

Tarpon Point Property Owners Association “TPPOA” HOMEOWNER’S HANDBOOK



**Tarpon Point Property Owners Association
TPPOA Management Offices
5902 Silver King Boulevard
Cape Coral, Florida 33914
239-471-0264 Phone 239-471-2925 Fax**

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TARPON POINT PROPERTY OWNERS' ASSOCIATION RESIDENT'S HANDBOOK/GUIDE

- INTRODUCTION TO THE GUIDE -

The primary objective of this guide is to assist residents in understanding and appreciating the rules as well as the responsibilities involved in living in a Deed-Restricted Community.

Our objective as the Tarpon Point Property Association Board of Directors in preparing this guide, is to respond to the day-to-day requests, clarification of Association policies, convenience and availability of forms and to improve enjoyment and harmony within the Community.

Where forms are required for application or an approval process, sample forms are in the guide in the same section as the narrative description. Additional copies of the guide, forms, or individual topic sheets are available by calling the Association office, **239-471-0264**.

Please Note: This Handbook has been produced because of many on-going requests for clarification of the conditions, Rules and Regulations, along with violation procedures including consequences.

This Handbook is a summary of the Master Covenants Association Documents. It should be further noted that this Handbook, although a reliable daily-use guide prepared with care and caution, **does not replace the Master Covenants and Bylaws Documents which take precedence.**

In the event of a dispute, residents are advised to consult the detailed Documents and, if necessary, obtain the benefit of legal counsel. You are advised to review, particularly, the provisions for Dispute Resolution which basically requires arbitration/mediation.

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SECTION 1.0 TARPON POINT PROPERTY OWNERS' ASSOCIATION

WELCOME TO TARPON POINT

Tarpon Point is a diversified waterfront community within a resort setting of both residential and commercial neighborhoods all under the umbrella of the Tarpon Point Property Owners Association, (TPPOA) which is the community's Master Association HOA. The Declaration of Covenants, Conditions, and Restrictions for Tarpon Point should be referred to in detail for clarification. The purpose of this guide is to help Homeowners within the community to understand an overview of the amenities and neighborhoods within the TPPOA and the Rules and Regulations.

Tarpon Point is a one hundred forty-eight (148) acres, mixed use development. Currently there are three residential neighborhoods: Tarpon Estates, Tarpon Gardens (Tarpon Lake Homes and Tarpon Park Homes), and Tarpon Landings. Tarpon Estates is a village of (45) luxury single-family home/ and or home sites. Twenty-seven (27) are canal-front sites with the ability to add a private boat dock. Twenty (20) inland home sites overlook unspoiled mangrove preserves or a sparkling lake and offer residents access to a canal-side park and docks. Tarpon Gardens is a gated neighborhood of spacious coach homes with lake or park views. Located in the heart of Tarpon Point's amenities, Tarpon Gardens is close to the TPPOA community clubhouse, fitness center, social pavilion, resort pool area and junior Olympic-sized pool, walking areas, amphitheater and more. Tarpon Landings is a gated enclave of three mid-rise condominiums on the waterfront. Each luxury building features twelve (12) floors of homes over a two-story garage area, which is hidden by a cascading waterfall. These residences have dramatic views of the deep-water marina, the preserve and the Caloosahatchee River. Tarpon Landings is connected by walkways to a clubhouse pool and to The Westin Cape Coral Resort at Marina Village, the Marina Village Shops, and the 225-slip deep water marina with direct access, which are all part of the TPPOA and fall under the Master Covenants.

The "Declaration of Easements and Covenant To Share Costs for Tarpon Point" Document sets forth how the TPPOA Budget expenses will be divided for share of amount owned by the Residents vs. the commercial area, Westin Resort, and the marina. Please refer to this document in detail for all questions.

The hub of the community social amenities is the recreation area, located at 5902 Silver King Blvd. This area includes a pavilion for social gatherings which may be rented out for private homeowner events. An outdoor stage and event lawn, and bocce ball areas surrounded by a lovely walking area lined with trees and native plants, 2 Ace Rebound tennis courts and a state of art fitness center. Tennis courts are locked, and a key maybe purchased for \$20.00 at the office located at 5902 Silver King Blvd. Monday – Friday. There is a time limit of 1 ½ hours for singles and two hours for doubles. We request you sign in your name and time when playing. We do not allow advanced reservations of courts.

Within the fitness center there are stair climbers, static bikes, treadmills, and a separate free weights room, as well as separate men's and women's steam rooms for wet heat, and a co-ed sauna for dry heat located outside by the pool bathrooms.

The aquatics center includes the resort freeform pool, lap pool and sparkling in ground spa. There are 2 gas barbecue grills located by the resort pool. There is no saving for chairs at the pool in advance to be fair to all who want to enjoy the pools.

The two buildings located at 5902 Silver King Blvd. provide offices for the TPPOA Manager, Developers staff, and maintenance staff that work to keep your community running smoothly and oversee the day-to-day operations and upkeep of the master areas for all to enjoy.

Who has the use of these amenities? All homeowners within Tarpon Point or leasee's, guests of the Westin, and tenants of the marina who have paid a fee for the privilege of use may use the amenities. Your wrist bands must be worn or in plain sight when in the pool area and fitness center. Guest must be accompanied by owners or lessee and Westin guests are required to have their room card for identification. This area is supervised by your Community Operations staff, which is on site 24 hours a day 7 days a week.

The main office for **Community Operations** is located at the entrance gate house, 5850 Silver King Blvd. 239-945-3928.

TPPOA Board of Directors

Art Ober - President

Scott Freeman – Vice President

Mike Meurer - Treasurer

Lauren Snyder – Secretary

Ed Puisis- Homeowner Director

SITE MAP LOCATION DETAILS:

SECTION A: Tarpon Gardens and Amenities Areas (Fitness Center, Pools, Spa, Social Pavilion, Amphitheater, Tennis Courts, etc.)

SECTION B: Tarpon Estates

SECTION C: Tarpon Landings

SECTION D: Tarpon Point Marina, Harbor Master and Fuel Dock

SECTION E: Southwest Florida Yachts

SECTION F: The Westin Cape Coral at Marina Village and Restaurants

SECTION G: Promenade Shoppes and Restaurants

SECTION P: Parking Garage

*The **Gatehouse** is located at the top left of the following page, by the entrance (at the NE corner of the Property), and is pictured as a small red circle*



SECTION 2.0 TARPON POINT PROPERTY OWNERS' ASSOCIATION

NEW RESIDENT INFORMATION FORM

DATE OF CLOSING: _____

UNIT OWNER(S) NAME: _____

PROPERTY ADDRESS: _____
Cape Coral, FL 33914

HOMEOWNER _____
NAME HOME PHONE NUMBER CELL PHONE NUMBER

HOMEOWNER _____
NAME HOME PHONE NUMBER CELL PHONE NUMBER

ADDRESS FOR CORRESPONDENCE
TO BE SENT: _____

UNIT OWNER E-MAIL ADDRESS: _____

UNIT OWNER E-MAIL ADDRESS: _____

VEHICLES: (Please Include a Copy of Vehicle Registration)

MAKE & MODEL _____ LICENSE PLATE NO. _____ STATE _____

MAKE & MODEL _____ LICENSE PLATE NO. _____ STATE _____

OTHERS WHO WILL OCCUPY HOME

NAME: _____ RELATIONSHIP _____

DATE OF BIRTH: ____/____/____ PHONE # _____

NAME: _____ RELATIONSHIP _____

DATE OF BIRTH: ____/____/____ PHONE # _____

NAME: _____ RELATIONSHIP _____

DATE OF BIRTH: ____/____/____ PHONE # _____

RECEIVED TARPON POINT HOMEOWNER'S HANDBOOK YES _____ NO _____ VERSION _____

Return all documents to: TARPON POINT PROPERTY OWNERS ASSOCIATION (TPPOA)
5902 Silver King Boulevard
Cape Coral, FL 33914
239-471-0264 Phone 239-471-2925 Fax

HOMEOWNER SIGNATURE _____ Date: _____

SECTION 2.1 TARPON POINT PROPERTY OWNERS' ASSOCIATION

PET REGISTRATION FORM

Date: _____

Resident's Name: _____

Address: _____

Home phone # _____ Work Phone # _____ Cell Phone # _____

E-mail Address _____

Type of Pet: _____ Age: _____

Breed: _____

Approximate Weight: _____ Color: _____

Pet Name: _____

Veterinarian's Name: _____

Phone #: _____

County License (Tag) # _____

A picture **MUST** be included with this Pet Registration / Approval.

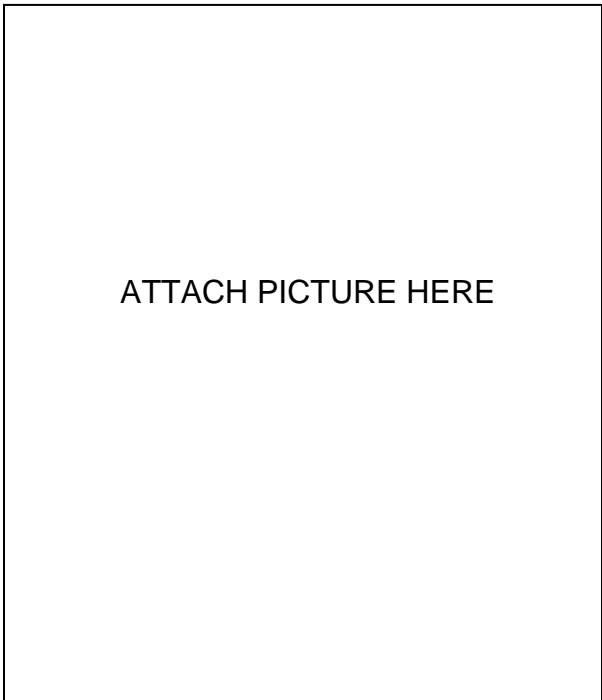
I further understand that I am fully responsible for the actions of my pet and have read the Rules and Regulations regarding the control of my pet.

Name of Owner (print)

Signature of Owner

Date

***THE MAIN INTENTION OF THIS FORM, IS TO HELP TO IDENTIFY OUR FURRY FRIENDS IN THE COMMUNITY, AND TO HELP THEM GET HOME TO THEIR RIGHTFUL OWNERS IF SEPARATED FOR ANY REASON! ***



SECTION 2.2 **TARPON POINT PROPERTY OWNERS' ASSOCIATION**

CITY OF CAPE CORAL ANIMAL ORDINANCES

All persons having a dog in their possession while on Tarpon Point Marina Property, shall be governed by the following City of Cape Coral Animal Ordinances:

4/09 – Nuisance Animals – It shall be unlawful for any owner or owner's agent to fail to care for or control owned animals that become a nuisance. The owner of every animal shall be responsible for the removal of any excreta deposited by the animal on public walks, recreation areas, private property, or any other place where such excreta deposits may create a nuisance injurious to the public health.

4/13 – Prohibiting Animals from Running at large – It shall be unlawful for any person owning or having possession, charge, custody or control of any animal, to permit the animal to stray, run, go or roam at large in or upon any public street, sidewalk, school grounds, in the area of school vehicles, beaches, parks or on the private property of others without the consent of the owner of such property.

4/14 – Threatening or Menacing Behavior – It shall be unlawful for the owner or agent of any animal to allow that animal to act in a threatening or menacing manner toward any person not on the property of said owner or agent.

4/20 – License requirements for dogs, cats and ferrets – Any person who owns, keeps, possesses, provides for or harbors within Cape Coral, any dog, cat or ferret four months of age or older, must have such animal licensed.

4/21 – Animal identification requirements for dogs, cats and ferrets – All dogs, cats and ferrets must have some form of identification indicating the owner's name and current telephone number at all times. Examples of identification meeting the requirements of this section are: **(1)** Any commercially available tag imprinted with the appropriate information attached to the collar or harness of the pet. **(2)** A current valid county license/rabies tag attached to the collar or harness of the pet. **(3)** An implanted microchip identification device registered to the owner of the animal with a current name, address and telephone number.

SECTION 3.1 TARPON POINT PROPERTY OWNERS' ASSOCIATION

FITNESS CENTER RULES AND REGULATIONS

The safety and enjoyment of the members of the Community and the protection of the community's investment are the primary concern in the operation of the Fitness Center. Please remember any damage to the equipment could affect the Association's dues.

Reminder: If we show Courtesy and Consideration for others in the use of the fitness center a minimum of guidelines will be needed.

- Wrist bands for property owner's and their guests, and room key for Westin Hotel guests, are required in the Fitness Center.
- HOURS are 5:00 AM - 10:00 PM Sunday thru Saturday
- Do not use items of clothing or footwear that could damage the exercise equipment
- Proper attire is required which include shirts and sneakers. Please **No** bare feet or flip flops
- Children under the age of Sixteen (16) must be accompanied by an Adult
- Only closed Liquid Containers are to be used in the Fitness Center
- For sanitary reasons *please* wipe down Equipment after each use
- Please be courteous of others and limit your time to **30** minutes per each piece of equipment
- No *PETS* are allowed in the Fitness Center
- No *WET* bathing attire in Fitness Center
- Please clean up after yourself
- **NO ATTENDANT IS ON DUTY!** You are responsible for your own safety.
- In case of an emergency, call 911.
- Management is not responsible for your personal effects,
- Lockers are available but numbers are limited. Members may make use of them while using the fitness room but must remove any lock and contents when leaving. Locks left on will be removed along with the contents.

As at courtesy to all members of the your Association we have limited guest numbers as follows: You may have no more than 2 guests may using the fitness center facilities concurrently.

SECTION 3.2 **TARPON POINT PROPERTY OWNERS' ASSOCIATION**

POOL / SPA / DECK AREA RULES AND REGULATIONS

The safety and enjoyment of the members of the Association and the protection of the Association investment are the primary concern in the operation of the Pool Area. Please remember any damage to the furniture and equipment could affect the Association's dues.

Reminder: If we show Courtesy and Consideration for others in the use of the Pool Area a minimum of guidelines will be needed.

The Pool/Spa/Deck hours are DAWN to DUSK

- **NO FOOD OR DRINK ARE ALLOWED IN THE POOL as well as 3 feet within the perimeter of the pool edge. (Ref. Chapter 64-E9 of the Florida Administrative Code).**
- **A WARNING WILL BE ISSUED TO VIOLATORS OR THE RULES AND REGULATIONS AT THE POOL- IF THEY DO NOT COMPLY, THEY WILL BE ASKED TO LEAVE THE POOL AREA-NO EXCEPTIONS.**
- **ALL PERSONS MUST EXIT THE POOLS WHEN LIGHTENING AND/OR THUNDER IS OBSERVED.**
- **WARNING – NO LIFEGUARD ON DUTY.**
- **WRIST BANDS MUST BE WORN OR IN PLAIN SIGHT WHEN IN THE POOL AREA**
Guests must be accompanied by owner or lessee. Unaccompanied guests will be asked to leave. Non-compliance could result in the loss of recreational privileges.
- **As at courtesy to all members of the your Association we have limited guest numbers as follows: No Homeowner/Leasee may have more than 10 people including the homeowners/Leasee at the pool at one time. (Management may have to restrict this number due to Health and Fire Code restrictions)**
- **Westin Hotel Guests are required to have their room card with them for Identification.**
- **Night Bathing is not allowed as per: (*Chapter 64-E9 of the Florida Administrative Code and County Ordinance*)**
- **Use of the Pool/Spa during cleaning and servicing is not allowed.**
- **Children Twelve (12) and under must always be accompanied by an adult.**
- **Children are not allowed in the Saunas at any time.**
- **Glass and breakable items can be a health and safety hazard and cannot be used in the Pool Area.**

- Pets are prohibited in the Pool Deck Area and Pool.
- For health and sanitary reasons and to keep suntan lotion and body oils from getting on the furniture, please cover chairs and lounges with towels.
- *No Smoking allowed at any time within the fence area. There are designated smoking areas outside pool fence area.*
- Please use the shower in the deck area to wash off suntan lotion/oil before entering pool. Oils will "Gum" the tiles and dilute the Chemicals.
- Hair that is longer than shoulder length should be braided or confined in a Ponytail or Bun. Loose hair cannot be backwashed from the filter and reduces its efficiency.
- Swim Diapers are required for all children still in diapers.
- The Spa is not a children's Pool. Children under Twelve (12) can not use the Spa.
- No Diving.
- No colored chalk in the Pool area or any other place.
- Proper Swimming attire is required.
- Running, rough play and excessive splashing in or out of the pool is dangerous and is not allowed.
- **Upon leaving, please fold down umbrellas and return any chairs or lounges that were moved during your stay.**
- No skateboards, bicycles, scooters or roller blades or any reasonable facsimile are allowed in the recreational areas.
- No Frisbees, footballs, beach balls or reasonable facsimile will be allowed.
- *Smoking is not allowed in the pool fenced area and only in designated areas.*
- If you find any problems or issues, you may notify Community Operations at 239-945-3928.
- Keys for access to the tennis courts are \$20 and can be purchased Monday through Friday at the management office located at 5902 Silver King Blvd.
- **NO ONE, UNDER ANY CIRCUMSTANCES, SHOULD ENTER THE POOL EQUIPMENT AREA WITH THE EXCEPTION OF THE POOL MAINTENANCE PERSONNEL.**

SECTION 3.3 TARPON POINT PROPERTY OWNERS' ASSOCIATION

SOCIAL PAVILION RENTAL FORM

5902 Silver King Blvd.
Cape Coral, FL 33914
(239) 471-0264

Owner/Lessee:: _____

Address: _____

Telephone: _____ email: _____

Date of Event: _____

Time From: _____ To: _____

Number in Party: (limit 75 people) _____

Members of the TPPOA may reserve and use the Social Pavilion for their person events. Commercial use is not permitted. The reservation does not include the use of other facilities.

I _____ will be responsible for all activity, clean-up and damages done or charges incurred for such, in and around the pool and clubhouse area, for my guests during the scheduled time of use stated above. I, and my guests will be responsible for following all posted rules and regulations.

If damages have occurred, or the clean-up requirements have not been completed, then it will come out of my deposit, which the Association is holding. However, if the damages exceed the amount of the deposit, I _____ will be responsible for the remaining amount. If there are no issues, damages or problems, the Deposit will be returned to me.

Please make checks payable to: Tarpon Point Property Owner's Association, in the following amounts:

\$100.00 Rental Fee Non-Refundable (maximum allowed is 75)- _____ received date:

\$300.00 Security Deposit Refundable- _____ received date:

Signature: _____

Date: _____

.....

Inspected By: _____

Date: _____ Deposit Refund: \$ _____

SECTION 3.4 **TARPON POINT PROPERTY OWNERS' ASSOCIATION** **TARPON POINT SOCIAL PAVILION RENTAL AND USE GUIDELINES**

- Reservations are based on availability and must be made two weeks in advance.
- No more than 75 people may use the social pavilion and use of that area does not allow use of pool or other amenities.
- All Renters must make a reservation, fill out a rental agreement with the Property Manager and pay the Non-Refundable Rental Fee prior to the Event. A Refundable Security Deposit of \$300, will be collected (5) business days prior to the date of the Event.
- The Members may not use or promote the use of the Social Pavilion for personal profit, business, religious or political events of their own
- If decorations are to be used, please check with the Property Manager as to how they are allowed to be attached/installed.
- MUSIC: If a Band or DJ will be playing, they must set up inside of the Social Pavilion, keeping the volume at a minimum, and ending by **9:30 pm**.
- NOISE ORDINANCE: Your Event must end before **9:30 pm** (a small clean-up group, working quietly may stay another 30 minutes), and everyone must be gone by **10:00 pm**. NO EXCEPTIONS!!!

CLEAN-UP:

- Renter must supply their own cleaning supplies/equipment.
- Supplied trash receptacles must be used, and all trash should be double bagged, and removed to the dumpster at Event's end. Any spills, etc., must be wiped/mopped up and left clean and not sticky.
- Sinks, counters, tables, etc. must be cleaned and all floor area should be swept/vacuumed (*Renter must bring their own vacuum cleaner) and totally free of debris/crumbs.
- Furniture should be put back in order according to the floor plan supplied to you.
- When leaving, please remember to turn off lights, ceiling fans, etc. All decorations, balloons, tape, string, etc. must be completely removed and disposed of.
- A post walk thru will be conducted at 9:00 a.m., the morning following the Event. At this time, if any of the above items are seen to be incomplete, the Renter will have until 10:00am to attend to those issues.

All questions can be directed to Lauren Snyder, Property Manager, at (239) 471-0264, ext. 200 lsnyder@tarponpoint.com. After hours, the Community Operations Office can be contacted, if needed, at (239) 945-3928.

FEES: A non-refundable fee of \$100 is to be paid to the Association. (The Property Manager reserves the right to increase the amount of the non-refundable fee from time to time, based on the size of the event.) A refundable deposit, in the amount of \$300, will be held in reserve to ensure proper clean-up and use of the facility.) ALL fees and deposits ARE subject to change.

SECTION 3.5 **TARPON POINT PROPERTY OWNERS' ASSOCIATION**

AMPHITHEATER RULES AND REGULATIONS

1. **The Amphitheater is ONLY available for community wide use, not personal use is allowed. No rentals are allowed.** The Members may not use or promote the use of the Amphitheater for personal profit, business, religious or political events of their own
2. All proposed events and dates for community use will have to be submitted to the Property Manager for consideration; To submit a proposal for an event and schedule a review meeting, please phone the Property Manager at 239-471-0264 ext. 200.
3. The Developer reserves the right to use this facility as needed from time to time. This could include special events, concerts and/or parties, which may be public, members only or private. Changes in hours of operation or certain rules and regulations may be necessary from time to time.
4. **No events shall be held on the major Holidays without permission from the Board of Directors. The Board feels that most major Holidays should be quiet and respectful of the Residents. Special permission may be granted for public/patriotic Holidays, such as: Memorial Day, Fourth of July and Labor Day, with the events being all inclusive.**

SECTION 3.6 **TARPON POINT PROPERTY OWNERS' ASSOCIATION**

FISHING GUIDELINES

There is **NO FISHING** at any of the **LAKES** on the property known as Tarpon Point. This includes the areas known as Tarpon Gardens, Tarpon Lakes, Tarpon Landings and Tarpon Estates.

Any Resident, Tenant, Marina Tenant or Westin Hotel Guest that **DOES** wish to fish, may do so **ONLY** on the **LAST PIER** at **"F" DOCK**, and no license is required.

Any Resident, Tenant, Marina Tenant or Hotel Guest that wishes to fish along the **SEA WALL**, **MUST** have a Florida Saltwater Fishing License.

SECTION 4.0 **TARPON POINT PROPERTY OWNERS' ASSOCIATION** **HOMEOWNER DUES AND NON-PAYMENT LATE CHARGES**

A non-payment action could/would result in a lien placed on the property all the way to the foreclosure process.

Any homeowner who is delinquent is urged to treat the matter seriously and to make arrangements for immediate payment to prevent any legal action.

See page 2, 3 and 4 of this section, which is an insert from The "Declaration of Covenants, Conditions and Restrictions for Tarpon Point" Lee County - INSTR #5773877 Official Records BK 03893 PG 3884 - Page 10, 11 and 12 Sections 4., 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9 and 4.10.

Scooters, Cyclists and Tips for Pedestrians

Tarpon Point Property Owners Association

TPPOA: Onsite Property Management Office:

The office is located at 5902 Silver King Blvd. Cape Coral, FL 33914
(At the pool and social area)

Tarpon Point Manager: Lauren Snyder- CAM- Real Estate Broker

Email: lsnyder@tarponpoint.com

Phone: 239- 471-0264 extension 200.

Estoppel requests:

Board of Directors:

President:	Art Ober	arts33904@hotmail.com
Vice President:	Scott Freeman	sfreeman@pville.com
Treasure:	Mike Meurer	mmeurer@millionair.com
Secretary:	Lauren Snyder	lsnyder@tarponpoint.com
Director:	Ed Puisis	ejpuisis@gmail.com

Head of Community Operations: Joe Zagame

jzagame@tarponpoint.com- 239-945-3928

SECTION 5.0 **TARPON POINT PROPERTY OWNERS' ASSOCIATION**

TENANT RENTAL PROCEDURES INCLUDING FORMS

Each Neighborhood Association's Documents provide for rentals within the following framework:

- A minimum of one-month rental.
- Approval is required from the Neighborhood Association.
- Landlord and tenants are required to complete and sign application forms plus a form of addendum acknowledging certain conditions and accepting that the lease arrangement is subject to the Neighborhood Association's Documents and subject to enforcement pursuant to the TPPOA Master Association's Covenants and Rules & Regulations..

See form 3.1 Application for Lease (two pages), form 3.2 Addendum to Application to Lease and Incorporation of Homeowner Document Conditions and Restrictions Into Lease Agreement (3 pages) the addendum, with particular attention to the form of addendum as it specifically states use and non-permitted uses. If clarification is required, seek assistance from TPPOA Property Management.

Tenants are obligated through their landlord's Association Documents to abide by the Rules and Regulations of the Tarpon Point Master Association's Covenants and Rules & Regulations. Tenants are subject to censure and the violation process. Provisions indicated on page 2 of form 3.1 indicates that, in the event owners do not remit homeowners dues, tenants will be required to remit rent to the Association until such deficit is satisfied.

Renters must be approved through each individual Neighborhood Association, wherever the residence is located. **Tarpon Point Property Owner's Association requires a copy of the lease be turned into the Property Manager's Office.**

Please refer to:

**The "Declaration of Covenants, Conditions and Restrictions for Tarpon Point"
Lee County - INSTR #5773877 - Official Records BK 03893 PG 3899 – Page 15**

6. PROPERTY RIGHTS: EASEMENTS

(All sub-sections listed in your "Declaration of Covenants, Conditions and Restrictions for Tarpon Point", under this section shall be applicable.)

1. **Leasing of Units:** In order to foster a stable residential community and prevent a motel-like atmosphere, the leasing of Units by Owners shall be restricted as provided in this Section. A Unit Owner may lease only his entire unit, and then only in accordance with this Section, after receiving the approval of the Association. The lessee must be a natural person.

2. **Procedures:**

- (A) **Regulation by Association:** All of the provisions of the Tarpon Point Declaration and Covenants Association Documents and the Rules and Regulations of the Association shall be applicable and enforceable against any person occupying a Unit as a lessee or guest to the same extent as against the Owner. A covenant on the part of each occupant to abide by the rules and regulations of the Association, Master Declaration, Bylaws, and Rules and Regulations.
- (B) **Recreational Privileges:** Upon leasing of a unit, owner surrenders privileges to recreation facilities to lease. Under no circumstances shall use of the Master Amenity Center, pool area and social pavilion be allowed once the unit is rented.

See page 3 of this section, which is an insert from The “Declaration of Covenants, Conditions and Restrictions for Tarpon Point” Lee County - INSTR #5773877 Official Records BK 03893 PG 3911 Page 27, Sections 12., 12.1, 12.2 and 12.3

Tarpon Point Tenant Rental Procedures Including Forms

SECTION 5.1 TARPON POINT PROPERTY OWNERS' ASSOCIATION

INFORMATION SHEET FOR HOMEOWNERS LEASING THEIR TPPOA RESIDENCE

CONDO ASSOCIATION NAME: _____

DATE OF APPLICATION: _____

LEASE PROVIDED: YES / NO (CIRCLE ONE)

TERM OF LEASE: From: _____ to: _____

PROPERTY ADDRESS OF RENTAL: _____
Cape Coral, FL 33914

UNIT OWNER(S) NAME: _____

HOMEOWNER/AGENTS PHONE# _____
Agent's Name Agent's Phone Number

LESSEE NAME: _____

PRESENT ADDRESS: _____

E-MAIL ADDRESS: _____

LENGTH OF TIME RESIDING: _____

NAME: _____ PHONE # _____

NAME: _____ PHONE # _____

VEHICLES: (Please Include a Copy of Vehicle Registration)

MAKE & MODEL _____ LICENSE PLATE NO. _____ STATE _____

MAKE & MODEL _____ LICENSE PLATE NO. _____ STATE _____

OTHERS WHO WILL OCCUPY HOME:

(IF OTHER OCCUPANT IS OVER 18 YEARS OF AGE, DRIVER'S LICENSE, SOCIAL SECURITY IS NEEDED AND AN ADDITIONAL \$50.00 FEE WILL BE NEEDED AT TIME OF APPLICATION)

NAME: _____ RELATIONSHIP _____

DATE OF BIRTH: ____/____/____ SS# _____ - _____ - _____ PHONE # _____

NAME: _____ RELATIONSHIP _____

DATE OF BIRTH: ____/____/____ SS# _____ - _____ - _____ PHONE # _____

NAME: _____ RELATIONSHIP _____

DATE OF BIRTH: ____/____/____ SS# _____ - _____ - _____ PHONE # _____

The undersigned certifies, by signature(s), that the Covenants, Conditions & Restrictions of the Tarpon Point Community Association Inc. have been issued and read in their entirety by the lessee and understood before entering into any agreement for the rental of the above RESIDENCE and before the execution of this application form.

In addition, the undersigned certifies by signature(s) that the home ...

SHALL BE FOR SINGLE FAMILY USE ONLY, NO COMMERCIAL OCCUPANCY OR ACTIVITY MAY BE CARRIED ON IN TARPON POINT. A "FAMILY" IS DEFINED TO MEAN "ANY NUMBER OF PERSONS RELATED BY BLOOD, MARRIAGE OR ADOPTION OR NOT MORE THAN TWO (2) UNRELATED PERSONS LIVING AS A "SINGLE HOUSEKEEPING UNIT." NO PORTION OF THE HOME MAY BE RENTED AND THE LEASE OR SALE OF ANY HOME ON A TIMESHARE-BASIS IS PROHIBITED.

ALL LEASES SHALL PROVIDE THAT THE ASSOCIATION HAVE THE RIGHT TO TERMINATE THE LEASE UPON DEFAULT BY THE TENANT IN OBSERVING ANY OF THE PROVISIONS OF THE DECLARATIONS, ARTICLES, BY-LAWS, USE RESTRICTIONS, OR ANY OF THE OTHER AGREEMENT DOCUMENT OR INSTRUMENTS GOVERNING THE LOTS. IN THE EVENT THAT THE HOMEOWNER IS DELIQUENT IN THE PAYMENT OF HIS OR HER ASSESSMENTS, THE ASSOCIATION HAS THE RIGHT TO REQUIRE SUCH OWNER'S TENANT, BY WRITTEN NOTICE TO SUCH TENANT, TO PAY DIRECTLY TO THE ASSOCIATION THE RENTAL FEES DUE FOR SUCH RESIDENCE. THE ASSOCIATION SHALL THEN DEDUCT THE DELIQUENT ASSESSMENTS FOR THE RESIDENCE FROM THE RENT AND FORWARD THE BALANCE OF THE RENT TO THE OWNER. THE OWNER HEREBY APPOINTS THE ASSOCIATION AS ITS AGENT FOR SUCH PURPOSES.

APPLICANT'S SIGNATURE _____ Date: _____

APPLICANT'S SIGNATURE _____ Date: _____

HOME OWNER/AGENT SIGNATURE _____ Date: _____

Return all documents to: **TARPON POINT PROPERTY OWNERS ASSOCIATION,**
5902 Silver King Boulevard
Cape Coral, FL 33914
239-471-0264 Phone 239-471-2925 Fax

ASSOCIATION LEASE APPROVAL: _____ Date: _____
YES NO

ASSOCIATION NAME:
TARPON LAKE HOMES _____ REPRESENTATIVE TITLE
TARPON PARK HOMES _____ REPRESENTATIVE TITLE
TARPON LANDINGS _____ REPRESENTATIVE TITLE
TARPON ESTATES _____ REPRESENTATIVE TITLE

SECTION 5.2 TARPON POINT PROPERTY OWNERS' ASSOCIATION

ADDENDUM TO APPLICATION TO LEASE AND INCORPORATION OF HOMEOWNER DOCUMENT CONDITIONS AND RESTRICTIONS INTO LEASE AGREEMENT

By executing this document Lessor and Tenant (the parties) as indicated below acknowledge that they have read and fully understand the conditions as indicated below and that such restrictions form an integral part of the lease arrangement/agreement between the parties and shall be enforceable pursuant to any lease agreement between the parties. Any non-compliance therewith shall constitute a breach of the homeowner documents and shall be sufficient and good cause for notice and other remedies pursuant to Florida Statute # 83 (The Landlord and Tenant Act) including the provisions for notice rectification of default/breach and eviction.

These pages summarize some, but not all, of the Rules and Regulations, which are in place at Tarpon Point Condominium Association. Renters should review all Tarpon Point Community Documents.

1. The Property is to be used for single-family residential living and for no other purpose. **No trade, business, profession or other type of commercial activity may be conducted on any part thereof.**
2. **Children shall be closely supervised at all times** by an adult to ensure that they do not become a source of annoyance to other residents of Tarpon Point. Children under the age of 12 are not permitted in Common Areas unless accompanied by an adult. This would include the pool areas, gym, clubhouse, etc. The Board of Directors shall always have the authority to reasonably require that the Unit Owner, lessee, guest or other adult who is responsible for a particular child remove him or her from any Common Area or Condominium Common Area if the child's conduct is such that the Board believes this action is necessary.
3. Pets must be registered and approved by the Board of Directors and according to Association Documents. Pet owners **MUST** pick-up after their pets. Information pertaining to Pet, is included.
4. **All Common Areas outside any buildings shall be used for their intended purposes**, and no articles belonging to Unit Owners, or their lessee(s) shall be kept therein or thereon, and such areas shall at all times be kept free of obstruction.
5. Drying/hanging area for laundry of any kind is prohibited in common areas or on individual unit owner lots.
6. Garbage cans and recycle bins must be stored after trash and recyclables have been removed.
7. **No aerial, antenna, antenna poles, antenna masts, citizen band or amateur band antennas or satellite dish shall be placed or erected upon any Unit or Condominium Common Areas** or affixed in any manner to the exterior of any building in the Property without the written consent of the Board of Directors.
8. **No tents, trailers, shacks, tanks or temporary or accessory buildings or structures shall be erected** or permitted to remain on any Unit or the Common Areas or Condominium Common Areas without the written consent of the Board of Directors.
9. Applicant initials: _____ Date: _____ Applicant initials: _____
Date: _____

Tarpon Point Rental Application Addendum
Page 2

1. **The following are NOT PERMITTED to be parked outside of garages**
 - a) Vans with less than four passenger seating.
 - b) Commercial vehicles.
 - c) Vehicles with signage other than law enforcement and public emergency vehicles.
 - d) Trailers
 - e) Recreational vehicles.
 - f) Vehicles with tires over 33" high or deflated tires.
 - g) Vehicles not in operable condition or considered to be a nuisance.
 - h) Boats.

2/7/2023

12. **No vehicle may be parked at the side of the streets overnight.** Exceptions may be granted by the Board of Directors and will be executed through the Management Company.
13. Maintenance and repair of vehicles, boats and trailers is prohibited in Common Areas and Condominium Common Areas.
14. **Garage doors must remain closed except upon entering or exiting the garage.**
15. No changes, additions or modifications are permitted without prior approval from the Architectural Review Board and Board of Directors. This includes, but is not limited to, affixing or hanging of name/address signs, decorations, and landscape items etc on the exterior/outside of any buildings.
16. **No sign of any kind shall be displayed to public view on any unit,** except the approved signs by the Association.
17. Nothing shall be done to or maintained on any unit which may be or become unsightly or a nuisance to residents in TARPON POINT. In the event of a dispute or question as to what may be or become unsightly or a nuisance, such dispute or question shall be submitted in writing to the Board whose decision shall be final.
18. **Leasing or renting of the Unit by the Unit Owners shall be as permitted and subject to the provisions set forth in the Tarpon Point Master Covenant Documents** and subsequent changes/additions. No Unit may be leased for a period of less than thirty (30) days. No subleasing or assignment of lease rights is allowed unless the sub lessee or subtenants are approved pursuant to the provisions of this section. No individual rooms may be rented, and no transient tenants may be accommodated. The Association reserves the right to have lease payments made directly to the Association if a unit owner becomes more than 30 days delinquent in payment of fees or assessments. A unit owner whose unit is leased may not use the recreation or parking facilities of Tarpon Point Community during the lease term.
19. Any damages to the Common Area (Social Room, Fitness Center, Pool Area etc.) will become the sole responsibility of the homeowner. All accessed damages will become part of the Condominium assessment. Failure to pay these charges will result in a lien placed on the residence.
20. In any dispute between this document and the Condominium Documents, the Condominium Documents shall prevail and take precedence.
21. Guests staying with the owner or within the unit by permission of owner must abide by all the Rules & Regulations. Guests are not allowed under any circumstances to invite others to use these facilities. Guests are expected to be always accompanied by the unit owner or lessee while using the recreational facilities.

Applicant initials: _____ Date: _____ Applicant initials: _____ Date: _____

Tarpon Point Rental Application Addendum
Page 3

22. The Association may elect, appoint and or contract with certain persons or organizations to conduct business or services on behalf of the community. This includes elected Board members, their appointees, community based full or part time employees of Tarpon Point, as well as contracted vendor groups and their assigned employees (i.e., property managers, protective service officers, etc).

At no time shall an owner, tenant, or a guest (visitor) of an owner or tenant, harass, assault, batter, or otherwise interfere with the duties and operations said groups or persons. Violations of this covenant may result in censure, restricted use of amenities, Board levied fines, or tenant eviction, as well as civil or criminal penalties pursuant to Florida state statutes as they may apply.

These pages (when read and initialed) must be returned to the Association as part of the completed Rental Application package. **It is suggested that you keep a copy of these pages for reference.**

DATE OF APPLICATION: _____

TERM OF LEASE: From: _____ To: _____

PROPERTY ADDRESS OF RENTAL: _____
Cape Coral, FL 33914

UNIT OWNER(S) NAME: _____

HOMEOWNER/AGENTS PHONE# _____
Agent's Name _____ Agent's Phone Number _____
Agent's E-Mail Address _____

APPLICANT'S SIGNATURE _____ Date: _____

APPLICANT'S SIGNATURE _____ Date: _____

HOME OWNER/AGENT SIGNATURE _____ Date: _____

HOME OWNER/AGENT SIGNATURE _____ Date: _____

*****PLEASE NOTE THIS IS A LEGAL DOCUMENT AND CARRIES EXTENSIVE POTENTIAL LEGAL LIABILITY*****

SECTION 6.0 TARPON POINT COMMUNITY ASSOCIATIONS

ACCESS TO THE COMMUNITY

The Gatehouse is staffed 24 hours a day 7 days a week, phone number is 239-945-3928

TRANSPONDER PURCHASES AND RULES

Requests for the purchase of gate transponders (at a fee of \$20.00 each) are available only to vehicles with a Tarpon Point address. A copy of the vehicle registration is required to purchase transponders. The copy must be provided to the management company and the guard on duty when purchasing the transponder. All transponders are required to be affixed to the vehicle.

The only exception to this rule applies to owners who reside as seasonal residents and have chosen not to register the vehicle to their Florida address. They must submit a copy of the vehicle registration that matches their other residence on file with the Association and **MUST** have the transponder affixed to the vehicle.

There will be no "FLOATING" transponders (not affixed to a vehicle) allowed. If your transponder is not affixed to your vehicle, the transponder will be deactivated until it is installed. If you purchase a new vehicle, the process is the same as stated. **Transponders will be placed on the vehicle by the guard.** The location is on the driver's side of windshield 2" over and 2" down from top of windshield or it can be placed under the rear-view mirror. If you have a metallic windshield, please contact the Gatehouse, 239-945-3928.

If your unit is leased, transponders must be purchased by the approved tenants. Each new tenant must purchase their own transponder. If the lease is not renewed, the transponder will be deactivated. Please note, while your unit is leased, your transponder is deactivated until the time the lease expires and your unit is empty. Please call KW Property Management to be sure your transponders are reactivated.

Applications for a transponder will be available through the guardhouse.

Residents with transponders use the right lane to gain access to the Condominium.

Transponders cost \$20.00 and the price is subject to change should the cost increases.

Management and the Board of Directors reserve the right to limit the quantity of transponders to Unit Owners and Tenants based on occupancy and Association Guidelines.

SECTION 6.1 TARPON POINT PROPERTY OWNERS' ASSOCIATION

GATE ACCESS FORM FOR GUESTS

DATE OF APPLICATION: _____

OWNER SIGNATURE; _____
NAME

GUEST SIGNATURE;

NAME

TERM OF OCCUPANCY:

From: _____ To: _____

PROPERTY ADDRESS:

Cape Coral, FL 33914

SECTION 7.0 TARPON POINT PROPERTY OWNERS' ASSOCIATION

ENFORCEMENT OF COVENANTS AND ABATEMENTS OF VIOLATIONS

See page 2 of this section, which is an insert from the "Declaration of Covenants, Conditions and Restrictions for Tarpon Point" Lee County - INSTR #5773877 Official Records BK 03893 PG 3910 Page 26, Sections 11., 11.1, 11.2, 11.3 and 12.4

SECTION 8.0 TARPON POINT PROPERTY OWNERS ASSOCIATION

IMPORTANT PHONE NUMBERS

- TPPOA Onsite 5902 Silver King Blvd.
- Management Offices: (239) 471-0264 ext. 200
 - Tarpon Point General Manager, CAM Lauren Snyder- lsnyder@tarponpoint.com
 - [Resort Property Management-](#)
 - [All accounting AP/AR/ Estoppel Requests- 239-649-5526](#)
 - [Rhonda Prosser handles estopple request](#)
 - [Patricia Z](#)
- Tarpon Point Board of Directors
 - Art Ober- President (239)-699-3373- arts33904@hotmail.com
 - Scott Freeman – Vice President (913) 951-5630 sf-pvi@swbell.net
 - Mike Meurer – Treasurer (913) 951-5600 mmeurer@millionair.com
 - Lauren Snyder – Secretary-(239) 471-0264 ext.201 lsnyder@tarponpoint.com
 - Ed PUISIS- Home-owner Director-ejpuiis@gmail.com
- Community Operations: (239) 945-3928
 - Head of Community Operations, Joseph Zagame: jzagame@tarponpoint.com
- Lake Homes and Park Homes Resort Management- Randall Hartline 239-649-5526 rhartline@resortgroup.com
- Tarpon Landings – Chris Hearn Manager-chea@resortgroupinc.com
- Resort Management: - 239-541-8710 tarponlandings@resortgroup.com
- Tarpon Estates – Property Management Company, Myers Brettholtz, Account Manager Kevin Mutz- 239-690-4242 kevin.mutz@mbcopa.com
- Tarpon Point Marina – Eric Wells - General Manager (239) 549-4900
- Tarpon Point Marina- Harbor Master, Rick Munson (239) 549-4900
- Westin Resort Cape Coral at Marina Village-(239) 541-5000
- Barry Kadal General Manager Westin Cape Coral