

HOLIDAY ISLAND SUBURBAN IMPROVEMENT DISTRICT NO. 1

REGULATION 2020-002

A REGULATION AMENDING CHAPTER 5 OF THE CODE OF REGULATIONS, AMENITY PRIVILEGES

Section 1: The Board of Commissioners of the Holiday Island Suburban Improvement District does resolve as follows: Chapter 5, Amenity Privileges is amended and reads as follows:

Sec. 5-1. - Property ownership entitlement.

Ownership in the Holiday Island Suburban Improvement District includes entitlement to use the various recreational facilities of the district in accordance with article II of this chapter. **Property owner entitlements shall be suspended for any properties with delinquent assessments.**

Sec. 5-2. -~~Types of property ownership.~~ Rescinded

~~Recognizing that ownership in the Holiday Island Suburban Improvement District is awarded to the first two names appearing on the recorded deed, it is also recognized that title is held in a variety of ways, the following being the most common:~~

- ~~(1) — Husband and wife, joint tenants with right of survivorship.~~
- ~~(2) — Two individuals, joint tenants with right of survivorship.~~
- ~~(3) — Husband and wife, tenants in common (no right of survivorship).~~
- ~~(4) — Two individuals, tenants in common (no right of survivorship).~~
- ~~(5) — Single individual ownership.~~
- ~~(6) — Married individual owning property in his own right.~~
- ~~(7) — Incomplete probate proceedings, title incomplete in beneficiaries.~~
- ~~(8) — Property held in trust for the owner/owners.~~
- ~~(9) — Property owned by a corporation.~~
- ~~(10) — Purchase of property by contract for deed.~~

Sec. 5-3. - ~~Types of entitlements~~ Membership Cards.

Membership Cards shall be issued to the first two names appearing on a recorded deed as part of the annual assessment bill. ~~The entitlements below are related to property ownership (the numbers in the list below correspond to the numbers of the list in section 5-2). Property owner entitlements are only available to properties assessed in an amount equal to or greater than the R-1 assessment. Property owner entitlements shall be suspended for any properties with delinquent assessments. Pursuant to the list in section 5-2, these rules as established by the Board of Commissioners of the Holiday Island Suburban Improvement District shall apply. It is intended that the term "card" shall include an electronically maintained record of purchases or equivalent made during the normal course of business.~~

~~(1) — The cards will be issued with both names thereon. Upon request, cards will be issued for each dependent family member living with the property owner(s). The Holiday Island Suburban Improvement District may require proof of such dependent status before issuing a card.~~

(2) Upon request, cards will be issued for additional deeded property owners and their dependent family members. The Holiday Island Suburban Improvement District may require proof of such dependent status before issuing a card. ~~The cards will be issued with both names thereon. If both individuals reside in the same residence, cards will be issued for each dependent family member living with the property owner(s). If both individuals do not reside in the same residence, cards will only be issued to the two individuals on the deed and dependent family member privileges will not accrue.~~

~~(3) — The cards will be issued with both names thereon. Upon request, cards will be issued for each dependent family member living with the property owner(s). The Holiday Island Suburban Improvement District may require proof of such dependent status before issuing a card to the dependent person.~~

~~(4) — The cards will be issued with both names thereon. If both individuals reside in the same residence, cards will be issued for each family member. If both individuals do not reside in the same residence, cards will only be issued to the two individuals on the deed and dependent family member privileges will not accrue.~~

~~(5) — This owner may have the card reissued with one additional person named only in the event that said person resides in the same household as the owner. Dependent family member privileges shall extend to this additional person.~~

~~(6) (3) A person may have the card reissued with his or her spouse/domestic partner named. Dependent family member privileges shall extend to the named spouse/domestic partner.~~

~~(7) (4) The personal representative of the estate in probate will be permitted to designate users (no more than two) from the list of heirs or beneficiaries for one property only.~~

~~(8)~~ **(5)** It is understood that it is becoming more and more common for property to be held in trust for certain individuals as an estate planning tool. It is the intention of the Holiday Island Suburban Improvement District to recognize this type of ownership in the same manner as the ownership outlined in previous paragraphs. In these instances, **For properties held in trust**, the trustees may designate two individuals as members. Dependent family member privileges shall extend to both named individuals.

~~(9)~~ **(6)** The president of the corporation may designate two individuals as members for one property only. Dependent family member privileges shall extend to both named individuals.

~~(10)~~ **(7)** Membership privileges, including dependent family member privileges, shall be extended to the first two individuals listed as buyers on a contract for deed, provided both the buyers and sellers execute a written agreement in language satisfactory to the Holiday Island Suburban Improvement District whereby the record owners (sellers) of the property relinquish all membership rights in the property to the purchasers. The Holiday Island Suburban Improvement District will require a copy of both the contract for deed and the written agreement. Until the purchase is completed and the property is legally transferred by recorded deed to the purchasers, this written agreement must be renewed annually. If such agreement is not renewed annually, the membership privileges shall revert to the record owners (sellers).

Section 2: Severability Clause: The sections, paragraphs, sentences, clauses, and phrases of this Regulation are severable, and if any phrase, clause, sentence, paragraph, or section of this Regulation, or its application to any persons or circumstances, shall be declared unconstitutional, invalid, or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Regulation or their application.

Section 3: All regulations or parts of regulations conflicting with any of the provisions of this regulation are hereby repealed to the extent of such conflict.

Section 4: Emergency Clause: It has been found and determined by the Board of Commissioners of Holiday Island Suburban Improvement District that time is of the essence and that an emergency is hereby declared to exist and this regulation being necessary for the efficient operation of the District's affairs shall take effect and be in force from the date of its passage and approval.

Section 5: Effective date.

This regulation shall become effective immediately upon passage.

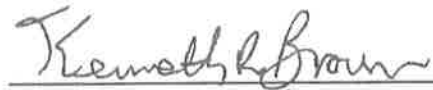
First Reading: February 24, 2020

Second Reading: February 24, 2020

Passed this 24th day of February, 2020

Signed:

Holiday Island Suburban Improvement District No. 1



Commissioner Kenneth R. Brown, Chair

Attest:



Commissioner David Orr, Secretary