

**Bay Harbor Club of Bonita Beach
Condominium Association, Inc.**
c/o Suitor Middleton Cox & Associates
15751 San Carlos Blvd., Suite 8
Ft. Myers, Florida 33908
Office: (239) 437-0340 / Fax: (239) 437-9378

Note concerning the following Bay Harbor Club Condominium Association form:

**Wet Slip User Agreement
Assignment of Allocation of Dock Privilege-Slip Transfer**

This form is required to transfer the boat slip from seller to buyer.

The sales price of the boat slip is considered to have been included in the gross sales price of a condominium unit.

The implicit value of \$25,000 is an "agreed upon amount," as negotiated with the Florida Department of Environmental Protection.

In the event of a slip transfer exclusive of the sale of a condominium unit, the value shall be as stated in the **Assignment of Allocation of Dock Privilege**.

A fee of 8% of the value, payable to **Bay Harbor Club of Bonita Beach Condominium Association**, will be distributed as follows:

6% will be placed in the boat dock account for future payment to the DEP for submerged land lease fees.

2% will be placed in the boat dock fund to help defray the expense of Bay Harbor Club management of DEP lease fees.

Bay Harbor Club will provide a copy of the 1) DEP Consent Order, 2) Corrective Actions, and 3) Submerged Land Lease Survey after the closing.

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**Wet Slip User Agreement
Assignment of Allocation of Dock Privilege**

This assignment is executed with the following understandings:

- This Wet Slip Assignment is subject to Sovereignty Submerged Land Lease NO 360022545.
- I will pay Bay Harbor Club of Bonita Beach Condominium Association, Inc. (hereafter Bay Harbor Club) an amount equal to 8% of the gross income derived from this agreement with the understanding that Bay Harbor Club will report the sale to the Florida Department of Environmental Protection (hereafter DEP) and use 6% of the gross income derived to pay the DEP lease fees and retain 2% of the gross income derived to cover Bay Harbor Club legal and administrative fees.
- In the event the wet slip is sold it is understood that all subsequent sales of the wet slip are subject to the above paragraph.
- I acknowledge that the wet slip extends 30 feet from the face of the seawall and that no part of any vessel moored in the slip may extend beyond 30 feet from the seawall, this includes any extensions of the vessel including, but not limited to, bow pulpits, dive platforms, nets, trawl doors, outboard motors, outdrives, and dinghies.

Comes Now, _____

the owner(s) of Dock Space Number _____, Bay Harbor Club of Bonita Beach Condominium, Inc.

Declaration thereof being recorded in O.R. Book 1696, Pages 227 through 322, inclusive, Public

Records of Lee County, Florida, and hereby assign their/his/her right, title and interest in Dock Space

Number _____ to:

owner(s) of Unit _____, Building _____, Bay Harbor Club of Bonita Beach Condominium Inc.,

subject to the provisions of the Condominium Declaration previously stated, for a gross sales price of

_____.

THIS INSTRUMENT MAY NOT BE RECORDED.

IN WITNESS WHEREOF,

_____ has/have executed this Assignment this _____ day of _____, 20____.

Signature

Signature

Witness

Witness

Date

Date

Attachment – Bay Harbor Club of Bonita Beach Submerged Land Lease Survey dated 02-27-2007.

CONSENT TO ASSIGNMENT

The above assignment is hereby approved by Bay Harbor Club of Bonita Beach Condominium Association, Inc. this:

_____ day of _____, 20____.

**BAY HARBOR CLUB OF BONITA BEACH
CONDOMINIUM ASSOCIATION, INC.**

By: _____

Title: _____

**Bay Harbor Club of Bonita Beach
Condominium Association, Inc.**

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Acknowledgement of Wet Slip (Boat Slip) User Agreement

I, _____
(Print Names)

have received, read, and will comply with the following documents addressed to Bay Harbor Club of Bonita Beach Condominium Association, Inc. from the Florida Department of Environmental Protection:

- Consent Order OGC 06-2233-36-SL dated August 8, 2007, and
- Attachment I – Corrective Actions OGC 06-2233-36-SL dated August 8, 2007.

In the event I let any person use my wet slip, I will insure they receive, read and comply with these two documents and sign a copy of the Bay Harbor Club of Bonita Beach Condominium Association, Inc. (herein after referred to as Bay Harbor Club) Wet Slip User Agreement and provide such to the Bay Harbor Club manager.

I will be responsible for any fines levied on my wet slip.

In the event I sell the right to use my wet slip, in accordance with Sovereignty Submerged Land Lease No. 36002245, I will pay Bay Harbor Club an amount equal to 8% of the gross sales price with the understanding that Bay Harbor Club will report the sale to the Florida Department of Environmental Protection and use 6% of the gross sales price to pay lease fees to the DEP and retain 2% of the gross sales price to cover Bay Harbor Club legal and administrative fees.

In the event the wet slip is sold, it is understood that all subsequent sales of the wet slip are subject to the above paragraph.

I acknowledge that the wet slip extends 30 feet from the face of the seawall and that no part of any vessel moored in the slip may extend beyond 30 feet from the seawall, this includes any extensions of the vessel including, but not limited to, bow pulpits, dive platforms, nets, trawl doors, outboard motors, outdrives, and dinghies.

Boat Slip No.: _____

Signed: _____

Date: _____