

**TOP OF THE MILE, INC.**  
**RULES AND REGULATIONS**

The circumstances inherent to “condo” living are such that all must live near and react to one another quite differently than when living in separate houses. Thus condo guidelines are necessarily added to Municipal and other laws and controls.

Your Board of Directors has adopted these rules and regulations, after much thoughtful consideration and guidance by as many Owners and Residents as possible. They are for the purpose of making living at the Top of the Mile pleasant, safe and comfortable for all.

Violations of these rules by a member, his family, guests or leases is the responsibility of the unit owner.

In addition, any objectionable or inconsiderate behavior is not acceptable, even though not specifically mentioned in or covered by these Rules and Regulations.



**RENTALS/OCCUPANCIES**

1. Rentals – Rental leases must be for a minimum of 190 days and no longer than one year. No more than one such lease can be made in any 12-month period. Leases and lease renewals must be approved by the Board of Directors.

A \$100 application fee will be charged for each rental application, other than renewals. Said fee is applicable to each person to occupy the Unit if other than a family member.

2. Occupancy shall not exceed four persons in a one-bedroom unit or six persons in a two bedroom unit.

Each unit shall be used for only residential purposes. No transient use shall be permitted. If the unit owner is owned by a corporation, partnership or other non-personal entity or by more than two persons, the owner of owners of that unit shall designate a “Primary Occupant” of the unit, which designation may be changed not more frequently than once a year, by notice from the owner in writing.

3. Owners are responsible for guest being aware of, and complying with, the Rules and Regulations of Top of the Mile.

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Any guest using an Owner's apartment must be registered with the Board of Directors by notice from the Owner in advance of the visit. (Mail to the Management Company, MG Property Management, 3049 North Federal Highway, Ft. Lauderdale, FL 33306 or call 954-530-4912). Guests other than immediate family, who will occupy an apartment for more than thirty (30) days while the Owner is absent will be considered as "renters" and must be processed as such for Board Approval of further stay.

"Immediate Family" in this respect will be considered to be the Owner and Spouse's Grandparents and Parents, Children, Brothers and Sisters.

4. Residents and guests are not to run or play or otherwise cause noises or nuisances in the halls or stairways, in the Recreation Unit, garage or courtyard. They must especially NOT interfere with the normal operation of the elevators. Persons under 8 years of age are not permitted in elevators unless accompanied by persons of 18 years or older. Balcony and yard play must be quiet.

Residents and Guests are required to wear footwear at all times in elevators, halls and public areas other than the pool enclosure. Owners and tenants shall require their guests to comply with directions of pool attendants (if any) and the Manager or Association Directors. Temporary revocation of pool privileges will occur for disobedience or unacceptable conduct. NO roller-skating, skateboarding or similar activities are allowed anywhere on the property.

All persons under sixteen years of age must be accompanied by a person of 18 years of age or older while at the swimming pool.

Persons under eight years of age are not permitted in the pool unless constantly attended by a person of 18 years or older.

Persons (under three years of age) are permitted in the pool under any circumstances.

## **PETS**

5. The keeping, harboring or maintaining of a pet is prohibited, except that any unit Owner who possesses a dog or cat weighing less than 10 lbs. at the time of enactment of this Rule shall be entitled to keep such pet, subject to the rules and regulations of the Association. Upon the demise of any such pet there shall be no replacement. Snakes, parrots or other exotics are not permitted.

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6. All dogs and cats shall be carried or on a leash when taken from the apartment and shall not be allowed to run loose or to be walked or curbed on any of the common elements of the Association.
7. All pets must be sufficiently under control at all times so they do not become a nuisance or danger to other residents. In the event that any pet becomes a nuisance the Board of Directors shall have the right to give the apartment Owner owning said pet thirty (30) days written notice of the problem. In the event that pet is removed during the thirty (30) day period, the Board of Directors shall be entitled to take such action as may be necessary to secure removal.
8. The proper authorities must license all dogs. Security against hostile behavior is the responsibility of the Owner.
9. Animals, birds or other pets are not to be brought into or harbored in the building at any time by tenants or guests.

## **POOL**

10. Owners, tenants and their guests using the swimming pool do so at their own risk.
11. Bathers must always clear tar and other dirt from their feed or footwear before entering the pool area, building or elevators. Cover-ups, shirts or robes, and footwear should be worn between the apartment and pool or the beach.
12. All persons under sixteen years of age must be accompanied by persons of 18 years or older, while at swimming pool. No persons under eight years of age are permitted in the pool unless constantly attended by a responsible person of 18 years or older. Persons (under three years of age) are not permitted in the pool under any circumstances. Please dispose of used diapers in the trash dumpsters, not the trash container at the pool or in the recreation room.
13. The Pool should not be used by anyone unless two or more persons are present within the enclosure.

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14. All sun tan oils, creams, lotions, etc. must be removed by showering before entering the pool. Patio furniture must be protected from such items by using of toweling or other covering.
15. Floats and similar “toys” should not be used when pool is crowded. DO NOT use lifeguard floatation devises of lines as playthings. These are for safety purposes only!
16. No glasses, bottles or other objects of breakable material may be used on the pool deck on in the pool.
17. All sound devices (radios, tape players, musical instruments or similar) must be used so as not to interfere with the peace and quiet of the area – and with courtesy to all others nearby. Volume must be kept low and if necessary for consideration of others, the device owner/user should utilize earphones.

## **PARKING**

18. Parking – No boats, trailers, campers, motor homes, recreational vehicles or motor cycles may be parked on the premises. Work trucks and other commercial type vehicles, or obviously identified as such by signs or symbols, are not permitted overnight parking inside or outside the garage. Only passenger type automobiles and station wagons not exceeding 18 feet in length, including certain vans may be approved by the Board of Directors to park in any of the Association parking areas – including the garage spaces assigned to the unit Owner.
19. No vehicle leaking oil or other fluids, or with defective or objectionably loud mufflers, will be permitted on Association property. No mopeds or similar may be started in or ridden through garage. Unit owners may be charged fees to clean any oil/fluid from their vehicle.
20. When parked, all doors and windows of vehicles should be closed and locked.
21. The three parking spaces next to the gates at the SW, SE and NE corners of the garage, and the two spaces next to the pool equipment room in the NW corner, are unassigned and cannot be reserved for the exclusive use of any one party. Guest parking is located at the North and South ends of the property. Overnight or daytime parking is not permitted in the two West Driveways. These are reserved for trash pick-up, emergency vehicles and car washing. This use should always be carried out with due consideration.

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22. Residents should park in their assigned spaces except when parking a second family vehicle. These go in the unassigned spaces mentioned above or in outside areas. Owners and tenants are limited to parking not more than two vehicles per unit anywhere on the property for more than 48 hours.
23. A resident may allow overnight guests to park in his/her assigned parking space, but only if the vehicle is clearly identified by Guest Parking cards, decals or other means easily visible from the outside of the vehicle. All vehicles need identification.
24. No parking spaces may be assigned or rented, or otherwise transferred to anyone not a Resident of Top of the Miles. Space rentals to Residents are permitted, but please immediately notify the Management of such arrangements.
25. Incorrectly parked vehicles are subject to towing at Owners expense and responsibility.

### **APPEARANCE**

26. No sign, advertisement, notice or other lettering shall be exhibited, inscribed, painted or affixed by any owner or resident to any part of the outside (or inside as viewed from the exterior of the unit) without prior written consent of the Association.
27. No "improvements" may be constructed on the exterior of the building, without prior written consent of the Association. This shall include awnings, shutter windows, doors, screen, jalousie and similar.
28. All loose furnishings should be removed from the balconies when apartment is unoccupied, especially during the hurricane season!
29. Laundry, rugs or other articles shall be hung indoors. No articles are to drape from railings or any outside area at any time. Sweeping or throwing dust or anything of that nature from balconies, windows or doors, including shaking of mops and rugs, is not permitted. Please do not wash detergents and similar off your balcony. This can be dangerous to both your neighbors and all greenery.

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30. Approved sunscreen material for windows and sliding doors is Solar Guard International, Inc. Bronze Silver 60 or 80 weight, or equivalent in color and quality.
31. Floor coverings for outdoor balconies are not permitted.
32. Hurricane shutters shall be accordion fold types, installed flush against building, sliding glass doors or windows. Color, white.
33. Please use the urns provided at each elevator door and building entrance to carefully dispose of cigarettes, cigar butts, etc.
34. Elevator pads are available and must be used for all furniture moving.
35. All garbage, wet or otherwise, put into dumpster chutes must be securely wrapped and tied in appropriately strong plastic bags or similar. Items too large for the chutes are to be deposited in the dumpsters in the two trash rooms outside the West courtyard entrance. No garbage should be placed in the container near mailboxes.
36. Roof – Owners, tenants and guests are not allowed on the roof, or to use the roof for any purpose other than air conditioning service. The Association is not responsible for accident or injury and damage which can easily be substantial. These will be for the account of the Owner involved.
37. No cooking of any kind, barbecue grills or hibachis are allowed on balconies. Hall doors should be kept closed to prevent the spread of cooking odors.
38. Waterbeds – No Owner or Resident may keep or maintain a waterbed, Jacuzzi or similar in his/her unit except for medically confirmed therapeutic purposes. In the event such device is used the Owner or Resident must supply the Board of Directors evidence of insurance in an amount reasonably calculated to protect damage to the common elements; said policy to carry a loss payable clause in favor of the Association.

### **SAFETY**

39. No actions of any kind, which could lead to the engagement of others, their property or the Common Property, will be permitted inside or outside individual units. Unwarranted use of fire, or water, in any matter will be considered as automatically included in this provision.

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40. The Board of Directors shall regulate the use of recreational facilities. These rules will cover needs to comply with the law with reference to swimming pools and other public facilities and such other regulations deemed necessary to ensure proper use of said facilities for the convenience, pleasure and safety of everyone.
41. Private use of the Recreation Room, Unit 115, must be arranged through the Management Company. A deposit may be required but will be refunded if the facility is left clean and undamaged. The owner is ultimately responsible for damage by tenants or guests.
42. Nuisances – No Owner, tenant or guest shall interfere with the rights of other occupants of the building, or unduly annoy them by reason of noises or other nuisances. This included but is not limited to tiling of any floor area other than kitchen or bathrooms, keeping hallway doors open and similar.
43. Property Damage – Marking, marring, damaging, destroying or defacing any part of the building, equipment, or furnishings will be the responsibility of the Owner whose family, guests or tenants may have been involved and the costs of restoring the affected area will be borne by that Owner.
44. Official location for Association business notices – Association meeting, business and informative/instructional notices will be posted within time limitations as required by law, behind glass and under lock on the Bulletin Board over the Post Office Boxes at the Garage level entrance. Association Members should regularly inform themselves of such notices at this specified location.
45. Violations of Rules and Regulations may be enforced by the Board of Directors of Top of the Mile by injunction in the Circuit Court in and for Broward County, Florida. Top of the Mile shall be entitled to recover any and all court costs together with reasonable attorney's fees in addition to any right the Association or any owner may have to recover damages against any person violation the Rules and Regulations or the Declaration of Condominium, by laws or Articles of Incorporation.

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46. In accord with the Declaration of Condominium, as amended, the Board of Directors may enforce rules by fines of up to \$100 per day during the time such violation shall be in effect.

### IN SUMMARY

**IT GOES WITHOUT SAYING THAT NO RULES CAN REPLACE A GOOD ATTITUDE ON THE PART OF ALL. MOST OF THE ABOVE WILL NEVER BE NEEDED IF EVERYONE TREATS EACH OTHER WITH MUTUAL RESPECT AND CONSIDERATION.**

**PLEASE BE UNDERSTANDING, TOLERANT, CONSIDERATE AND HELPFUL TO YOUR NEIGHBORS.**  
**THANK YOU!!**

### **AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR TOP OF THE MILE, A CONDOMINIUM**

1. Article 8, Section 8.9 of the Declaration of Condominium is created to read as follows:

8.9 Inasmuch as this Condominium has a strong residential character and it is the intent that the owner of each apartment shall occupy and use such apartment as a private dwelling for himself and his immediate family and for no other purpose and to inhibit transience, impose continuity of residents and to discourage investment ownership, no person shall directly or indirectly through any corporation, trust, estate, partnership, or other business or other entity or any family member, hold an ownership interest, whether legal, equitable or beneficial, to more than two (2) apartments at any times. Family members, as that term is used herein, shall mean the owner and owner's spouse, and such persons' parents, grandparents, children, grandchildren, brothers, sisters, aunts, uncles, nieces, nephew and the spouses of such persons.

2. Article 8, Section 8.70 of the Declaration of Condominium is created to read as follows:

8.10 No apartment shall be leased, and leasing shall be prohibited during the one (1) Year period subsequent to the recording of the instrument of conveyance.

**NOTE: NEW WORDS INSERTED IN THE TEXTS ARE UNDERLINED AND WORDS DELETED ARE LINED THROUGH WITH HYPHENS.**

Owner/Tenant Signature: \_\_\_\_\_

Owner/Tenant Name: \_\_\_\_\_

Date: \_\_\_\_\_