

**Policy Regarding Property Ownership Transfer, New Construction
And Additions to Existing Structures
Adopted by MPCA Board
May 20, 2014**

Background: The MPCA, as owners of the water distribution and wastewater gathering systems, has the responsibility to protect these systems from damage and insure that interruptions to water and sewage service are prevented. Additionally, the MPCA, as owners of the common land at Moody Point (lots 4, 6, 11, etc.) is obligated to ensure that these properties are managed and protected in compliance with the MPCA Bylaws, Environmental Committee Guidelines, the New Hampshire Shoreline Protection Act and all other applicable local, state, and federal rules and regulations.

The concern of the MPCA Board is that when property at Moody Point, either undeveloped lots or existing residences, changes ownership, new property owners are made aware of the following:

- Location of the fresh water distribution system relative to the property
- Location of the waste water gathering system relative to the property
- Property lines delineating private property and MPCA-owned property to ensure the protection of all commonly owned property.
- For new construction and additions to existing structures, to ensure the obligations of the property owner, contractor, excavator and other construction personnel with respect to the MPCA fresh water distribution and wastewater gathering systems are understood and adhered to.

Policy: Therefore, the MPCA Board has adopted the following policy and procedure to help ensure that these valuable assets are protected:

- All MPCA property owners are required to notify the president of the MPCA or his or her designated representative whenever a property (residence or vacant lot) is placed on the market for sale and, if appropriate, provide the name and contact information for the listing agent and/or real-estate agent. The MPCA president or his or her designated representative will advise the property owner that an MPCA representative will be in contact with the listing agent to provide information relative to the MPCA.
- All MPCA property owners are reminded that they also need to notify the president of their respective homeowners association whenever they place their residence or vacant property on the market as the various associations are

required by state law to provide potential purchasers with certain relevant information, such as their governing documents and financial information.

- The MPCA representative will review with the listing agent the details of MPCA water and sewage systems and provide a Water Systems Committee contact at Moody Point to ensure that these systems are protected and, where appropriate, contact with the new resident's construction company regarding the procedures relative to tying-in to the MPCA systems in compliance with the association's Bylaws and other policies, rules and regulations.
- The MPCA representative will provide the listing agent with an MPCA contact who will review with the listing agent existing property lines and obligations of Moody Point members relative to community-owned property to ensure that all parties understand where community-owned property lies and the obligations and limitations regarding such property. The MPCA contact will insure that this information is understood and will be communicated appropriately to any potential purchasers.
- For new construction on vacant lots and for additions to existing structures, MPCA will require the new owner, or as appropriate existing owners, to provide copies of the contractor's certificate of insurance and the Newmarket building permit, as well as proof that "Dig-Safe" has been contacted as needed. A Water Systems Committee contact will provide the requirements covering fresh water and waste water systems tie-in.
- All owners of MPCA properties (residence or vacant land) who place their property on the market without using a real estate agent are required to abide by this policy as appropriate.
- This policy will be reviewed at each MPCA annual meeting
- A copy of this policy will be communicated to all Moody Point residents at least yearly, either by email or by inclusion with the annual billing for water and sewage services.
- A copy of this policy will be placed on the Moody Point website.

Approved by the Moody Point Community Association Board of Directors

May 20, 2014