

RULES AND REGULATIONS
OF
HARBOR OAKS BOATAMINIUM, INC.

As used herein the word "member" shall mean and refer to any member of the corporation or as the context may require, any assignee or user of any member and shall include the masculine, feminine, neuter, singular, or plural as the context shall require.

All members and invited guests, as well as any other persons who might lawfully be entitled to use the facilities of the Corporation in any manner, are subject to the By-Laws and Rules and Regulations of the Board of Directors of the Corporation, as stated in the Declaration.

For the Purposes of these rules and regulations, the terms "dockmaster," "boataminium manager," and "manager" are all used interchangeably and shall be deemed to mean and include any person, firm, corporation or other legal entity acting for or on behalf of the Board of Directors of Harbor Oaks Boataminium, Inc., in managing the docks, piers, slips and other properties owned by the said Harbor Oaks Boataminium, Inc.

Every member shall be given a copy of these Rules and Regulations. Each member shall insure that the manager is notified at or before the time that such member begins the use and enjoyment of the membership. Such notification shall include the full name of the user, his permanent address, telephone number, insurance company name and policy number, and official number or North Carolina registration of the boat authorized by the member to dock in his boat slip. Each member is authorized under these regulations and should:

1. Warn any person who is observed to be violating the rules; and
2. Call police to oust possible trespassers who do not identify themselves upon a polite request; and
3. Call police to quell disorderly conduct by anyone.

All members shall be responsible. Each member should also notify the manager whenever he has to warn someone, and shall supply the manager with the facts of the incident as soon as practicable. Each member should see that their guests follow these Rules and Regulations while occupying or visiting the area. No member may invite any guest to use or enjoy any of the property or facilities of the corporation in his absence, except by virtue of an assignment or use of the membership made pursuant to the Declaration and the By-Laws.

No member shall invite guests to the facilities and property of the corporation in unreasonable numbers or on unreasonable occasions or for unreasonable times.

1. USE OF SLIP:

Boats cannot exceed the slip size by more than 10%, provided:

(a) A boat in a twenty (20) foot slip can be tied up so as not to have the stern protrude beyond the end of the finger piers and the bow not more than two (2) feet into the main walkway;

(b) A boat in a twenty-five (25) foot slip can be tied up so as not to have the stern protrude more than one (1) foot beyond the end of the finger piers and the bow not more than one and one-half (1-1/2) feet into the main walkway;

(c) A boat in a thirty (30) foot slip can be tied up so as not to have the stern protrude more than one (1) foot beyond the end of the finger piers and the bow not more than two (2) feet into the main walkway;

(d) Any boat in a slip that does not have another slip directly behind it may vary the provisions of (a), (b), or (c) by an additional six (6) inches;

(e) No vessel shall be permitted in the marina unless it can navigate under its own power. The Board of Directors is empowered to reject any vessel based upon seaworthiness, cosmetic appearance, environmental or safety concerns. A vessel which is deemed to detract from the general appearance of the marina may be rejected by the Board of Directors;

(f) Vessels with dirty and oily bilges must have the bilges cleaned and the source of the dirt and oil determined and corrected;

(g) No spray painting or sandblasting of vessels is permitted in the marina. No repairs other than minor repair and cleaning shall be done in the marina. No one may paint, scrape, sand or repair any part of a vessel or her gear on the piers;

(h) State laws governing the operation of marinas require that a written document containing the name of the owner, the name of the insurance company and policy number, the boat name and NC registration number, and the name of an emergency contact person be kept on file by the boataminium. This information must be updated annually by the Boataminium Secretary. Slip owners are responsible for ensuring that this information, on the form provided by the Boataminium Secretary, is supplied to the Secretary for every boat utilizing his slip(s).

2. TRASH DISPOSAL:

Newspapers, magazines and other similar items should be placed in a solid waste container. Garbage and other perishable items shall be placed in a plastic bag secured at the top and placed in a solid waste container. Loose garbage shall not be deposited anywhere. **NO TRASH OR EMPTY BOXES OF ANY KIND SHALL BE LEFT ON THE DOCKWAYS OR COMMON AREAS OF HARBOR OAKS OR ANY ADJOINING PROPERTIES.**

Waste material such as paper, beer or drink cans, cigarette stubs, trash, etc., must not be thrown from the boats or dock areas. Tossing food or garbage out for the gulls produces unsanitary conditions around the dock area and shall not be permitted.

3. DOCKWAYS:

Running and horseplay on dockways are not allowed.

4. STORM PRECAUTIONS:

To prevent damage from weather or storms, dock lines should be properly secured and all outside property of any member or guest shall be battened down, secured, or placed inside the boat and it should be closed and locked when the member leaves his boat slip. Members planning to be absent from their boat slips for a prolonged period should remove all furniture, plants and objects from their boats and notify the Boataminium manager of their plans before leaving. Also, all moveable items should be removed from each boat if storm weather is threatening.

Members will be required to remove boats from their assigned slips when damaging winds and tides are expected. If an official evacuation notice is posted for Carolina Beach, residents are normally given at least 24 hours to comply and make preparations. Removal of boats from Harbor Oaks Boataminium will be tied to the issuance of an evacuation noted by the Carolina Beach Emergency Agencies. Members will be expected to oversee removal of their boat or of the person leasing the slip. If the boat owner is unable to handle boat removal, the Board will make every effort to have the boat towed by a licensed towing company at the owner's expense. The Board of Directors shall not be liable for any towing charges, storage charges, damages to any boats, or other miscellaneous charges as a result of such actions.

Removing boats when docks are threatened by severe weather. A special assessment will be imposed against any member not to exceed \$100.00 per day and \$500.00 each occurrence for not moving boat during storm when an evacuation notice is posted for Carolina Beach residents. It is duly noted that all other special assessments against any member could not exceed \$100.00 per day and \$500.00 each occurrence.

The Board of Directors, in its sole discretion, shall have the right to remove any boat from the dock area or to sink any boat if, it determines, that such removal or sinking is necessary to prevent damage to the docks, piers, pilings, boat slips, or other portions of the Boataminium property. The Board of Directors shall not be liable for any towing charges, storage charges, damages to any boats, or other miscellaneous charges as a result of such action.

5. PARKING:

No parking facilities are provided by the Boataminium. Vehicles should be parked within the parking areas provided for the residential units of Harbor Oaks Condominium. Any access easements to the dock area are for unloading or loading, and vehicles will only park there long enough to do so.

6. ACCESS TO BOATS:

Members desiring the Board of Directors to have access to their boats shall provide the necessary pass keys to them. When any lock is changed the member shall inform the Board of Directors and provide them with a new key.

7. BOATAMINIUM FACILITIES:

The facilities of the Boataminium (restrooms, dock, etc.) are for the exclusive use of the members and their invited and accompanying guests only.

8. SECURITY:

A member of the Board of Directors should be notified if any suspicious people or unusual activities are seen. All boats should be locked at all times.

9. GUESTS:

No guests will be allowed the use of dock facilities or any other property of the Boataminium unless accompanied by a member. Every member shall insure that his guests abide by all these Rules and Regulations and shall be responsible to the corporation for any violation. The number of guests invited at any one time by any member shall be in keeping with the rights of other members to have and enjoy the use of these same facilities.

10. NOISE:

All members and their guests shall refrain from playing stereo, television or musical instruments loudly after 11:00 p.m. and before 8:00 a.m. Everyone shall respect the rights of other persons lawfully on the premises. Parents shall not allow children to run and play on the docks and other facilities. After 11:00 p.m. quiet, orderly behavior is expected of all members and their guests. Children should be under the direction of their parents at all times.

11. FOOD AND BEVERAGES:

No cooking with "open flames" will be allowed at the facilities.

12. FISH CLEANING:

The cleaning of fish shall be done only at the fish cleaning station.

13. REQUIRED DUES PAYMENTS

The Board of Directors, in its sole discretion, shall have the right to take legal action to impose a "lien" on any member six (6) months in arrears on monthly assessments.

14. CONCLUSION

Violations of or disagreements arising under these Rules and Regulations should be referred to the Board of Directors for appropriate action or resolution. Final decisions will be made by the Board of Directors. These Rules and Regulations shall be reviewed by the Board periodically and appropriate changes or additions may be made. If you have any questions or suggestions, please refer them to the Board or to the proper committee. Please note that the By-Laws provide for fines up to \$100.00 against any member violating these Rules and Regulations and give the Board of Directors the power to suspend the rights of any member for noncompliance.

Dated this 5th day of June, 1986

Dated this 15th day of July, 2008

BOARD OF DIRECTORS

HARBOR OAKS BOATAMINIUM, INC.