

RULES, REGULATIONS AND ARCHITECTURAL CONTROL STANDARDS

BLACKBURN POINT MARINA VILLAGE

CONDOMINIUM ASSOCIATION, INC

INTRODUCTION

Blackburn Point Marina Village Condominium Association Inc., *hereby referred to as* (BPMV) is providing these rules to the residents of BPMV Condominiums as an introduction and quick reference to the Architectural Standards, Parking Policy, Collection Policy, Rules and Regulations, and By-laws of our community.

The Following Rules and Regulations, and Architectural Control Standards have been adopted by the Board of Directors of the BPMV Condominiums in accordance with the Covenants and By-laws to not only protect the architectural integrity and harmony of the community, but also to promote the safety and welfare of residents and to maintain an acceptable quality of life.

It should be remembered that the Rules and Regulations do not replace the By-laws, which the Board of Directors uses as its primary governing document. Both documents are in force. In case of conflict between the wording of these documents, the By-laws will prevail.

The Rules and Regulations shall apply to all property owners, their residents, family members, tenants, occupants, agents, visitors, employees and guests; and shall be enforced by the Board of Directors in accordance with applicable Covenants and By-laws.

In establishing and maintaining the Rules and Regulations, or Standards, the Board shall make every effort to ensure that they do not affect unit owners' right to the enjoyment of reasonable and unrestricted use of their property or privileges of ownership.

The Rules and Regulations and Standards may be modified, repealed or amended at any time by a resolution of the Board of Directors when deemed necessary in the best interest of unit owners/residents and the community.

GENERAL INFORMATION

The subdivision comprises BPMV Condominiums Property in the development is classified as "Open Space, Common Elements and Limited Common Elements."

The streets, curbs, sidewalks, lawns and yard areas, trees and shrubs, exterior lighting and parking areas comprise the COMMON ELEMENTS. Your Association (BPMV), along with your Management Agent, is responsible for the operational management and oversight of maintenance and improvement of these areas, which are for the EXCLUSIVE use of the individual residents/unit owners and/or their guests.

GENERAL RULES AND REGULATIONS

These are the general rules and regulations of the BPMV Association. Only a written notice may grant any exceptions to these rules from the Board.

Any damage to buildings, grounds, or other common areas or to equipment by any owner, tenant guest, family member or pet shall be repaired at the expense of the unit owner. This charge may be assessed in addition to a fine. Unit owners are fully responsible for the actions of their tenants, family members, guests and pets, and shall be held accountable for any damage done to the property.

Common areas: The lawns and walkways shall not be used for storage or parking or be obstructed in any way. No bicycles, toys, trash cans or recycle bins, or other personal property shall obstruct entrance ways, walkways, parking or other common areas.

Unlawful and Disturbing Noises/Practices: No unit owner shall make or permit any unreasonable noise that will disturb or annoy other residents, or permit anything to be done which will interfere with the rights, comfort and convenience of other residents.

Trash and garbage shall be placed in sealed plastic bags. Trash cans shall be kept inside each unit until pick-up day. Trash cans may be placed on walkways or common islands in front of a homeowner's unit ON TRASH PICK-UP DAYS ONLY! Trash cans must be placed back in your unit by the evening of trash pick-up day. Arrangements for the removal of bulky items such as mattresses, furniture, appliances, construction materials, etc., must be made with Waste Management and shall not be placed outside earlier than the day before the scheduled pick-up day.

Barbecuing: Cooking is permitted in the Community Bar area or in the back of your unit only.

Defacing of property: Signs, notices, advertisements, or any alteration of exterior surfaces shall not be placed, inscribed, or exposed on any window, door, or other exterior parts of unit, or on the common areas. Specifically excluded from this regulation are seasonal decorations, in accordance with the Declaration of Covenants, or as approved in writing by the Board.

Toilets and other drains in the buildings shall be used only for the purposes for which they were designed. Any damage to the common plumbing resulting from misuse of plumbing and/or drains in a unit, shall be repaired by the BPMV Association and paid for by the owner of the unit.

Rental Property: All unit owners who rent to a tenant shall: (1) provide the tenant with a copy of the By-laws and Rules and Regulations, (2) include in the lease agreement a provision that the tenant has been given said copies, has read and understood, and agrees to abide by these documents, (3) notify the Board of Directors in writing that the unit is tenant-occupied, giving the name(s), address and phone number of the occupants, and (4) provide to the Management Agent and/or the Board the name of any agent retained by the unit owner to manage the unit for him/her. The unit owner is responsible at all times for the enforcement of the established guidelines. Fill out and submit application and fee to the Management agent.

Vandalism: Unit owners and their families, tenants, and guests shall not deface, remove, or destroy, or permit the defacing, removing or destruction of any element of the common areas.

CONDUCT

Residential Use: All condominium units shall be used for residential purposes exclusively.

Lease: No condominium unit within the project shall be rented for transient or hotel purposes.

No noxious or offensive trade or activity shall be carried on within any condominium unit, nor shall anything be done therein or thereon which may be or become an annoyance to the neighborhood or other owners.

INSURANCE

Nothing shall be done or maintained in any condominium unit or on any Common Elements, which will increase the rate of insurance on any condominium unit or on the Common Elements, or result in the cancellation thereof, without prior written approval of the Board of Directors.

Nothing shall be done or maintained in any condominium unit or on the Common Elements, which is in violation of any law.

ANIMALS AND PETS

The maintenance, keeping, boarding and/or raising of animals, livestock or poultry of any kind, regardless of number, shall be and is hereby prohibited within any condominium unit or Common Elements, except that this shall not prohibit the keeping of dogs, cats, and/or caged birds as domestic pets.

All pets shall be kept leashed and under the control of their owner whenever they are outside the unit, and shall not be allowed to run free or unleashed at any time, or to otherwise interfere with the rights, comfort or convenience of other residents.

Dogs may only be walked in the following areas: wherever BPMV condo community decides.

Dogs may not be walked on grassy areas near your neighbors' units, and must be cleaned up after.

Pets must be vaccinated and kept in accordance with the County Health Department laws and regulations. Contact the Florida Animal Control or the Health Department for more information.

Owners are responsible for all damages caused by their pets to common areas and to the property of others.

Pets shall not at any time be left unattended nor be tied or chained in front of, or on the patio, balcony, behind a unit, or anywhere else on the common grounds.

All pets shall be registered with the Property Manager.

Parking policy:

Vehicles shall be prohibited from parking upon the Common Elements.

Each section of the development will also have a number of guest parking spaces for the use of visitors. No car shall be left in a guest space for longer than three days without the written consent of the BPMV Board.

ARCHITECTURAL MAINTENANCE/CONTROL

No structural alteration (construction, addition or removal) of any condominium unit or Common Element shall be commenced or conducted except in strict accordance with the provisions of the BPMV By-laws.

All changes proposed by the unit owner to the exterior of his/her unit shall be submitted in writing to the BPMV Architectural Control Committee. All requests shall include a written description and a diagram of the proposed changes, and must be signed by the unit owner. Once written approval has been received from the Committee and changes have been made, the unit owner must contact the Committee so that a final inspection may be made and signed off by the Committee.

No owner or resident may make or cause to be made any change outside his/her unit without the prior express written approval of the Architectural Control Committee unless the Committee fails to respond within 60 days of a written request submitted by the unit owner.

A decision made by the Architectural Control Committee may be appealed to the Board of Directors.

POLICY

The architectural covenant imposes a legal requirement on the BPMV Association to approve or disapprove construction of new structures, exterior additions or alterations to the original design of the units, and all subsequent alterations thereto BEFORE the unit

owner starts them. The BPMV Board of Directors has delegated to the Architectural Control Committee the task of reviewing applications and making recommendations to the Board for the approval or disapproval.

It should be noted that approval of any project does not preclude subsequent adoption of more restrictive or more liberal standards where deemed necessary to maintain or improve overall architectural standards and harmony. No amendment shall affect any project approved prior to adoption of such amendment.

Any project or exterior modification which was completed prior to the issuance of these regulations which would normally require BPMV Board approval prior to initiation shall not be construed as setting a precedent, and will require Board approval before any major repairs, changes, and/or additions are made to said project or modification.

Before making any exterior changes or initiating any project, which might be contrary to the architectural/maintenance standards, unit owners are reminded that non-approved changes can not only be aesthetically offensive to their neighbors, but can also decrease the value of all units.

Any project, exterior modification, or other act in violation of these standards is subject to a citation by the Board and may require corrective action to bring the violation into immediate or future compliance with these standards.

ABSOLUTELY no peddlers or solicitors of any kind are allowed in the Community. Report any solicitors to the management personnel immediately.

Power tools shall not be used between 9:00 p.m. and 8:00 a.m. of the following day.

For Sale and For Rent signs are prohibited. A maximum of three (3) "Open House" signs are allowed to be posted within the development, but must be put up and taken down on the day of the open house.

No sign of any nature shall be maintained in the interior of any building or dwelling unit, which is visible from the exterior of any such building, or dwelling unit.

"FOR RENT" or "FOR SALE" signs can be displayed only on the bulletin board adjacent to the mailboxes. Notices are posted for 30 days. They may be renewed by phone, fax, or in person through the management office. No "OPEN HOUSE" or "GARAGE SALE" notices are to be displayed in or on the units. Realtors' lock boxes are not allowed on any unit's front door. They must be concealed from the road.

Political endorsement signs are prohibited from being displayed on the BPMV grounds or yards.

Portable and/or permanent sports/recreational fixtures and/or facilities are prohibited within the BPMV community. These include but are not limited to basketball backboards, street hockey nets, volleyball nets, etc. Organized sports/recreational activities (including but not limited to pick-up football, basketball or baseball/softball games) are likewise prohibited within the BPMV community proper.

All windows and patio/balcony doors in units shall have proper window coverings (blinds, drapes, shades or curtains) within 30 days of settlement. Exceptions to the timing requirement may be made in the case of a delay in delivery, or custom drape orders requiring a longer manufacturing period. Exceptions are valid only by approval in writing from the Board of Directors granted upon presentation of proof of order/delay from the resident's vendor.

Any plastic used to cover windows and patio/balcony doors for energy conservation shall be affixed inside the unit, not on the outside, and must be invisible from the outside.

Interior window areas may not be cluttered with personal items that are visible from the exterior, thereby creating an unsightly appearance.

Winter holiday decorations, including lights, and other exterior displays shall be put up no earlier than December 1st and taken down no later than January 15th.

The approved storm door style is the only one to be used. Information can be obtained by contacting the BPMV Management.

No window air conditioners are permitted.

Entranceways shall be kept clean, and newspapers are to be picked up regularly.

The approved replacement window and sliding glass door style is the only one to be used. Information can be obtained by contacting the Property Manager.

No structural alteration to the interior of any unit may be made without the advance written approval of the Board of Trustees. Such alterations include, but shall not be limited to, the moving of walls and installation of new flooring.

Architectural Control Committee:

ENFORCEMENT/PENALTIES

A system of penalties has been established to ensure compliance with the Rules and Regulations of the Association. The Board believes that the enforcement procedure will result in greater community awareness of reasonable conduct that all unit owners have the right to expect from each other. If the violator is not a unit owner, the owner will be provided with copies of all correspondence pertaining to the violation and any ensuing penalties and hearings. The unit owner is ultimately responsible for all fines and the removal of all violations.

Fines may be imposed for violation of any of the above rules, according to the following schedule:

1st violation, after written warning - \$25.00

Repeated violation - \$100.00

The Board of Directors may not impose any fine or infringe upon any rights of a unit owner for violations of the rules until the following procedures have been complied with.

If a violation of the rules is alleged in a written complaint to the BPMV Board, the BPMV Board will notify the alleged violator in writing to cease and desist from the violation. This notification will include: (a) the nature of the alleged violation; (b) the action required to remove the violation, and (c) notification of a grace period of ten (10) days, within which the violation may be removed without penalty. Should the violation continue beyond the grace period, a fine will be imposed.

The violator may request a hearing within ten (10) days after imposition of the fine. The request must be made in writing and be addressed to the BPMV Board of Trustees. The hearing shall be held in executive session (that is, a closed session) of the BPMV Board, and will afford the violator a reasonable opportunity to be heard. The violator may present his/her case to the BPMV Board, and the BPMV Board will decide, based on the available information regarding the alleged violation, whether or not any fines and/or penalties should be lifted.

If a violation is repeated within twelve (12) months of the first notice, a fine will be imposed without a grace period.

The decision of the BPMV Board in such matter can be appealed to the Courts of the state of Florida.

If any unit owner fails to comply with the BPMV Rules and Regulations or By-laws, or with any decision rendered under the BPMV Rules and Regulations and By-laws, the unit owner may be sued for damages or injunctive relief, or both, by the BPMV Board. The prevailing party in any such proceeding may be entitled to an award for legal fees, as determined by the court.

A fine will be applied to the unit owner regardless of whether the offender is the unit owner, a tenant, a guest or a household member. The payment of a fine does not relieve the offender of the obligation of correcting the violation. If the Association incurs expenses to correct the violation, this expense will be applied to the unit owner. If the unit owner does not pay the bill, a higher fine may be imposed.

If this fine remains unpaid, a lien may be placed against the unit in question. This means that the unit cannot be sold unless the fine and all associated expenses in filing the lien are paid, and the lien has been removed. In addition, the BPMV Board of Directors may foreclose on a lien if it is deemed necessary. Other penalties for not paying the aforementioned fines and expenses may also be considered including, but not limited to, the following:

A. Suing the unit owner for damages.

B. Imposing criminal penalties through the proper authorities (violations of Sarasota county and Florida state laws).

All association fees are due on January 1st, April 1st, July 1st and October 1st of each year. If fees are not received to BPMV by the 15th of the month, a 5% late charge plus interest will be assessed. If the unit owner fails to pay association fees after this, the BPMV will move to turn delinquent accounts over to our attorney.

Condo Owners Unit Insurance.

Each unit owner is responsible for purchasing and maintaining standard condominium homeowner's insurance coverage. Such coverage shall be sufficient to adequately cover all contents and upgrades, as well as general liability.

MOTOR VEHICLES OPERATION AND TRAFFIC REGULATIONS, PARKING.

Except as herein provided, no junk vehicle or other vehicle on which current registration plates are not displayed, no trailer, commercial truck, camper, house trailer, or boat may be kept on any Common Elements.

Likewise, no repair or extraordinary maintenance of automobiles or other vehicles may be undertaken on any of the Common Elements. Minor vehicle repair work shall be permitted in emergency cases only, provided that the area is cleaned after repairs have been completed.

All vehicles must have current license plates and a current registration card to be legally parked on the premises.

Vehicles Per Condo Unit

The number of vehicles authorized to be parked on a daily basis on the common property per unit shall be equal to the number of licensed drivers domiciled in the unit, with a maximum of three (3) vehicles per unit.

Satellite Dish Receivers.

Over-the-Air-Reception-Devices (OTARDS), such as satellite dishes, which is 1 meter (18 inches) in diameter or less, may be installed on a unit owner's deck or patio. Installers of such devices must be covered by adequate liability insurance. Installation of such devices on common property (for example, roofs, sides of buildings and the common area around the buildings) is not permitted without first obtaining written approval from the BPMV Board of Trustees. Such devices, which are greater than 1 meter in diameter, are strictly prohibited.

Definitions

Owner - A person whose name appears on the deed. It does not include relatives or friends of persons who appear on the deed. For units owned in a corporate name, a primary occupant must be registered with the BPMV Association. The primary occupant may be changed once in each calendar year.

Tenant - A person who is renting a unit from an owner. All tenants must register with the BPMV Association. A lease approved by the BPMV Association, and

activation in the security system defines tenancy.

Guest - A person, other than the owner or tenant, living in a unit, and paying no compensation of any type to the owner or agent. All Guests must register with the Association. A registered guest may be on the premises without being accompanied by the owner or tenant.

No more than 2 sets of guests may be registered to one Unit in a 30-day period.

Resident - An owner, tenant or guest living in a residential unit and activated in the security system.

Visitor - A person visiting a unit while the owner, tenant or guest is present in the Unit. The resident must authorize all visitors. Visitors must be accompanied by the owner, tenant, or guest at all times when the visitor is outside of the Unit.

Leasing of Units

Owners may lease their units provided the following regulations are strictly followed.

Unit owners have the right to lease their units for residential purposes only. Owners should ensure that their Units are occupied by a reasonable number of persons at all times.

A Unit may not be leased or occupied more than one time in a 30-day period. If the tenant leaves before 30 days, the unit is still considered leased. This means that the unit may not be leased or occupied again until the end of the 30-day period.

Subletting of a unit (commercial or residential) is not allowed.

If a guest staying for less than one month is determined by the Rules Enforcement Committee not to be a guest, but rather a tenant, the strongest penalties allowed by law will be imposed. After a second such infraction of this rule, no guests will be allowed in that unit for a period of 12 months after the second infraction.

A lease must include the names of all occupants.

At the time of registration a government-issued picture ID must be presented to verify the identity of all occupants.

The tenant or guest must have the keys in their possession or be met by the owner or owner's representative.

When an owner rents his unit, the owner relinquishes the use of free parking, swimming pool, and any other facilities and services of the BPMV Condominium. These rights are transferred to the tenant, who has the responsibility of observing

and adhering to all of the Rules and Regulations of the Association. The owner retains the right to attend and speak at Board and Member meetings.

The Swimming Pool

The pool is open daily from 6a.m. to 10 p.m.

Owners who are renting their units give up the right to use the pool facilities during rental periods.

Persons using the pool do so at their own risk. The Association may employ personnel connected with the pool, but no lifeguard or other safety personnel are employed by the BPMV Association.

Children not "potty trained" must wear a commercial protective swimming garment (i.e. "Swimmies" etc.) in the pool. No one wearing diapers is permitted in the pool. Children under the age of 16 must be supervised at all times in the pool area by an adult who is an activated guest, owner, or tenant.

Pool stairs are to be kept clear at all times. There must be a clear path to enter and exit the pool at all times. To ensure that all owners or their tenants have fair access to the pool area, a resident may entertain no more than two visitors or guests per unit in the pool area. The Association reserves the right to prohibit visitor's access to the pool area on holidays and other peak times.

To safeguard the pool system, sand, tanning lotions, oils, creams, bobby pins, hairpins and similar objects should be removed before entering the pool.

Use of the pool area is only for quiet swimming and sunbathing. Given the location of the pool, noises carry easily and disturb other residents, and will not be allowed. Parents are urged to monitor their children. Excessive noise, yelling, fighting, and other disturbances will not be tolerated. Offensive behaviors are grounds to be asked to leave the pool area or to be restricted from further access.

To avoid accidents, reduce noise, and to comply with insurance requirements, diving into the pool, games involving running, jumping, playing ball, or other boisterous activity, as well as screaming and shouting, are prohibited. Persons violating this rule will be asked to leave the pool area.

In order not to disturb others, persons listening to electronic devices must wear headphones.

Food and alcoholic beverages, as well as glassware or other breakables, are not permitted in the pool area. Cigarettes and smoking materials must be extinguished in proper receptacles, not on the deck.

Lounges and chairs are not to be placed any closer than four feet from the pool edge and are not to be removed from the pool deck. Towels must be used to cover lounges and chairs when wearing beach attire. Lounges are for the use of

occupants when they are in the pool area. It is not permitted to reserve chairs or lounges.

These rules are intended to preserve your rights to quiet enjoyment.

Construction and Contractors

Any construction or improvements (beyond painting) in a unit requires approval in writing from the Association, and may require work permits from the County of Sarasota.

All work in a unit must be done on weekdays from 8 a.m. to 6 p.m. No work is allowed on weekends or holidays.

All contractors must submit to the BPMV Association copies of their license, permits, and Certificate of Insurance.

Any plumbing or electrical work requiring cutting off utilities affecting other units must be approved in writing by the BPMV board.

Dumpsters must be approved by the Association. A fee of \$50 per day will be assessed for dumpsters left over 72 hours or over a weekend.

Any person doing unauthorized construction will be banned from entering BPMV and doing any future work in the condo.

Owners' Obligations

Owners must pay quarterly association fees on time, and cannot withhold payment under any circumstances (even if services are not provided).

All units must participate in the pest control program unless exempted in writing by the property manager for good cause (documented health issues, certified private service, biannual inspection by licensed exterminator certifying condition of unit to be acceptable, etc.)

A unit owner who plans to be absent during hurricane season must prepare the unit prior to departure by designating a responsible individual or firm to care for the unit should a hurricane threaten or should the unit suffer hurricane damage. Such a firm or individual shall be subject to the approval of the BPMV Association.

The BPMV management must have access to the unit for routine maintenance and inspections with 24 hours notice.

Board and Committee Meetings

Definitions

Meeting of the BPMV Board of Directors is hereby defined as a quorum of Directors gathered to conduct official BPMV Association business at a time and place officially posted. The term "meeting" does not include gatherings of Directors engaged in fact-finding investigations, legal inquiries, or continuing education to be used as a basis to inform the Board of Directors for action to be taken at a Board meeting.

Meeting of a Committee is hereby defined as a quorum of Committee members gathered to conduct the official business of the Committee as set forth in the charge to the Committee from the BPMV Board of Directors. The term "meeting" does not include fact-finding investigations, continuing education, or legal inquiries by Committee members for action to be taken at a Committee meeting.

The term Committee is hereby defined as at least 2 unit owners (who may also be Board members), appointed by the Board to make recommendations to the Board regarding the Association budget or other recommendations.

All official information for owners will be posted on the official bulletin board, which is located, adjacent to the mailboxes. .

Every unit owner or his/her authorized representative shall have the right to attend Board of Directors and Committee meetings except as may be provided by law. No person other than a unit owner or his/her authorized representative may be permitted to attend such meetings, unless authorized by the Chairperson of the Board or Committee.

Authorized representative, with respect to attendance at Board and Committee meetings, is limited to a person holding a written authorization from the unit owner to attend.

Every unit owner or his/her authorized representative shall have the right to participate in meetings of the Board of Directors and Committees subject to the following rules.

Statements by unit owners at meetings shall be restricted solely to items designated on the agenda of that meeting. No other statements shall be permitted except as may be authorized by the Board or Committee Chairperson.

Any owner or authorized representative who wishes to have an item included on the agenda for a Board or Committee meeting shall make a written request delivered to the Association Management office not less than ten days prior to the Board or Committee meeting for which the agenda item is being requested. Notwithstanding the requirement for a written notice of a request to place an item on the agenda, a decision as to which items will be placed on the agenda for any Board or Committee meeting shall be at the sole discretion of the Board or Committee Chairperson.

Annual Meeting

Annual Unit Owner Meeting is a gathering, properly announced and called to order by the President of the Board, or designee. A quorum by proxy or in person of unit owners must be represented,

Every unit owner or his/her authorized representative shall have the right to attend meetings except as may be provided by law.

Authorized representative, with respect to attendance at annual unit owner meetings, is limited to a person holding a written authorization from the unit owner authorizing attendance at such meetings, or a person holding a proxy for the unit owner as further authorized and regulated by the By-Laws.

Every unit owner or his/her authorized representative shall have the right to speak at meetings subject to the following rules:

Statements by a unit owner or his/her authorized representative at meetings shall be restricted solely to items designated on the agenda.

A unit owner will only be permitted to speak once for a period not to exceed three minutes on each agenda item unless otherwise authorized by the Chairperson of the meeting. The Chairperson of the meeting shall give the floor to the unit owner subsequent to the calling of the agenda item, but prior to the vote of the owners upon the agenda item.

Enforcement and Sanctions

Subcontractors of the Association may only be directed by their supervisor or the Property Manager. Other owners or residents may not direct, supervise, or in any manner attempt to assert any control over the subcontractors of the Association. In an emergency a member of BPMV may direct employees.

Everyone in the BPMV premises is subject to the rules established herein, to the provisions of the BPMV Declaration of Condominium, Articles of Incorporation, By-laws, and the provisions of the law.

Setting rules can only be done by the BPMV Board of Directors. These rules must be approved by a majority of the members of the Board of Directors at a duly convened meeting.

Exceptions to any rule must be approved in writing by at least two members of the Board of Directors.

If any of the rules in this booklet, or parts of rules, are determined to be invalid, all remaining provisions will remain in full force and effect.