A RESIDENTIAL COMMUNITY

These Rules Are Effective As Of 2-17-00

WELCOME TO 440 WEST: 440 West is a private condominium complex owned and operated by individual property owners. The following general house rules and regulations are provided for your information, comfort and safety. They have been adopted by the 440 West Board of Directors, and complement pertinent articles contained in the Declaration of Condominium and Bylaws as amended. Your cooperation in compliance with the Rules and Regulations will be appreciated. Constructive recommendations for effecting improvements are solicited and encouraged.

HOUSE RULES AND REGULATIONS

1. CONDOMINIUM UNITS MAY NOT BE USED FOR BUSINESS or any commercial purpose whatsoever. No peddling, soliciting or commercial enterprise is permitted on the property. A bulletin board is available in each building for posting personal notices under the direction of the Property Manager.

2. NOISE CONTROL – In order to insure your own comfort and that of your neighbors, noise should be kept to a minimum. Accordingly, the volume produced by radios, television sets, pianos, organs, stereos, and other musical instruments must be kept at a low level between the hours of 10:00 pm and 8:00 am. Behavior should be considerate of others, and loud communication in halls and on balconies is unacceptable. Noise resulting from unit remodeling must be confined between 8:00 am and 6:00 pm, Monday through Friday, and not on weekends or legal holidays (i.e., laying carpet, hammering, etc.). If the Security Guards are unable to control a given disturbance, the complainer should contact the police for assistance (562-4242).

3. COMMON AREAS SHOULD NOT BE OBSTRUCTED, LITTERED, DEFACED OR MISUSED IN ANY MANNER. This includes right of ways to steps and buildings. Stairwells, vestibules, corridors or hallways shall not be used for storage of personal items such as shoes, fishing equipment, boating equipment, swimming gear, bicycles, etc. Such storage or use is prohibited by fire regulations and if not removed, Management will remove same and assume NO liability or responsibility for loss or damage. Any damage to the property of others, including common areas, caused by moving, carrying articles of furniture, materials, but not limited thereto, shall be paid by the owner(s) or the person(s) responsible or their agent for such damage or cleaning expenses.

   ALL SERVICE/CONTRACTORS EQUIPMENT AND SUPPLIES must be kept within the specific unit in which the work is being performed.
   A $50.00 DEPOSIT will be required before moving and/or construction and renovation.
   NORMAL MOVING AND DELIVERY HOURS are restricted to between 8:00 am and 6:00 pm Monday through Friday, and not on legal holidays. A 24-hour notice is required prior to delivery of furniture and appliances. In case of emergency or hardship, exceptions may be made at the discretion of the Property Manager.

4. NO OWNER, TENANT, AND/OR GUEST will attempt to direct, supervise, and/or interfere with the employees in the performance of his/her duties. All complaints and/or suggestions should be directed to the Property Manager's office. (Suggestion box located by each mailroom for your convenience.)

5. CLOTHING, SHEETS, BLANKETS, TOWELS, OR LAUNDRY OF ANY KIND SHALL NOT BE HUNG ON THE RAILING OR EXPOSED ON ANY PART OF THE TERRACE OR BALCONIES and/or any part of the exterior of the building. No one shall allow anything whatsoever to fall from the windows or balconies of the premises. No one shall sweep or throw any refuse, cigarettes or other substances from a unit onto the common areas of the complex. Violators shall be subject to replacement, repair or cleaning expenses and prosecution if warranted.

6. FEEDING THE BIRDS FROM THE BALCONIES OR ENYWHERE ON THE PROPERTY IS PROHIBITED.

7. CLOTHING -- APPROPRIATE FOOTWEAR AND COVER UP CLOTHING IS CONSIDERED THE PROPER ATTIRE WHEN ENTERING AND LEAVING THE BUILDINGS, and when in lobbies, hallways and other common areas. In order to prevent injury to yourself or others, please dry off thoroughly before entering buildings and elevators.

8. FLAMMABLE, COMBUSTIBLE OR EXPLOSIVE FLUIDS, chemicals or substances shall NOT be kept in any unit, except as may be required for normal household use. SMOKING IN ELEVATORS AND COMMON ELEMENTS IS PROHIBITED BY FLORIDA LAW. USE OF BARBECUE GRILLS IS NOT ALLOWED ON THE 440 WEST COMPLEX. Cooking is prohibited on the balconies.

9. PARENTS AND/OR GUARDIANS ARE SOLELY RESPONSIBLE FOR THEIR CHILDREN UNDER SIXTEEN (16) YEARS OF AGE AND will be held liable for their children's actions.

SECURITY

1. IN THE INTEREST OF PROTECTING AN OWNER'S APARTMENT, ALL TENANTS AND GUESTS MUST BE REGISTERED OR PRE-REGISTERED WITH THE SECURITY GUARD (Telephone #441-3987). All residents will be called by the Security Guard upon the arrival of their guest. All person(s) arriving without a letter of authorization, or in the event a collect call made by the Security Guard cannot reach the owner, the person(s) will not be admitted to the 440 WEST property. The Security Guard will provide new guest, owners, or tenants with a copy of the Rules and Regulations and an emergency evacuation plan upon registration.

2. ALL ENTRY DOORS TO THE BUILDING MUST BE KEPT CLOSED AND LOCKED. Tenants, owners, and guests must be sure entry doors are CLOSED and LOCKED when ENTERING and LEAVING building. This applies especially to the doors leading to the stairwells from the garage, elevator lobbies and to the swimming pool and decks. UNDER NO CIRCUMSTANCES SHOULD ANYONE BE ADMITTED UNLESS KNOWN. Should anyone force his or her way, immediately notify Security. No one is permitted to enter upon the roof, into the elevator shafts or elevator equipment and power rooms unless authorized by Property Manager or Security.

3. OWNERS MUST NOTIFY THE SECURITY GUARD OF ANY ANTICIPATED DELIVERIES OR WORK TO BE PERFORMED IN THEIR APARTMENTS. Owners with special door locks MUST LEAVE A KEY with Security for the purpose of periodic pest control treatment. In addition, owners must leave a key with the PROPERTY MANAGER. These keys are solely for the use by management and will not be available for the owner's convenience (tradesman, Realtors, guest, etc.). Entry by the Property Manager to any unit will be made only in connection with an EMERGENCY, i.e., fire, smoke, water pipe leakage, etc. Positive identification will be required from those requesting entry. The Security Guards, Property Manager and 440 WEST Condominium Association, Inc., and its Board of Directors assumes NO LIABILITY FOR DAMAGES, LOSS OR THEFT arising from such entries. No furniture deliveries or trades equipment, large tools, carpet equipment, etc., are permitted through the Main Entrance. The Property Manager or Security cannot accept any other keys for the convenience of the homeowners, tenants, or guests.

4. CONTRACTORS ARE NOT ALLOWED ON 440 WEST PROPERTY ON WEEKENDS, legal holidays and after 6:00 pm weekdays for purposes other than submitting bids or job estimates, except for reasonable emergencies.

VEHICLE REGISTRATION AND PARKING PROCEDURES

1. A vehicle identification and registration system is in effect at 400 WEST and you will be issued one of the following permits upon presenting proof of ownership.

   a) Owners and the owner's children and/or parents residing at 440 WEST with underground parking must have a genie and will be issued a red sticker or red temporary permit. A red sticker also authorizes parking in the upper or the street level areas.

   b) Owners and owner's children and/or parents residing at 440 WEST without underground parking will be issued a blue sticker or blue temporary permit to park in the upper parking lot. A blue sticker will allow parking in the upper or the street level areas only.

   c) A long-term tenant (1-year or more) with underground parking must have a genie, will be issued a red sticker and must park underground. Any additional car(s) of this tenant must park in the street level lot and will be issued a green sticker.

   d) A long-term tenant (1-year or more) without underground parking will be issued a blue sticker. Any additional car(s) of this tenant must park in the street level lot and will be issued a green sticker.

   e) Short-term tenants or guests, with a letter of authorization from the homeowner authorizing them to park underground, must have a genie to gain entry and will be issued a green temporary permit. Any additional car(s) must park in the street level lot

and will be issued a green temporary permit.

f) All other short-term tenants and/or guests must park in the street level lots and will be issued a green temporary permit.

g) All visitors will be registered with Security and must park in the street level lots.

h) All vehicles must park in a forward position (front-end first) on upper and street level parking lots. When receiving either the color coded sticker or the appropriate temporary pass, please allow Security Guard to affix sticker on your vehicle to ensure proper placement and visibility. ANY VEHICLE NOT REGISTERED WITH SECURITY AND/OR PARKED IMPROPERLY WILL BE REMOVED AT THE OWNER'S EXPENSE. The speed limit is 5 MPH. Underground parking is accessible only by use of a door opener (genie).

i) Owners, tenants and/or guests may park in a given space in the underground garage with written permission from the owner of that particular space, and must obtain the owner's genie to gain access to the underground garage.

1. Two (2) wheel vehicles, campers, vans, trucks, utility and recreational vehicles and any other vehicle over 6 feet tall are prohibited from parking on upper parking lots.

2. THE PARKING OR STORAGE OF BOATS, DUNE BUGGIES, TRUCKS OR TRAILERS IN ANY PARKING SPACE OR ON THE CONDOMINIUM PROPERTY IS PROHIBITED. Campers, vans, pick-up trucks, jeeps and recreational vehicles can be parked in the street level parking areas provided they fit within standard parking spaces. In addition, any vehicle may park in the street level lot provided it doesn't exceed twenty (20) feet in length. Damaged vehicles or those requiring repair may not be parked or stored on the premises for longer than fifteen (15) days. The repair of automobiles, trucks, boats and/or other types of vehicles is prohibited. Facilities for washing cars are available at the west end of each building, only on designated days. Damage to vehicles parked on 440 WEST property shall not be the responsibility of the ASSOCIATION.

   a) All contractors' vehicles must park in the lower lots except for loading and unloading.

1. USE OF SKATES, SKATEBOARDS, BICYCLES, AND/OR ANY RECREATIONAL VEHICLE IN THE LOBBIES, ON THE PLAZA AND POOL DECK AND/OR THE UNDERGROUND GARAGE IS PROHIBITED. NO ONE IS PERMITTED TO PLAY OR ROAM IN THE UNDERGROUND GARAGE. ACCIDENTS OR INJURIES RESULTING FROM THE USE OF SKATES, SKATEBOARDS AND/OR TWO (2) WHEEL VEHICLES ON 440 WEST PROPERTY WILL NOT BE THE RESPONSIBILITY OF THE ASSOCIATION AND BOARD OF DIRECTORS.

2. BICYCLE REGISTRATION IS REQUIRED. All bicycles, tricycles must display an office-issued permit (sticker) and be secured in racks provided in the underground garage.

FIRE SAFETY AND DISASTER

All residents should be thoroughly familiar with the building emergency plans that are available at the Security House. The plans are also posted on the bulletin boards in each building. It is suggested that any handicapped owner or tenant register with Security.

LOUNGE, BILLIARD, AND EXERCISE ROOMS

1. LOUNGE, BILLIARD AND EXERCISE ROOMS are for the use of owners, tenants and guests. Children under sixteen (16) years of age must be ACCOMPANIED BY A RESIDENT SIXTEEN (16) YEARS OF AGE OR OLDER. Residents can obtain ice from the lounge room by contacting the Security Guard.

2. THOSE WISHING TO RESERVE THE LOUNGE, LOBBY, AND PATIO may do so by making reservations with Management (461-2885) at least forty-eight (48) hours in advance. When the lounge/lobby/patio is reserved, a one hundred dollar ($100) deposit will be collected by the Property Manager. The deposit will be refunded provided the lounge/lobby/patio is left in a clean and satisfactory condition by 10:00 am the following day. The lounge may only be reserved for a twenty-four (24) hour period at a time. No ice is available twenty-four (24) hours prior to when a party is scheduled or in progress. Ice can be obtained from other building by contacting the guard.

3. THE EXERCISE AND SAUNA ROOMS are available for use between 6:00 am and 11:00 pm, and until midnight on Friday and Saturday nights only.

4. THE BILLIARD ROOM is available from 9:00 am until 10:00 pm and until midnight on Friday and Saturday nights only by reservation made with the Security Guard. Reservations are limited to those sixteen (16) years of age and above, unless ACCOMPANIED BY A RESIDENT SIXTEEN (16) YEARS OF AGE OR OLDER. A driver's license must be presented to the Security Officer to obtain a cue ball. License will be returned upon completion of play, return of the cue ball, and inspection of the premise. There is a one (1) hour time limit when someone is waiting.

SWIMMING POOL AND DECK AREA

1. THE SWIMMING POOL AND ALL DECK AREAS are for the exclusive use of unit owners, tenants and their invited guests. PLEASE SEE SIGN AT POOLSIDE FOR POOL REMINDERS. Users are responsible for proper conduct and behavior. Glass and items which may shatter are not permitted on the grounds between the two buildings and the pool area. Playing ball, Frisbee, paddleboard, etc., is prohibited. FOOD IS PERMITTED ONLY WITHIN THE GAZEBO AREA. Restrooms in the lobby area are provided for your convenience. Your assistance in keeping them clean and tidy is appreciated.

2. PLEASE DRY OFF WHEN ENTERING THE BUILDINGS. This will eliminate tracking water onto the hallways and elevators, which causes a slippery condition when wet and makes additional work for the housekeeper.

3. LARGE ROUND TABLES ARE NOT PERMITTED ON THE POOL DECK. No furniture is allowed on the grassy areas; lounging on beach towels is permitted. Reserving chairs or lounges is not permitted. If a chair or lounge is unoccupied but contains personal items, and the occupant is not on the deck or in the pool, the items may be removed and the chair or lounge put to use. Fishing is not permitted from pool deck level, but is allowed in the lower areas at either end by the buildings.

4. ALL PERSONS USING THE POOL DO SO AT THEIR OWN RISK. Swimming pool hours are from 7:00 am to 11:00 pm. Infants must use "Swimmy" type plastic protective pants to enter the pool. Persons with a heavy cold, sores, open cuts or rash shall NOT use the pool. Life preservers, rafts, floats, scuba equipment, fins, shells, stones, balls, etc., and cut-offs are not permitted. The use of water wings (small armed waterwings), child's small flotation seat, Coast Guard approved back pack "swimboys", goggles, snorkel and swim masks will be permitted. Showers are provided at the west end of each building for your convenience in order to REMOVE SAND. SWIMMERS SHOULD DRY OFF THOROUGHLY BEFORE ENTERING THE BUILDING. CHILDREN UNDER THIRTEEN (13) MUST BE ACCOMPANIED BY AN ADULT. SECURITY PERSONNEL WILL ASK UNSUPERVISED CHILDREN TO LEAVE THE POOL DECK AREA.

5. RADIOS being operated in the pool area on the deck should be at a low volume so not to disturb others.

6. SHUFFELBOARD EQUIPMENT is not available to those under sixteen (16) years of age unless accompanied by a resident sixteen (16) years or older. Equipment is available from the Security Guard and must be returned when play has ended. Shuffleboard hours are from 10:00 am until 10:00 pm.

PETS

1. IN ACCORDANCE WITH CONDO BYLAWS, NO PETS are permitted except those registered prior to March 31, 1985.

2. ALL PETS must be either on a leash or carried while on common area. Pets are not permitted on the deck between the two buildings, on the grassy areas at the back of each building, or around the pool. Droppings within the building shall be cleaned immediately by the owner. This also includes the sidewalks, paved parking areas, driveways, and grassy common areas. Dog doilies are provided for disposal of droppings. Any damage by pets shall be cleaned, repaired or replaced at the owner's expense. In the event the owner does not remedy the damage, Management may have such work done as necessary and charge the owner accordingly.

KEY TELEPHONE NUMBERS

The following key telephone numbers are listed for your convenience. Please contact the Security Guard should you require any additional assistance.

POLICE/FIRE EMERGENCY RESCUE **911**

440 WEST Security Guard **441-3987**

Property Manager **461-2885**

Progressive Management, Inc. **773-9542**