM TO 7:00PM
SATURDAY 9:00AM TO 2:00PM

SUMMER HOURS (JULY THROUGH OCT)
TUESDAY - FRIDAY 10:00AM TO 2:00PM
SATURDAY 9:00AM TO 2:00PM

OFFICE PHONE: 815-653-1000
WEBSITE: WLMPOA.ORG
EMAIL: OFFICE@WLMPOA.ORG

CALLS AND EMAILS RETURNED DURING BUSINESS HOURS.

Information on current lake conditions, including No-Wake Status or Lake Closure following heavy rains, swimming beach status, can be found at:

www.wlmpoa.org

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