

RULES AND REGULATIONS

MIDNIGHT COVE II ASSOCIATION, INC.

1. Each homeowner shall be obligated to maintain and keep in good order and repair his own home in accordance with the provisions of the Declaration of Condominium.
2. The exterior of any home and all other areas appurtenant to a home shall not be painted, decorated, or modified by any owner in any manner. No sign, canopy, shutter (except awnings and hurricane shutters), radio or television antenna, or satellite dish shall be affixed to or placed upon the exterior walls, doors, roof, or any part thereof or exposed on or in any window, patio or common area.
 - a. ALL REPAIRS/REPLACEMENTS MUST CONFORM TO CONDOMINIUM SPECIFICATIONS. THE ASSOCIATION OFFICE SHALL BE INFORMED OF ALL REPAIRS / REPLACEMENTS THAT MAY IMPACT ON OTHER UNITS OR ASSOCIATION PROPERTY. ANY SUCH REPAIRS / REPLACEMENTS MUST BE APPROVED BY THE BOARD OF DIRECTORS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE NECESSARY FORMS ARE AVAILABLE IN THE ASSOCIATION OFFICE.
3. Any proposed plantings by unit owners must first be approved in writing by the Association. If approved, such plantings must be in harmony with, but not necessarily duplicate, plantings of adjacent units. However, plantings may not impede the maintenance or upkeep of the common areas.
4. No terrace or balcony shall be enclosed or covered by any awning/umbrella without the written consent of the Board of Directors.
5. Owners shall not post any advertisement or posters of any kind in or on the property unless authorized by the Board of Directors.
6. Nothing shall be done or kept in any home or in the common elements that will increase the rate of insurance of any of the buildings or contents thereof. All electrical appliances installed or used in each home shall fully comply with all rules, regulations, requirements, or recommendations of the Board of Fire Underwriters and Public Authorities having jurisdiction. Additionally, no owner shall permit anything done or to be kept in his home or in the common elements that will result in the cancellation of insurance on any of the buildings or contents thereof or that is in violation of any law.
7. No person shall hang, dust, or clean garments, rugs, towels or any other items from the windows or from or over balconies or any of the facades of any building.
8. Refuse, including garbage, cans, boxes, or any other similar items shall be placed only in containers or areas designated for such use. Refuse must not be left in the halls, staircases, landings, or other common areas. All refuse must be sealed in plastic trash bags and all boxes must be broken down.
9. No person shall obstruct any part of the common elements including the sidewalks, entrances, passages, vestibules, staircases, corridors, elevators, or halls. Nor shall the public halls, elevators, stairways, and walkways be used as a play area for children. Children shall not play on or about the common elements, except under reasonable supervision by a responsible adult.
10. No person shall make or permit any noises that will disturb or annoy the occupants of any home or permit anything to be done that will interfere with the rights, comfort, or convenience of other persons, whether in their homes or on the common elements. Additionally, no person shall conduct or permit to be conducted vocal or instrumental instruction in any home.
11. All owners, guests and renters shall file with the Association Office the names and telephone numbers of individuals to be contacted in case of emergency. Each person shall be responsible to update this list annually.

12. PETS: OWNERS MAY HAVE ONE (1) PET. NO RENTERS OR GUESTS, HOWEVER, ARE PERMITTED TO HAVE ANY PETS IN THE UNITS.

a. OWNERS ARE RESPONSIBLE FOR THE REMOVAL OF THEIR ANIMAL'S LITTER FROM THE DESIGNATED DOG WALK AREAS, WHICH ARE BEHIND THE ADMINISTRATION BUILDING AND ON THE WEST SIDE OF THE TENNIS COURTS. Pets are not allowed to walk unleashed on condominium property.

b. Notwithstanding anything contained in this rule, any pet causing or creating a nuisance or any unreasonable disturbances or noise shall be permanently removed from the property upon three (3) days written notice from the Association.

13. VEHICLE REGISTRATION AND PARKING: ALL OWNERS, GUESTS AND RENTERS MUST REGISTER EVERY VEHICLE WITH THE ASSOCIATION OFFICE.

a. Owner vehicles shall be parked in owner assigned spaces and guest vehicles shall be parked only in the designated guest parking area. Parking on driveways or lawn areas is prohibited at all times.

b. No trailers of any sort shall be kept on the property except on a temporary basis not to exceed 24 hours. This includes boat trailers, u-haul trailers, mobile home trailers or any other type of trailer. The Association Office must be notified one (1) week in advance of any such trailers being on the property.

c. Commercial vehicles, trucks, campers, recreational vehicles, or any similar vehicles other than passenger vehicles may not be kept permanently on the property. Any such vehicle shall not use more than one parking space in width and length.

d. All vehicles that remain in the parking lot overnight must display a parking permit. These are available in the Association Office. Vehicles without such permits are subject to towing.

e. Owners may be issued permanent parking permits for their vehicles.

f. All vehicles on the premises must be in operable condition. No storage of covered or uncovered vehicles shall be permitted in guest parking spaces.

g. Vehicles on the property may not be occupied as living quarters at any time.

h. Vehicles violating any of these Rules and Regulations will be towed at their owner's expense.

14. Vehicles must maintain a speed limit of 10 m.p.h. or less. Driveways will be posted.

15. Motor repair or other repair work to an automobile either within the limited common element or common elements of the condominium is prohibited. Storage of any household articles, furnishings or furniture within the parking space or outside the unit or limited common element is prohibited.

16. RENTALS: THE MINIMUM RENTAL PERIOD PER INDIVIDUAL HOME SHALL BE FOR ONE (1) WEEK.

a. The maximum number of occupants per rental unit shall be 6 persons in a 2-bedroom home and 8 persons in a 3-bedroom home.

b. All owners renting units shall prominently display emergency telephone numbers and the Rules and Regulations of the Association.

c. Guests or temporary occupants of any unit not complying with these Rules and Regulations shall be asked to vacate the premises upon notification by the Association Office.

d. Each unit owner or his agent must notify the condominium manager in writing when such owner's unit is to be rented or otherwise occupied by persons other than the unit owner in the unit owner's absence. Such written notification shall be given at least one (1) week before the unit is to be occupied and shall

contain the names, ages and number of persons authorized by the unit owner to rent or occupy such unit in his absence. FORMS FOR NOTICE ARE AVAILABLE IN THE ASSOCIATION OFFICE.

e. EACH UNIT OWNER IS RESPONSIBLE FOR INSURING THAT ANY REALTORS OR RENTAL AGENTS ACTING ON BEHALF OF SAID UNIT OWNER ARE AWARE OF, AND COMPLY WITH, THIS NOTICE REQUIREMENT. EACH UNIT OWNER IS ALSO RESPONSIBLE TO SEE THAT ANY TENANTS OR OTHER OCCUPANTS OF THE UNIT ARE AWARE OF THE ASSOCIATION RULES AND REGULATIONS.

17. Any key or keys whether for home, auto, truck, or other item of personal property entrusted to an employee or outside person by an owner, occupant, member of a family, agent, servant, employer, licensee, or visitor shall be at the sole risk of the person so entrusting. The Board of Directors or the Association shall not be held liable for injury, loss or damage directly or indirectly resulting from said action. The Association Office shall be notified of any such entrustments by the person who has entrusted any key to a third party.

18. ACCESS DEVICES OR CODES: The Association shall at all times have access to each unit. No unit owner shall change existing access devices or codes or install additional locks unless the Association is given access thereto.

19. USE OF THE COMMON ELEMENTS: The common elements shall be used exclusively by unit owners, occupants, tenants and guests, and their agents, servants, customers, invitees and licensees in accordance with the purposes for which they are intended.

a. Owners shall be responsible for, and shall bear any expense of, any damage to the common elements caused by moving to or removing from their unit household furnishings or other objects, or caused by any other deliveries to or from the units by their invitees.

b. THE OWNER OR LESSOR IS FINANCIALLY RESPONSIBLE FOR ANY PHYSICAL DAMAGE CAUSED TO THE COMMON ELEMENTS BY HIS TENANTS OR GUESTS. Upon notification by the Board of Directors, a special assessment will be levied on those owners responsible for such damage.

20. SWIMMING POOL: Use of the swimming pool shall be subject to the rules posted at the pool and is at the risk of each person using the same. VIOLATORS OF THE RULES WILL BE ASKED TO LEAVE THE SWIMMING POOL.

a. The pool is open from 8:00 a.m. to 10:00 p.m., year round.

b. No children under the age of 12 may be in or around the pool area unless accompanied by a responsible adult.

c. No styrofoam materials, floats, rafts, noodles, or any other floatation devices are permitted in the pool at any time.

d. No glass containers are permitted in the pool area at any time.

e. No pets are permitted in the pool area at any time.

21. Swimming in the lagoon is prohibited.

22. TENNIS COURTS: The tennis courts are for the private and exclusive use of the owners, their guests, and tenants, subject to the rules posted at the courts. Violators of these rules will be asked to leave the courts by the Association Management. Players must register with the Association Office prior to play. Proper tennis attire, including tennis shoes and tennis shirts must be worn on the courts.

a. The tennis courts are reserved for ROUND ROBIN play every Monday, Wednesday, and Friday from 9:00 a.m. to 11:00 a.m. between October 1 and February 28 and from 8:00a.m. to 10:00 a.m. at all other times of the year. All owners, tenants, and guests may participate in round robin play.

b. Schedule sheets are maintained in the Association Office for reserved playing time, which is limited to ONE (1) HOUR ONLY for singles OR doubles. Further play is permitted only if the courts are unoccupied or unreserved. Courts not claimed within 10 minutes of starting time are considered forfeited.

c. No chairs or toys are allowed on the courts. Courts should be left free from debris.

23. BOAT SLIP OWNERS, RENTERS, AND OTHER USERS OF THE COMMON DOCKING AREA ARE PROHIBITED FROM ALL OF THE FOLLOWING:

a. Conducting boat or major motor repair work within the boat slip space or common docking areas of lagoon.

b. Anchoring, docking or mooring his boat any place other than at his assigned boat slip space. Guests of such unit owner may anchor, dock, or moor only at the common element docking area, which is marked as such.

c. Launching or taking from the water his boat or constructing or making use of davits or other mechanisms to raise, hold or lower the boat out of or into the water.

d. Using the boat slip space other than as a mooring and permanent dockage for the boat and its accessories. No live-aboard boats are permitted.

e. Discharging any rubbish, refuse, garbage or human wastes from the boat into the lagoon, or permitting the accumulation of any rubbish, refuse, or garbage within the boat or boat slip space or common element boat mooring facilities.

f. Permitting any use of his slip or of the common elements that would increase the cost of insurance upon the condominium property or cause or promote any fire hazard.

g. Erecting or maintaining any reflectors, illuminated signs, placards or posters whatsoever on or within the boat, boat slip area or common-element boat mooring facility without the prior written consent of the Board of Directors.

h. Hanging any laundry, garments or other unsightly objects outside the boat.

i. Entering upon the island within the lagoon or throwing upon or discharging upon the island any debris, trash, refuse, garbage or other unsightly matter.

j. Operating a boat except at a safe operating speed that produces NO WAKE in the lagoon or surrounding areas.

k. Operating a boat without equipment that baffles and/or reduces its engine exhaust noise.

l. Having more than one boat moored in any boat docking slip or space at one time. Dinghys that are part of the equipment of a larger boat are not considered a separate boat for purposes of this rule.

24. No one other than the homeowner, or his approved guest or lessee, having an exclusive right and license to use a boat docking slip or space, shall enter upon or make use of the boat docking slip or space or boat moorings facilities, or shall make use of water spigots or electrical outlets constructed along the boat moorings facilities.

a. If an owner leases or makes available his boat slip or space to another, he must notify the office in writing of that use and its time period, at least one week in advance.

25. Other than the use of customary mooring lines, no other device or apparatus may be used to moor and secure the boat without the prior written consent of the Board of Directors.

26. NO SKATEBOARDS OR ROLLERBLADES ARE ALLOWED ON THE PROPERTY.

27. All bicycles must be registered at the Association Office and must be stored in the bicycle racks provided throughout the complex. Forms for this purpose are available at the Office.
28. Do not feed the birds. Such feeding harms their natural instinct to hunt for food, creates the potential for health problems and may damage the buildings.
29. ENFORCEMENT: All violations of these Rules and Regulations shall be reported immediately to the Association Office or to the Board of Directors.
- a. FAILURE TO COMPLY WITH THESE RULES AND REGULATIONS MAY RESULT IN THE IMPOSITION OF A FINE UP TO \$100/DAY OR THE MAXIMUM PERMITTED BY FLORIDA LAW, WHICHEVER IS GREATER, FOR EACH SUCH OCCURRENCE. Such fines shall be collected by the Association and shall become part of its common surplus.
- b. If the Board of Directors deems it necessary, it may bring an action at law or in equity in the name of the Association to enforce these Rules and Regulations. In the event any such action is reduced to judgment in favor of the Association, the Association shall, in addition, be entitled to recover its costs and attorneys' fees incurred in enforcing these Rules and Regulations.
- c. Any owner, tenant or guest who believes s/he has been unfairly treated by management or by the Board's interpretation of the Rules and Regulations may complain to the Review Committee in accordance with the procedures established by the Board of Directors. Instructions for doing so are available in the Association Office.
30. Midnight Cove II Association, in compliance with the National Fire Protection Act, Section 1:10.11.7, prohibits the use of gas-fired grills, open fires, charcoal grills, hibachis or other similar devices used for cooking, heating or other purposes on any balcony or under any overhanging portions such as landings or first floor entrances.

Grilling is only permitted at the two (2) designated areas.

Gas Grills are located:

1. South side of Building 9 – adjacent to the building
2. Paved picnic area behind the tennis courts, near the maintenance center

31. The Board of Directors may amend these Rules and Regulations at any duly called Board meeting. Owner suggestions and recommendations regarding these Rules and Regulations shall be submitted to the Board in writing.

FREQUENTLY USED TELEPHONE NUMBERS

MIDNIGHT COVE II ASSOCIATION OFFICE.....	941-349-1163
MIDNIGHT COVE II RENTAL OFFICE.....	941-349-2428
Emergency	911
Maintenance and Repairs Emergencies.....	941-812-5903
Rental Emergencies.....	941-809-3450