

BOCA COVE NORTH ASSOCIATION INC.

C/O JMD Properties Inc.
904 S.E. 5th Avenue
Delray Beach, FL 33483

TO: All unit owners/ realtors and interested parties.

RE: Sales or Lease Application Packages

1. All applications for sales or rental of a unit must be accompanied by a check of **\$100.00** (non-refundable application fee), payable to **JMD Properties**, in order to process the application.
2. **All** spaces on the "application for occupancy" form must be completed. Use "n/a" if item is not applicable.
3. Applicant(s) must sign a form stating that: he/she has read and is in receipt of the rules and regulations, and will adhere to all covenants.
4. **Purchases:** If a purchaser, the applicant must sign a form stating they are in receipt of condominium documents. The seller is responsible for supplying the purchaser with a set of condominium documents and amendments thereto.
5. A copy of the contract for SALE w/deposit receipt **or** LEASE, whichever applies, must be submitted with the application.
6. Include a copy of driver's license for each applicant.
7. Three letters of reference for each applicant.

Please return the completed application package, including fee, to:

J.M.D. PROPERTIES, INC.
904 SE 5TH AVENUE
DELRAY BEACH, FL 33483
561-265-3272 Fax 561-265-3660

**YOU WILL BE CONTACTED BY THE SCREENING COMMITTEE FOR A
PERSONAL INTERVIEW APPOINTMENT.**

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www.jmdproperties.com**

BOCA COVE NORTH
APPLICATION FOR OCCUPANCY

Date: _____

ADDRESS OF PROPERTY: _____

PURCHASE: _____ LEASE: _____ DESIRED OCCUPANCY/CLOSING: _____

CURRENT OWNER INFORMATION

OWNER NAME(S): _____

ADDRESS: _____

TEL. NO.: _____ CELL. _____ EMAIL: _____

APPLICANT INFORMATION

PURCHASER'S/LESSEE'S NAME: _____

SOCIAL SECURITY NO.: _____ Tel. No. _____ Cell No. _____

EMAIL ADDRESS(ES) _____

CO-PURCHASER'S/LESSEE'S NAME: _____

SOCIAL SECURITY NO.: _____ Tel. No. _____ Cell No. _____

EMAIL ADDRESS(ES) _____

NUMBER OF ADULTS (over 18 yrs) OCCUPYING: ____ CHILDREN (18 yrs.& under): ____

NAME OF OTHER OCCUPANT: _____

DO YOU OWN A PET ____ YES, ____ NO

APPLICANT RESIDENCE HISTORY

PRESENT ADDRESS: _____

TELEPHONE: _____ HOW LONG?: _____

NAME OF LANDLORD OR MORTGAGE CO.: _____

APT. OR CONDO NAME: _____ TEL: _____

PREVIOUS ADDRESS: _____

APT. OR CONDO NAME : _____ TEL: _____

APPLICANT EMPLOYMENT AND BANK REFERENCES

EMPLOYER: _____

TELEPHONE NO.: _____ SUPERVISOR: _____

POSITION HELD: _____ HOW LONG?: _____

APPROX. MO. INCOME: \$ _____

CO-APPLICANT EMPLOYER: _____

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TELEPHONE NO.: _____ SUPERVISOR: _____

POSITION HELD: _____ HOW LONG?: _____

APPROX. MO. INCOME:\$ _____

NAME OF BANK/SAVINGS & LOAN: _____

ADDRESS: _____ TEL. NO.: _____

BRANCH: _____ CONTACT PERSON: _____

ACCOUNT NO.: _____ CK.: ____ SAV.: ____ M.M.: ____

CHARACTER REFERENCES

NAME: _____ HOME TEL. NO.: (____) _____

HOW LONG HAVE YOU KNOWN HIM/HER?: _____ OFFICE TEL. NO.:(____) _____

ADDRESS: _____

NAME: _____ HOME TEL. NO.:(____) _____

HOW LONG HAVE YOU KNOWN HIM/HER?: _____ OFFICE TEL. NO.:(____) _____

ADDRESS: _____

EMERGENCY CONTACT

IN CASE OF AN EMERGENCY CONTACT: _____

VEHICLE INFORMATION

MAKE OF CAR: _____ MODEL: _____ YEAR: _____ TAG. NO.: _____

STATE REGISTERED IN: _____ COUNTY: _____

MAKE OF CAR: _____ MODEL: _____ YEAR: _____ TAG. NO.: _____

STATE REGISTERED IN: _____ COUNTY: _____

By signing, the applicant recognizes that the Association or JMD Properties, Inc. may investigate the information supplied by the applicant and a full disclosure of pertinent facts may be made to the Association or JMD Properties, Inc. The investigation may be made of the applicant's character, general reputation, personal characteristics, credit standing, police arrest record and mode of living as applicable.

I can be reached at the following telephone number(s) for the next fifteen days:

_____ or _____

MAKE SURE YOU HAVE INCLUDED:

1. A COMPLETE Application. Leave no blanks. Put "NA" in space if applicable.
2. A \$100.00, non-refundable APPLICATION FEE for EACH applicant (husband and wife considered one applicant).
3. A copy of the Lease or Purchase Agreement/Deposit Receipt.
4. Copy of drivers license on each occupant, as applicable.
5. Three (3) Reference Letters for each applicant
6. Received and signed for the documents and or the Rules and Regulations (see below).

IT TAKES A MINIMUM OF FIFTEEN (15) DAYS TO PROCESS THIS APPLICATION.

**RECEIPT FOR ASSOCIATION DOCUMENTS AND/OR
RULES AND REGULATIONS**

UNIT NO. _____ BLDG. _____

I/WE, THE UNDERSIGNED, owners/tenants received and read a copy of:

- _____ The Rules and Regulations of the above listed Association.
- _____ The Association Documents and any amendments thereof. (SALE ONLY)

I/ WE, HEREBY AGREE to adhere to all the covenants, rules and regulations legislated during the term of my lease, stay, visit, or length of ownership. I/we also agree to pay any fines levied against me/us as a result of a violation of the rules and regulations or damages to the common areas of the Association and said fine will be collected from the owner's/tenant's security deposit or will be charged against the owner's maintenance account.

SIGNATURE: _____

SIGNATURE: _____

BOCA COVE COMMUNITY
RULES WE LIVE BY
RULES AND REGULATIONS
Revised: 2008

INTRODUCTION

This booklet, plus a copy of your declaration of Covenants, conditions and restrictions will give the homeowner a good outline of the Boca Cove “Rules We Live By”. We expect all new and present homeowners and authorized tenants and guests to abide by these rules and the conditions as set forth in the Documents, By-Laws and or amendments thereto.

- I. **GENERAL INFORMATION:** Boca Cove is a single-family residential community. Each unit shall be for a single-family use only as defined in Article VI of the documents.
 - a. The Board of Directors governs all community actions. Committees may be established by the President with the approval of the Board. The Board shall determine duties of each established committee.

- II. **GUIDELINES FOR COMMUNITY LIVING:** Rules and guidelines are established in the community for the benefit of all homeowners. Compliance is essential for a harmonious atmosphere in our community.
 - a. Homeowners are responsible for their own maintenance and **replacement of their roofs, gutters and downspouts.**
 - b. Homeowners are responsible for maintenance of front walks, driveways, patios and garage doors. Landscaping immediately around the front entrance must be kept in good repair.
 - c. Members shall not use or permit the use of their premises in any manner, which would be disturbing, hazardous, or a nuisance to other members or to the Association. No storage of plants or chairs on rooftops is permitted.
 - d. Common areas shall not be obstructed, littered, defaced or misused in any manner.
 - e. No signs, awnings, shutters or satellite dishes shall be affixed to or placed on the exterior walls or roof without prior approval.

- III. **PROPERTY MANAGEMENT/AGENT:** A Property Management/agent is under contract to Boca Cove to assist and advise the Association in all matters.
 - a. To ensure the maintenance repairs and upkeep of all common areas.
 - b. To ensure the maintenance and upkeep of the exterior units or as otherwise directed by the Board.

- IV. **TRASH REMOVAL:**
 - a. Approved city trash containers are to be placed in front of each unit unless otherwise directed.
 - b. Trash is to be placed inside the container and not placed out prior to the night before trash is collected.
 - c. Containers must be removed from view by the end of the day of trash pick-up.

- d. If one needs to dispose of trash earlier, you may use the dumpsters at the back of the clubhouse for non-construction material.

V. PETS:

- a. According to Town Code, no dog or cat running at large is allowed. Dogs and cats must be under leash control by its owner. This relates to public and private property and includes the beach area.
- b. The owner or person in charge of the pet is responsible to pick-up after it.
- c. Pets are not allowed on beach.
- d. No loud noise that disturbs neighbors caused by the pet is allowed at any time.
- e. Failure to comply may result in having the pet owner remove such pet from the premises.

VI. POSTING OF ADVERTISING SIGNS:

- a. NORTH: No signs, advertising or notices of any kind whatsoever, except “For Rent” or “For Sale” signs shall be permitted or displayed on the exterior or interior of any unit in Boca Cove North.
- b. For sale signs or For Rent signs may not exceed forty (40) square inches and must meet all Highland Beach sign posting regulations.
- c. SOUTH: Signs or notices are not allowed unless approved by the Board.
- d. NORTH: Sale and Rent signs are allowed when approved by the Board.
- e. No advertising signs may be visibly displayed on or in any vehicle.
- f. Posting of signs in the common area is prohibited.

VII. PLANTING AND LANDSCAPING:

- a. The Architectural/Building and Grounds committee may periodically inspect the front and back of each unit and the Board may approve or reject such landscaping as advised by the Architectural Committee.
- b. Exterior Holiday decorations must be removed by January 8, of each year.

VIII. POOL DECK AND BBQ AREA: The rules are as follows:

- a. The pool and pool area is open from dawn to dusk.
- b. There is no lifeguard....swim at your own risk.
- c. A parent or adult must accompany children under the age of sixteen (16) years of age at the pool area.
- d. Remove suntan lotion or any oils by taking a shower before entering pool.
- e. Pool is for members only. Invited guests must be accompanied by an owner or registered renter/lease holder.
- f. Loud noises, horseplay, floats or diving is not permitted.
- g. Health department rules & regulations must be followed at all times.
- h. No Smoking. Smoking allowed only in posted designated smoking areas or outside the enclosed pool deck area.
- i. There is a refundable \$200 deposit to reserve the Pool for private parties.
- j. Parents are responsible for the conduct of their children.
- k. No one in a swim suite is permitted in the clubhouse.
- l. Beverages must be in unbreakable containers.

IX. PARKING AND STORAGE:

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- a. No boats, trailers, R.V. Vehicles, motor homes, or parts thereof are permitted on the premises without permission of the Board. Pods may be parked or stored in any parking space or common area not to exceed of 30 days unless approved by the Board.
- b. Only passenger automobiles, station wagons, sport utility vehicles, passenger vans, motorcycles and pick-up trucks (pick-up trucks may not exceed on-half ton rated capacity may park in the property. Vehicles must display current license tags.
- c. All permitted vehicles must be parked only in parking areas designated by the Board.
- d. No vehicle shall be parked on the grassy areas. Damage to such areas or the sprinkler heads will be repaired and billed to the homeowner.
- e. Parked cars not displaying a current vehicle tag may be towed at owner's expense.
- f. Guest parking spots are available at the clubhouse. A guest-parking pass must be visible displayed on the dash.
- g. Mechanical work, including changing oil on common areas is prohibited.
- h. NORTH: Ownership of each Townhouse parcel in Boca Cove North shall carry title to two parking spaces unless the Deed provides otherwise
- i. SOUTH: Ownership of each Townhouse parcel of Boca Cove South (The Enclave) shall carry title only as deemed to the Townhouse Parcel Owners.
- j. Any other parking and storage restrictions as stated in Article XI section 2.

X. CLUBHOUSE/EXERCISE ROOM ACCESS CARDS:

- a. The Clubhouse shall be kept locked at all times.
- b. Each household unit will be issued ONE access card, which will be pre-programmed to their unit and can be used to enter the Clubhouse and exercise room.
- c. Access cards reported, lost, stolen, or damaged to Management will be de-programmed and a replacement access card may be requested for a fee of \$50.
- d. Access cards shall be issued to a homeowner or an authorized tenant or leaseholder approved by the Board. Access cards are not transferable.
- e. Access cards are to be used for the clubhouse and exercise room or any other location that is accessed by such card.
- f. Any damage to the clubhouse structure, furniture, exercise equipment or any other damage as determined by the Board, the responsible owner of the access card shall be responsible for such damages and shall be charged for such repairs.
- g. All authorized users and guest/s must be eighteen (18) years of age or older and a parent or an adult must accompany person(s) under the age of 18 eighteen years in the clubhouse/exercise room.
- h. An authorized homeowner or registered renter must be present at all times when Clubhouse is in use.
- i. No smoking in the clubhouse. Smoking allowed on the upper level outside deck of the clubhouse.
- j. Events and Activities:
 - i. The clubhouse is for the exclusive use of the homeowner/authorized tenant.
 - ii. A member wishing to use the clubhouse facilities for a private party must submit a reservation application for approval to Management.

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- iii. Each application must be accompanied by a \$400.00 deposit check refundable upon verification that the clubhouse is clean and not damaged.
- iv. Any damage to the clubhouse area will be repaired and charged back against the deposit. Any cost beyond the deposit amount will be charged to the originating unit owner.
- v. A non-refundable use-cost of \$100 must accompany each application for all approved events held at the clubhouse to cover the cost of a cleaning service.
- vi. Resident-sponsored activities, which are open to the entire Community will have first option to use the Clubhouse (for continuous or one-time events) over private reservation requests; however, a resident may still submit an application to use the facilities during a resident-sponsored activity.
- vii. The Board of Directors or Management shall notify the community by e-mail or post a notice on the bulletin board for a Resident-sponsored activity.
- viii. Violations may result in the Board of Director's de-activation of the Unit owner's access card; card will remain de-programmed for an indefinite period.
- ix. Rules and Regulations, as signed by the owner of access card, must be followed.

XI. RENTALS AND LEASING:

- a. With the written approval of the Board of Director's, owners or their broker – realtor may lease and or rent their home one time during any twelve (12) month period for a minimum period of three (3) consecutive months.
- b. Owners or their brokers – realtors must submit a rental application for approval to Management or to the Board of Directors at least twenty-one (21) working days in advance of the occupancy.
- c. Homes may be leased only with the approval of the Board of Directors, for periods not less than 3 consecutive months and no more than one time in a 12-month period.
- d. Renters must abide by the Amendments to the Documents.

XII. GUESTS:

- a. Notification that houseguests will occupy a unit must be registered with the management company and given in writing by the owner to the Board at least five (5) days prior to occupancy by the guests verifying age, time of occupancy and relationship to homeowner.
- b. Guests must have a copy of these regulations and abide by them. Failure of any Guest to abide by these Rules may result in termination of Guest Status Privilege granted to the owner by the Board of Directors.
- c. The owner will be assessed a \$100 fine for failure to notify the Association that houseguests were occupying their unit during their absence.
- d. Guest(s) staying longer than a three (3) week period will be considered renters and must meet the requirements of Section V of the Rules.

XIII. BICYCLE STORAGE ROOM:

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- a. Due to a lack of space, only TWO bikes per household will be allowed to store their bikes in the Bicycle room.
- b. There will be an annual registration storage fee of \$25 per bicycle.
- c. Each bicycle must be tagged with the property owner's Unit number.
- d. Management will affix a coded tag when bike is registered.
- e. Bikes not registered will be removed and donated to charity.
- f. Failure to maintain stored bicycles in a good and operable condition will result in their removal and donated to charity after due notice.

XIV. SALES AND APPLICATIONS:

- a. Proposed owners must notify the Board of Directors of a proposed property Title transfer from one owner to another. Items b thru e shall also apply.
- b. All Titled Residents preparing to occupy a unit must first submit an application, to the Board prior to occupancy.
- c. The application for approval of a sale or property transfer must include a non-refundable \$100 deposit.
- d. Perspective owners must submit a completed application to the Board of Directors at least twenty-one (21) workdays in advance of closing.
- e. The completed application will be reviewed and a decision issued by the Board of Directors will be issued within twenty-one (21) workdays of submission.

XV. DOCK AREA:

- a. No equipment, garbage cans, fishing related equipment, or any other items whatsoever shall be stored or left on the dock or walkway or common areas.
- b. There shall be no cleaning of fish in the dock area and no trash or debris whatsoever shall be dumped into the canal.
- c. No ladders, boarding apparatus, or any other equipment whatsoever shall be attached to the dock or the pilings without the express written approval of the Board of Directors.
- d. No water or electrical lines or connections shall be installed in the dock area except by prior approval of the Association. All boat repairs must be performed by a Florida licensed and insured contractors.
- e. Individual boat owners shall assume full responsibility for any damage to the dock or pilings caused by their boats; the Association shall not be responsible for the owner's boat from any source whatsoever. The owner, upon the Association's request, must remove boats from Boca Cove when maintenance is performed.
- f. Floating docks are not permitted.
- g. No recreation diving or swimming is allowed in the canal.

XVI. BOATS DOCKS:

- a. There shall be no Kayaks or Dock Boxes stored on the dock or walkways.
- b. No boats other than pleasure craft owned by unit owners or authorized lessees shall be docked in the private canal. Registration, ownership and CURRENT insurance certificates must be provided to the Association prior to dockage of any vessel.
- c. Boats docked in the private canal shall not be used as living and/or sleeping quarters.

- d. Except for minor emergency repair, no extensive repair work or overhaul work shall be performed on any boat docked in the private canal shall be allowed with the approval of the Dock Master.
- e. There shall be no discharge from marine heads or holding tanks into the private canal. In addition, no oil or engine fuel shall be pumped or discharged into the canal intentionally or unintentionally.
- f. Any abandoned boat, derelict boat or boat in disrepair or boats in spaces not leased to the boat owner may be removed or towed away by the Association. Charges shall be assessed against the responsible owner's account.
- g. No owner may permit a guest boat in his slip or in any other slip without prior approval by the Dock Master or Board.
- h. With the approval of the Dock Master, GUEST DOCKAGE will be permitted at the dock area directly West of the Clubhouse. Guests' boats may stay no longer than three (3) nights and there will be no charge for guest dockage. However, living or sleeping aboard or any overboard discharge from the heads is NOT PERMITTED, with inviting homeowner being liable for any non-compliance.
- i. Boats will be parked parallel to the dock totally within the assigned dock space as described in the Declarations. Boat owners shall use proper fenders to protect docks from damage. Homeowners are liable for dock damage.
- j. The Dock Master must approve dock whips to be attached or relocated on the boardwalk. Each owner will be responsible to maintain or to locate the dock whips in such location on the dock as to not damage the boardwalk to which they are secured. Boat owners shall be responsible for any expenses involved in moving dock whips by the Association.
- k. The Association retains the right and power to permanently assign the use of a Dock Space(s) to such Owner of a Townhouse Parcel in such manner that that such Owner will acquire a perpetual exclusive easement. The Board shall determine the payment of additional consideration by the owner.
- l. **DOCKS / DOCK SPACE**
 - i. Prior to any unit owner moving his boat to a dock space, the boat owner must execute a lease for approval by the Association.
 - ii. The Association shall have the right to determine if a boat is acceptable to be docked in the private canal based on the boat's size, type and condition. It is the intent of this regulation to give the Association control over the type of boats allowed dockage in the private canal so as to avoid the presence of poor appearance, condition or size that would detract from the atmosphere and quality of its surroundings.
 - iii. Each side has the exclusive right to the use of the dock space adjacent to his unit if so noted on the documents.
 - iv. The Association cannot assign owners of units not having available dock space a dock space unless another unit owner is willing to arrange a sublease of his unoccupied space. Approval by the Dock Master and the Board is required.
 - v. The cost of a dock lease, if enacted by the Board, shall be based by linear foot of boat length measured extreme fore and aft including motors in operating position and bow spirit projections beyond bow. Their respective Board of Directors shall determine the cost of a dock lease/fee.

- vi. Boat dock space will be managed by the Dock Master and approved by the Board.

XVII. HURRICANE WATCH:

a. SHUTTERS FOR UNITS:

- i. Any person desiring hurricane shutters on the exterior of their unit shall submit a written request to Management prior to installation. Hurricane shutters must meet the specifications adopted by the Board and meet current building codes. Permits are required from the city of Highland Beach. Hurricane shutters must match the color of the exterior of the unit. The Board must approve color variations.
- ii. “Owner(s) and or Renters” who plan to be away from their unit during the Hurricane season, must prepare their unit prior to departure by removing all furniture and plants or other items that may cause damage to units from their outside patios or along the dock.
- iii. Person failing to make hurricane preparations shall be responsible for any damage occurring to property of other unit owners and or common areas.
- iv. Storm Panel shutters, such as steel or aluminum shutters attached to the walls around windows and doors and bolts or tracks must be installed prior to an announced hurricane. Such panels, etc. must be removed within two weeks after a hurricane has passed. This also applies to Plywood and plastic panels.
- v. Shutter construction may change from time to time. However, when necessary, the Board shall approve the type of shutter(s) to be installed to each unit each time they are attached based upon current standards.
- vi. **TYPE OF SHUTTERS CURRENTLY APPROVED:**
 - 1. Storm panel shutters – Accordion Shutters – Colonial Shutters- Bahama Shutters - Roll-down Shutters.
 - 2. The Board must approve any other Shutter.

b. BOATERS:

- i. When a hurricane WATCH is announced, boat owners have four (4) hours to move their boat from our canal if that is their intention. After those four hours, boat owners may tie their boats from dock to dock, across the canal (see the Dock Master for instructions.) Approval to do this must be secured from both the North and South Dock Masters.
- ii. Boats will be returned to their normal moorings immediately following the passing of the hurricane.
- iii. All boat owners must sign a release authorizing Association/Management personnel to board for the purpose of hurricane preparation - PRIOR to docking in the canal.

XVIII. BEACH ACCESS/EGRESS TO OCEAN:

- a. Beach access/egress is by key only. Please do not wedge anything into the locks to try to bypass the necessity of a key.
- b. Please clean the tar off of your feet prior to walking on the boardwalk.
- c. Homeowners or lessees are not authorized to permit persons other than their invited guest to use the Association easement to the ocean.

XIX. RULES VIOLATION PROCEDURES AND FINES:

- a. Violations of these Rules will be strictly enforced for the mutual benefit of each unit owner's respect, peace and tranquility.
- b. Pool and recreation violations will be reviewed by the joint North and South Boards and or as otherwise stated in the Documents.
- c. Any violation of the Rules heretofore outlined in this document will be subject to the following:
 - i. Owner, guest, invitee, relative, renter or other will first be notified verbally and in a reasonable manner, to stop the violation or to cease and desist from committing the violation.
 - ii. If the violation is not resolved upon the verbal request, the owner, guest(s), relative(s), renter(s) or other(s) will be given a written notice with subject penalties outlined by the Association, under Florida Law.
 - iii. If the dispute is not resolved, the Association may fine and or take legal action against the owner responsible for the actions committed by himself, his tenant, relative, guest, or invitee.