

2017 HVYC
Letters Requesting
OPPOA and Realtors
To Restrict Deeded
Perpetual Easement
Language

CRAIGE & FOX

ATTORNEYS & COUNSELORS AT LAW

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HARRISON B. FREEDLAND

March 16, 2017

Via First Class and Certified Mail

Olde Point Property Owners Association, Inc.
Attn: Burt Millette, Registered Agent
904 Cord Brass Road
Hampstead, NC 28443

Re: Harbour Village Yacht Club, Inc.

Dear Mr. Millette,

I represent Harbour Village Yacht Club, Inc. ("HVYC"). The purpose of this letter is to respectfully request that the residents of Olde Point Property Owners Association, Inc. abide by the Rules and Regulations of Harbour Village Yacht Club, and that realtors selling homes or lots in the area not advertise Olde Point properties as having deeded access to the parking lot or boat ramp of Harbour Village Yacht Club.

The parking lot and boat ramp at Harbour Village Yacht Club are subject to the Declaration of Restrictive Covenants of Olde Point Development ("Declaration"), which provides the Developer, "its successors and assigns, the right to construct, lease, operate and manage any club, marina, or other like facility with associated amenities . . . and to establish reasonable fees, rules and regulations for the use thereof."

Pursuant to its authority under the Declaration, HVYC has instituted the attached rules and regulations governing the use of the boat ramp and parking lot. Property owners in Phases 1 and 2 of Olde Point may apply for boat ramp and parking lot access in exchange for a reasonable fee. Ownership of property within Olde Point does not by itself create an unqualified right of access to the boat ramp and parking lot.

PRACTICE AREAS

Business Law / Civil Litigation / Elder Law / Estate Administration
Estate Planning / Family Law / Juvenile Law / Legal Guardianship
Municipal Law / Real Property Law

Harbour Village Yacht Club wishes to maintain a respectful and mutually beneficial relationship with Olde Point Property Owners Association and the surrounding communities. To that end, HVYC requests your cooperation in ensuring that all residents of Olde Point be mindful of the attached Rules and Regulations.

Your immediate attention to this matter is appreciated. Thank you.

Sincerely,

CRAIGE & FOX, PLLC

By: *Harrison B. Freedland*
Harrison B. Freedland

Enclosure as Stated
Cc: Harbour Village Yacht Club, Inc. (via email)

CRAIGE & FOX P.A.C.

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March 16, 2017

Theresa Batts Real Estate.
Attn: Theresa Batts
118 N. Topsail Drive
Surf City, NC 28445

Century 21 Sweyer & Associates
Attn: Steve Salemi, Sales Manager
16406 U.S. 17, #5
Hampstead, NC 28443

Coldwell Banker Sea Coast Advantage
Attn: Amy Helm, Office Manager
14875 US Highway 17
Hampstead, NC 28443

Bugbee Realty, Inc.
Attn: Wendy S. Bugbee
708 Squire Lane
Wilmington, NC 28411

Canady Real Estate Services
Attn: Tim Canady
3329 D Wrightsville Ave
Wilmington, NC 28403

Re: Harbour Village Yacht Club, Inc.

Dear Ms. Batts, Ms. Helm, Mr. Salemi, Ms. Bugbee, and Mr. Canady:

I represent Harbour Village Yacht Club, Inc. ("HVYC"). The purpose of this letter is to respectfully request that realtors selling homes or lots in the area cease advertising properties outside of Phases 1 and 2 of Olde Point as having deeded access to the parking lot or boat ramp of Harbour Village Yacht Club.

The parking lot and boat ramp at Harbour Village Yacht Club are subject to the Declaration of Restrictive Covenants of Olde Point Development ("Declaration"), which provides the Developer, "its successors and assigns, the right to construct, lease, operate and manage any club, marina, or other like facility with associated amenities . . . and to establish reasonable fees, rules and regulations for the use thereof."

Pursuant to its authority under the Declaration, HVYC has instituted the attached rules and regulations governing the use of the boat ramp and parking lot. Property owners in Phases 1 and 2 of Olde Point may access the boat ramp and parking lot in exchange for a reasonable fee.

PRACTICE AREAS

Business Law / Civil Litigation / Elder Law / Estate Administration
Estate Planning / Family Law / Juvenile Law / Legal Guardianship
Municipal Law / Real Property Law

Ownership of property within Olde Pointe does not by itself create an unqualified right of access to the boat ramp and parking lot.

Harbour Village Yacht Club wishes to maintain a respectful and mutually beneficial relationship with Olde Point Property Owners Association and the surrounding communities. To that end, HVYC requests your cooperation in ensuring that all residents of Olde Point and nearby communities be mindful of the attached Rules and Regulations.

Your immediate attention to this matter is appreciated. Thank you.

Sincerely,

CRAIGE & FOX, PLLC

By: *Harrison B. Freedland*
Harrison B. Freedland

Enclosure as Stated

Cc: Harbour Village Yacht Club, Inc. (via email)