

MARINA SLIP REQUIREMENTS AND USE RULES AND REGULATIONS

Marina Slip License

Due to the great disparity between the number of Marina Slips available, a minimum of sixty-five (65) and up to seventy-six (76), and the number of Units, two-hundred-eighty-five (285), Key Largo Ocean Resort Condominium will offer Unit Owners an annual use license when a Marina Slip becomes available based on a waiting list system that has been previously established. This license may be renewed for successive years so long as the Unit Owner continues to own the Unit and a compliant boat and the Unit Owner otherwise complies with these rules and regulations and the other requirements applicable to Marina Slip Users. The Marina Slip waiting list shall be made available to new Unit Owners who are interested in participating in the Marina Slip license system. Any new Unit Owner that wishes to participate in the Marina Slip license process may have their name added to the end of the list.

Current Marina Slip holders will forfeit their right to the use of a Marina Slip when their Unit is sold. Upon forfeiture of the right to use a Marina Slip, the Condominium will offer a license to the Unit Owner holding the first position on the waiting list. This Unit Owner shall have fifteen (15) calendar days to accept or reject the license offer, and if the Unit Owner does not accept the offer in such fifteen (15)-day period the offer will be deemed rejected. If the license offer is rejected, the Unit Owner holding the next position on the waiting list will be offered the license and so on until the a license is issued. The Unit Owners that reject the license offer, either by notifying the Association or allowing the aforementioned fifteen (15) days to pass without notice, will have their names revert to the last position on the waiting list. All Unit Owners that accept the offer to license the use of Marina Slip shall execute a license agreement on a form approved by the Association.

In the event a Unit Owner under a valid license agreement for a Marina Slip intends to lease ~~their its~~ Unit, the Unit Owner shall ~~provide the Association with the information reasonably requested by the Association regarding the tenant and its vessel prior to the tenant using the Marina Slip~~ not permit its tenant to use the Marina Slip. Marina Slips may only be used by Unit Owners pursuant to the requirements of Monroe County as provided in Planning Commission Resolution No. P35-07, recorded September 15, 2008, in Official Records Book 2379 at Page 2178 of the Public Records of Monroe County, Florida.

Definitions.

"Marina" means that portion of bay bottom property within the Corporation Property, together with any improvements and appurtenances thereto used for the purpose of docking and serving leisure motor and sailing craft and permitted personal watercraft.

"Marina Slip" means the individual location for a leisure motor or sailing craft defined by either solely or a combination of fixed docks, sea walls or piers and pilings within the Marina.

"Marina Slip User" means any person authorized to use a Marina Slip under a properly executed license agreement ~~or a sublicensee approved by the Association.~~

Use Restrictions

The use restriction provisions of this section shall apply to the use and operation of the Association Property, including use by the Association, its members and their guests and invitees. Any violation of the provisions contained in this section may subject the Unit Owner's right to license a Marina Slip to be terminated at the sole discretion of the Association. Any fines or penalties incurred by a violation of these

provisions shall be the sole responsibility of the Unit Owner holding a Marina Slip license. Each Marina Slip license holder shall indemnify and hold the Association harmless from all claims arising from any violation of these provisions by the licensee or their ~~sublicensees,~~ tenants, guests or invitees.

Marina and Marina Slip Area Usage

The Association shall designate and issue licenses to not more than seventy-two (72) Marina Slips within the Association Property. Marina Slips may be licensed only to Unit Owners of the Condominium. Each Marina Slip shall include the bay bottom adjacent to the seawall and the area seaward of the vertical surface area of the seawall contiguous to the Marina Slip bay bottom area. The Marina and Marina Slips shall be subject to the following use restrictions and regulations. Every Marina Slip User shall abide by the following use restrictions and any rules and regulations adopted by the Association.

- (a) Marina Slip Users shall comply with the applicable rules and regulations of the United States Coast Guard, Florida Fish and Wildlife Conservation Commission, Monroe County, and any other governing authority.
- (b) The Marina and adjacent harbor is a no-wake zone. All vessels must comply with the recognized speed limit of three (3) knots maximum. Any hazards to navigation should be reported to the United States Coast Guard.
- (c) The Marina Slip User shall provide vessel insurance verification to the Association for any vessels moored within the Marina Slip.
- (d) It shall be the Marina Slip User's responsibility to ensure that appropriate vessels are seaworthy, secure and watertight.
- (e) Docking, line handling, and mooring are the responsibilities of each Marina Slip User. There is no designated harbor master and no monitoring of VHF radio signals to aid in docking within the Marina Slip mooring area.
- (f) No overboard discharge of effluents, petroleum, or other toxic materials is allowed within the Marina Slip mooring area. Any questions regarding same should be directed to the United States Coast Guard for updated laws and regulations.
- (g) Dock areas and sidewalks must be kept clear at all times. Dock boxes are not permitted without the written approval of the Association. Storage of nautical materials is required to be located within each Unit Owner's Unit or other area located outside the Association Property unless approved in writing by the Association.
- (h) Personal tenders and dinghies are to be stored aboard the primary vessel when not in use. No tender or dinghy storage is provided.
- (i) Major repairs and renovation of vessels are not permitted at the Marina Slips. Minor repairs and maintenance are allowed Monday through Friday, 8:00 a.m. to 5:00 p.m., and such work shall be performed in accordance with Monroe County work restrictions and noise ordinances.
- (j) No cooking fires are allowed on any vessel (unless on an interior stove designed for that purpose), the docks, the sidewalks, or adjacent areas.

- (k) Marina Slip Users shall be responsible for the safety, security, and conduct of their family members, guests and invitees while on the property. Persons under the age of 14 are permitted on board only while supervised by an adult.
- (l) Marina Slip Users shall not make or permit any disturbing noises, as determined by the Board of Directors, in connection with the utilization of the Marina Slip, whether made by the Marina Slip User or the Marina Slip User's family, guests or invitees, nor may a Marina Slip User do or permit to be done anything by such persons that would interfere with the rights, comforts or other conveniences of other Marina Slip Users or the Unit Owners. No person may play or suffer to be played any musical instrument, stereo, phonograph, radio or television set in his or her vessel or on or about the Marina Slips if the same shall in any manner disturb or annoy the other Marina Slip Users or other Unit Owners. Vessels shall not be left unattended with VHF radios or stereos activated.
- (m) Idling of engines and generators shall be limited to no more than five (5) minutes and only between the hours of 8:00 a.m. and 5:00 p.m. unless the vessel is preparing to depart.
- (n) Trash must be properly bagged and deposited into the appropriate refuse containers located in designated closed-in areas of the Condominium Property or Association Property, as provided by the Association.
- (o) Guest parking shall be allowed in any parking spaces designated for guest use. No boat trailers, motor homes, or storage trailers shall be stored except in designated storage areas per rules and regulations promulgated by the Association.
- (p) "For sale" signs shall not be posted on vessels moored at the Marina Slips.
- (q) Swimming, snorkeling and scuba diving (except for cleaning the bottom of moored vessels) shall not be allowed in the dock area.
- (r) All subcontractors performing maintenance and/or repairs within the dock area or on vessels within the dock area shall be licensed and insured.
- (s) Laundry or towels shall not be hung on the exterior of any vessel.
- (t) In the case that a vessel is in need of salvage due to sinking or to prohibit it from sinking, the Association shall have the right to remove such vessel at the owner's expense.