

## **Southport on the Bay**

### **Boat Lift Cover Application and Agreement**

In accordance with the Southport on the Bay Restated Declaration of Covenants, Conditions and Restrictions (“Declaration”), boat lift covers are not permitted on any docks without the prior written approval of the Architectural Review Board (“ARB”). Based on a majority vote of the Members of Southport, the Board of Directors of Southport (“Board”) and the ARB has determined that boat lift covers (also sometimes referred to as boat lift canopies) will be permitted on docks under the following conditions:

1. The supplier, design, construction, material and color of the boat lift cover must be approved in advance in writing by the ARB. Currently, the ARB has approved the following:
  - a. Supplier: Waterway Boat Lift Covers
  - b. Design: Radius Verandah Beam
  - c. Construction: Aluminum double rail reinforced frame
  - d. Material: Marine-grade vinyl
  - e. Color: Dusky blue (#518)

The ARB may approve additional suppliers and, with consent from the Board, make changes to these requirements, applicable to new boat lift covers, as it determines from time to time in its sole discretion.

2. Owners must maintain the boat lift covers in good condition and remove them prior to any hurricane because they are not designed to withstand hurricane-force winds. Owners acknowledge that it is preferred that boat lift covers remain on boat lifts throughout the year. If an Owner fails to maintain a boat lift cover in good condition or to remove it prior to a hurricane, the ARB or the Board may take such actions as it deems necessary, including without limitation, to remove, repair, or replace the boat lift cover and to bill the Owner for the related costs. Such costs shall be treated as an assessment against such Owner’s property and enforced and collected in the same manner as any other assessment.
3. Owners are required to comply with all rules and regulations of, and to obtain such permits as may be required by, Collier County, the Florida Department of Environmental Protection, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency and any other governmental agency that has jurisdiction.

The undersigned Owner: (i) understands and agrees to comply with the conditions set forth above regarding boat lift covers as well as the other requirements set forth in the Declaration and (ii) acknowledges that the failure to comply with such conditions and requirements could subject such Owner to the enforcement provisions contained in this Agreement and the Declaration. The undersigned Owner seeks ARB approval for the following boat lift cover:

Owner's Name: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Supplier: Waterway Boat Lift Covers, Inc.

Design: Radius Verandah Beam

Construction: Aluminum double rail reinforced frame

Material: Marine-grade vinyl

Color: Dusky blue (#518)

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

The Completed form should be submitted to the Southport management company.<sup>1</sup>

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This section to be completed by the ARB.

From Southport on the Bay ARB

To: \_\_\_\_\_

\_\_\_\_\_ The boat lift cover requested above is approved OR

\_\_\_\_\_ The boat lift cover requested above is rejected for the following reasons:

\_\_\_\_\_  
ARB Member

\_\_\_\_\_  
Date

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<sup>1</sup> The Southport management company currently is:  
Ability Management, Inc.  
6736 Lone Oak Blvd.  
Naples, FL 34109