



INDIAN ACRES

OF CHESAPEAKE BAY

P.O. BOX 65, GEORGETOWN, MARYLAND 21930

PHONE: 410-275-2181

August 25, 2020

Re: **INDIAN ACRES CLUB – MEMBERSHIP UPDATE REGARDING
RECENT LEGAL VICTORY FOR THE CLUB**

Dear Funstead Owners,

On behalf of Indian Acres Club of Chesapeake Bay, Inc. (the “Club”), we write to provide an update regarding **another, significant victory for the Club** which resolved a longstanding litigation matter in the Club’s favor against a delinquent Funstead owner and Club member. The recent judgment entered by the Circuit Court for Cecil County reinforces the Club’s rights to enforce the rules and regulations set forth in the Restated Declaration of Restrictions for Indian Acres of Chesapeake Bay (“Declaration”), including the Club’s right to suspend members’ access to the Campground for violations of the Declaration, as well as the Club’s right to enforce the rules regarding utility services and to collect unpaid dues owed by Club members.

On August 18, 2020, in *Indian Acres Club of Chesapeake Bay, Inc. v. Janice Mason, et al.*, Case No. C-07-CV-19-000399, the Circuit Court entered an Order Granting Motion for Summary Judgment, and entered judgment in the Club’s favor on all counts. The litigation arose from a Club member’s and Funstead owner’s multiple violations of the Declaration, including violating the Declaration’s (and Cecil County Zoning Ordinance’s) prohibitions on full-time residency on the Campground, tampering with electric meters and misappropriating electricity without paying the Club, and failing to pay a substantial balance of outstanding dues, assessments, and other charges. The Court entered judgment in the Club’s favor in the amount of **\$18,230.16**.

As this recent litigation, as well as the numerous other trial victories decided in the Club’s favor over the past 8 months, makes clear, the Club will continue to pursue Club members for violations of the Declaration, in order to make Indian Acres a rule-abiding Campground for your enjoyment. In order for all Club members to make sure they adhere to and remain in compliance with the Declaration, we highlight the Court’s rulings in the recent Judgment:

- 1. Club members are prohibited from remaining on the Campground for more than 100 consecutive days, or more than 150 days in a calendar year.**
- 2. Club members are prohibited from misappropriating electricity and from reconnecting electric meters that the Club has disconnected for failure to pay dues or other charges.**
- 3. The Club may suspend entry or access to the Campground for any Club members who are in violation of the Declaration, including for failure to pay outstanding charges.**

Again, the Club will continue its pursuit and enforcement of the Declaration to the fullest of its capacities. While the Club has continued to prevail on each and every lawsuit involving the Club in the Circuit Court, each time the Club is forced to file a lawsuit to enforce the Declaration or to collect unpaid charges, the costs to the Club – and as a result, your annual dues – will also increase. Please make your Membership payments on time and adhere to all rules and regulations.

Sincerely,
Indian Acres Club of Chesapeake Bay, Inc.