

BOAT DOCKS

GENERAL STATEMENT

The boat docks are common elements of Kaimala Marina as stated in the Declaration of Horizontal Property Regime of Kaimala Marina. There are twenty-one (21) boat docks which provide moorings for a maximum of thirty-nine (39) boats. Each dock is numbered 1 through 21 with the letter A & B on each side of the dock. Each boat will be assigned the entire space between two docks, thereby occupying both A & B positions until demand requires otherwise. Whenever possible, up to four slips will be kept vacant for communal use by residents who do not have a slip assignment.

The Board of Directors formulated the following requirements to obtain a mooring position in Kaimala Marina. You must be a registered resident of Kaimala Marina and your boat registered and licensed in the State of Hawaii and with the Hawaii Kai Marina Association. In the event that all slips are filled, a waiting list will be kept. When a slip is available, the assignments to the slip will be determined by the earliest registered date of the applicant on the waiting list. The Resident Manager makes dock assignments.

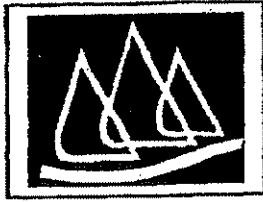
BOAT DOCK RULES:

1. Only one slip may be assigned to the occupants of each residential unit.
2. Only boats owned by Kaimala Marina residents may be docked in Kaimala Marina slips (except for bona fide guests with Hawaii Kai Marina visitor's passes who are limited to 24 hours in the slip). Residents must show proof of boat ownership.
3. The Boat Dock Chairperson may designate up to four (4) slips for the communal use of Kaimala Marina boat owners who do not have boat docks assigned. The use of these docks will be limited to short stay duration on a first come, first served basis. Owners having assigned slips will not use these docks.
4. No bumpers, fenders, cleats, etc., are to be fastened to the docks.
5. All boat dock assignments automatically terminate when any one of the following occurs:
 - a. Expiration of State Boat Registration Certification.
 - b. Any transfer of boat ownership.
 - c. Expiration of Hawaii Kai Boat Registration.
 - d. Any mooring assignment will become null and void if the assigned slip is vacant for a period of thirty days. Exceptions may be granted by the Boat Dock Chairperson or the Board of Directors for reasonable requests.

Assignments may be reinstated by providing Boat Dock Chairperson with written notification of current information within thirty (30) days after any of the foregoing. After thirty (30) days, application and Board of Directors approval are required.

6. Assignment of mooring space is renewable on or before March 1 annually. A vessel will be ordered removed for violation of the Boat Dock Regulations.
7. All boats are to be tied to dock securely to prevent drifting away or into other boats. Vessels improperly tied will be properly secured with any cost relating thereto charged to the apartment owner.
8. Living aboard the boats anchored in Kaimala Marina is prohibited.
9. Docks are to be kept free of all bait and equipment when not being used. No objects will be left on the dock that will obstruct free passage, including but not limited to extension cords.
10. Building of equipment boxes on the docks prohibited.
11. Boats with generators cannot run motors for purpose of charging batteries.
12. Access to the docks will only be by the four common area walkways and access gates.
13. Swimming and diving off boat docks and boats in the dock area is prohibited.
14. Fly and bait casting are not permitted in the boat and pier area due to danger of hooking boat tops and people in the area.
15. Cleaning of fish on the boat docks is prohibited.
16. Sinking boats are to be salvaged by owners on a timely basis at their own expense; otherwise the Association will remove each such boat at the boat owner's expense.
17. Boats are to be docked only in those slips or areas assigned to the boat owner by the Resident Manager.
18. All vessels at Kaimala Marina must be maintained in ship shape condition at all times. (Ship shape definition means the vessel in question is able to proceed safely to sea under its own power). The Board of Directors reserves the right to cancel mooring privileges for boats not maintained in ship shape condition.

19. Factors that govern the assignment of a mooring are as follows:
 - a. The suitability of a given mooring to satisfy the needs of the vessel to minimize the use of available mooring space (e.g., vessels such dinghies, inflatable boats, small sailboats that are normally stored on lanais or boat trailers, will not be assigned boat slips, but will have use of communal slips when they are in the water).
 - b. A mooring assignee desiring a change of location must make such request in writing to the Resident Manager. Such assignees name will then be placed on the "request for change" list and will be given preference for the slip assignments as a vacancy occurs. Consideration and subsequent assignment will be determined by the earliest registered date that request was submitted.
20. All boats and vessels must comply with the Hawaii-Kai Marina Association rules and regulations.
21. The House Rule provision pertaining to quiet time before 8 am and after 10 p.m. will apply to the dock area.
22. The boat docks are reserved for recreational use and the quiet enjoyment of residents. No commercial use is permitted. Commercial use includes but is not limited to the storage and docking of boats and vessels used for commercial purposes.
23. Major repairs to boats or vessels are prohibited. Major repairs include but are not limited to engine removal and structural alterations. Normal and routine maintenance is permitted. Any activity that creates a nuisance, interferes with the quiet enjoyment of the residential units, or has the potential to damage the docks or common area property is strictly prohibited.
24. Dock assignees are responsible for safely maintaining their assigned dock and it free of hazards and litter. Dock assignees are responsible for any to the docks resulting from their misuse of the facility.



KAIMALA MARINA AOAO

Application for Kaimala Marina Boat Dock

I, _____, resident of Kaimala Marina, Apt. # _____, hereby apply to the Board of Directors, Kaimala Marina Association of Apartment Owners, for a boat dock assignment.

MAKE OF BOAT _____ OVERALL LENGTH _____

BEAM _____

HAWAII STATE LICENSE # _____ EXPIRES _____

HAWAII KAI MARINA ASSOCIATION REGISTRATION # _____

REGISTERED OWNER(s) _____
(IN ADDITION TO APPLICANT)

I understand and agree that when a boat dock assignment is made, such assignment is valid only so long as the above boat is currently and legally licensed by the State of Hawaii and is currently and legally registered with the Hawaii Kai Marina Association. This assignment is also valid only so long as I am the registered owner of the boat and a resident of Kaimala marina.

I further understand and agree that the Board of Directors may make revoke this boat dock assignment if I do not keep the boat legally licensed with the State of Hawaii and legally registered with the Hawaii Kai Marina Association.

I further agree that the Board of Directors may revoke the boat dock assignment if I fail to observe, or if anyone authorized to use the boat does not observe, the Boat Dock Rules of Kaimala Marina.

Date Signature of Applicant

Telephone Numbers: (Home) _____ (Work) _____

FOR USE BY THE BOARD OF DIRECTORS ONLY

BOAT DOCK # _____ DATE ASSIGNED _____

DATE REQUEST DENIED _____

COMMENTS: _____

