

Windward Cay Condominium Association

Rules & Regulations

Your Windward Cay condominium neighborhood continues to grow and improve. Just as with any other community, there are rules we must all know and follow to make life more pleasant for all of us.

The “Master” rulebook is the one you reviewed before you purchased your condominium. It is the Windward Cay Condominium Document.

What we have included below is a summary of some of the more important rules. But in no way is this summary a substitute for our complete condominium documents. The By Laws and Declarations are the laws which we follow.

Here is our best attempt to give you a quick and helpful overview:

1. **Windstar Master Association:** this is the ruling organization of all of Windstar. There are 15 separate “neighborhoods” or condominium associations which are part of the Windstar Master Association. These include:

Admiral’s Watch, Clipper Cove, Compass Point, Harrington Sound, Island at Southpoint, Ketch Cay, Leeward Cay, Morningstar, Northstar, Somerset, Spinnaker Pointe, Spyglass Point, Marina Cove, Windward Cay, Yacht Harbor Cove.

The Master Association is responsible for: all common roads and lighting; security (including the security firm and Hidden Eyes); all landscaping of all common property not contained within The Country Club or each association’s borders; and operation of the Keewaydin Island shuttle.

Each association pays a fee to the Windstar Master Association based on the number of units in each “neighborhood”.

2. **Windward Cay Condominium Association: Governance** - We have a governing Board of Directors and officers who are elected for staggered terms at the Annual Meeting of Windward Cay Condominium Association. This board has the fiduciary responsibility to govern our condominium association in accordance to the Windward Cay condominium documents prepared in accordance to Florida condominium law.

The Association has an irrevocable right of access to all Windward Cay units for the purposes of protecting, maintaining, repairing and replacing the common elements or portions of a unit, and as necessary to prevent damage to one or more units. If the Association – its management firm, **Resort Management, Inc** – is not given a key for safekeeping to your unit, you will be responsible for all costs incurred by the Association in gaining entrance to the unit should a need occur. (See Section 10.9 of the condominium documents).

Official Records: The Association maintains Official Records (such as Board meeting minutes) as required by law and these shall be open to inspection by members or their authorized

representatives' at all reasonable times. Should you have a need, please contact one of our Directors.

Ownership: Each unit owner owns an equal share in the common elements and the common surplus.

Maintenance Fees and Assessments: The owner of each unit, regardless of how little was acquired, is liable for all assessments or installments thereon due while he/she is the owner. Assessments and installments paid on or before 10 days after the due date shall not bear interest, but all sums not so paid shall bear interest. (See Section 9.6 and 9.7 of your condominium documents regarding the above as well as the Association's right to "accelerate" due dates).

The Phases of Windward Cay: All phases of Windward Cay have been developed.

Windward Cay Condominium Association Insurance: Your Association has obtained and keeps in force the insurance it is required to carry by law and under the condominium documents.

Unit owners are responsible for insuring his/her own unit and all the personal property therein. This is an important aspect of your condominium law and deserves your most careful attention. See section 14.1 of your condominium documents.

Leasing your Condo: The minimum lease term for a rental is thirty (30) days / Maximum is 12 months. Only three (3) rentals per year are allowed. Association approval is required and the application must be submitted to the management company at least 20 days in advance. Complete details regarding the leasing of your unit can be found in Section 12 of the Assn Documents. Tenants are not allowed to have pets.

Guest Occupancy: Owners must contact the Windstar Master Association advising them of the guest's name, length of stay, make of vehicle and license number. This will allow guest's entry to Windstar. Guests are not allowed to have pets.

Sale or Gift of Your Condo: No unit owner may dispose of his/her unit or any ownership interest in a unit by sale or gift (including agreement for dead) without prior written approval of your Windward Cay Board of Directors.

Our Condo Management firm: Our Board has contracted with the firm of:

Resort Management, Inc
2685 Horseshoe Dr. S. #215, Naples, FL 34104
Ph: (239) 649-5526 / Fax: (239) 403-1061

Resort Management, Inc. responsibilities include, but are not limited to, the following:

- Maintain proper correspondence and record for efficient management of Windward Cay. This includes all accounting, billing, and regular communication of information to owners.

- Maintain a roster of names, phone numbers and mailing addresses, regularly updated, of all unit owners.
- Negotiate contracts and supervise proper delivery of services rendered by all required firms.
- Maintenance of all exteriors (including hallways) of all four condo buildings, the pool and pool house, irrigation system, and all landscaping.
- Issue regular news and other information to Windward Cay owners concerning our Association.
- Maintain an inventory of keys to all Windward Cay units for use in case of emergency entrance. If you have not given a key to Resort Management, Inc. for their locked-in-a-safe inventory, please do so right away.

In case of an emergency, call 911 for fire, police or medical assistance.

Some other facts you might find helpful:

Trash Removal: This service is performed weekly by Waste Management, Inc. The firm will remove only trash and items placed within the “**dumpster**” container. All cardboard cartons must be broken-down and flattened before placing in the container. All other trash must be in closed plastic bags. Please keep all trash enclosure doors closed when they are not in use.

Parking: Each of us as unit owners are responsible to one another to help maintain the overall attractiveness of Windward Cay. One way is for each of us with a garage to park our vehicle in the garage with the garage door closed. We should use the outside parking places only for our guests.

If you have a special question regarding parking of motor homes, boat trailers, etc., please refer to your Windward Cay condominium documents.

Pool & Pool House: The bathrooms must be kept locked at all times. Owners are provided with the code or key to open the bathroom doors. The pool is serviced two times each week. You will notice that pool rules are posted at the Pool House. No pets are allowed inside the poolside fence. Umbrellas should be put down when not in use.

Ground Maintenance: This service includes total lawn care, planting and care of all landscaping, proper sprinkling, mulching and pest control.

Janitorial/Cleaning: This service is performed to the common areas weekly.

Elevators: Our Association maintains a mandatory elevator contract for service and maintenance. A telephone is in each elevator for emergency use only. If the telephone is not answered, dial 911.

Barbecues and Grills: Florida Fire Prevention Code prohibits any cooking on any balcony or lanai of a condominium. This means no gas or charcoal grills are allowed. Hooded electric grills may be used with great care and with special concern and consideration for smoke traveling to nearby neighbors. The Florida Fire Prevention Code also prohibits the storage of any gas container inside a residential unit, including garages and balconies/lanais.

Lanai: No lanai may be altered in any way with carpeting, enclosing, etc. without permission of the Windward Cay Board of Directors.

Air Conditioning and Heating Equipment: Maintenance, repair and replacement is the responsibility of the unit owner. (See Section 7.1 B of the condominium documents).

Pets: Owners are permitted one (1) dog or one (1) cat, not to exceed 20 pounds in weight, and must obtain approval from the Windward Cay Board of Directors for their pet. Approval forms can be obtained at Resort Management, Inc. Dogs must be kept on a leash when outside the unit and droppings must be removed from the grounds. Tenants and Guests are not permitted to have pets of any kind. See section 11.3 of your Windward Cay condominium documents which spells out very clearly our rules regarding pets.

Hurricane Shutters: Regulations for the installation for protective shutters are spelled out in detail and are available from Resort Management, Inc.

If you have any questions concerning any of the preceding, please feel free to contact one of the members of your Windward Cay Board of Directors.

We have the most beautiful neighborhood in Windstar. With everyone's help we can make it even better.

Thank You,

Your Windward Cay Board of Directors