



EXHIBIT "B"
TO CINDER CREEK PAVILION RENTAL AGREEMENT

RULES AND REGULATIONS
FOR THE
CINDER CREEK BOATHOUSE & PAVILION FACILITIES

WHEREAS, Kiawah Resort Associates, L.P. ("KRA ") is the owner of certain real property known generally as the Cinder Creek Boathouse Tract located on Blue Heron Pond Road, within The Preserve Subdivision, in the Town of Kiawah Island, Charleston County, South Carolina, (the "Property"), upon which Property KRA has constructed a Boathouse, Pavilion, and Dock/Boat Launching facility, herein collectively referred to as the "Facilities;" and

WHEREAS, KRA has leased the Property and Facilities to the Kiawah Island Community Association, Inc. ("KICA") as a "Restricted Common Property" for the use and enjoyment of Kiawah Island "Residents" (as such term is defined in the KICA Covenants), Type A Members of the KICA, and their guests; and

WHEREAS, in order to (i) provide for and promote the preservation and conservation of wetlands, wildlife, game and migratory birds, (ii) maintain, enhance and accentuate the value and tranquility of neighboring properties; (iii) protect the natural and scenic resources; and (iv) ensure the safe use and enjoyment of the Facilities by Type A Members of the KICA, KRA has established the following Rules and Regulations for the operation and maintenance of the Facilities, to-wit:

- a. The Property and Facilities shall be for the use of KICA Members in good standing, KRA, and their respective guests and invitees.
- b. No campers or other habitable motor vehicles of any kind, nor large commercial vehicles (except "pick-up" trucks, sports/utility, and/or other types of small to mid- sized personal recreational vehicles used to pull small boat trailers) shall be allowed on the Property without the prior, written consent of KICA, its successors and/or assigns.
- c. All persons using the Property and Facilities and his or her guest(s) shall be responsible for keeping the Property clean, tidy, and free of trash, rubbish, and debris. All trash, rubbish, garbage, or other waste shall be carried off the Property and properly disposed of in sanitary containers. Licensees of the Pavilion must clean the Pavilion (including the fireplace, if used), both before and after each usage.
- d. The Property and Facilities shall not be used for commercial functions or activities without the express, prior, written consent of KICA, its successors and/or assigns, excepting KICA sponsored events.
- e. No alterations or attachments shall be made to any building, dock, pier, landscaping, or other structure on the Property.
- f. Functions at the Pavilion shall be limited to no more than 75 persons. Further, no more than 75 persons shall be allowed to use the Facilities at anyone time without the prior written consent of KICA, its successors and assigns.
- g. No bands, musicians, or other forms of entertainment shall be allowed to perform at the Facilities without the prior, written approval of the KICA General Manager, which approval may be granted or withheld in the sole discretion of the KICA General Manager.

- h. Noise levels must be kept at a minimum at all times. All events and functions at the Facilities shall be held between the hours of 9:00 a.m. and 9:00 p.m. absent the prior, written consent of the KICA General Manager.
- i. Parking is allowed only within the designated parking areas. Parking on the grass, street, and/or road shoulders is not permitted without the prior, written consent of the KICA General Manager. No parking shall be permitted between the hours of 10:00 p.m. and 7:00 a.m., absent the prior, written consent of the KICA General Manager.
- j. No parking of boat trailers is permitted on the Property. Small trailers shall be allowed on the Property solely for the purpose of loading and unloading non-motorized watercrafts. However, such trailers shall be permitted only within the designated parking areas, and must be removed from the Property immediately upon completion of the loading and/or unloading process.
- k. Only non-motorized watercrafts such as canoes, kayaks, and such other small boats as KICA deems appropriate, shall be permitted at the Property.
- l. Overnight docking of watercrafts is not permitted, except in special circumstances (such as an emergency) without the approval of the General Manager, Director of Security, or Director of Recreation.
- m. Crab pots/traps may not be left overnight.
- n. Non-motorized watercrafts must be launched from the existing dock/boat launch facility, not from the creek bank.
- o. Storage slips are available for rent to KICA Members in good standing for a fee.
- p. Two separate waiting lists for storage slips shall be kept by KICA, one for Preserve property owners, and one for other KICA Members in good standing. KICA shall offer available boat storage slips by choosing names in succession, alternating between the two lists, i.e., every other available boat storage slip shall first be offered to the Preserve property owners whose names next appear on the Preserve waiting list. In the event there are no names on the Preserve waiting list, such available space may be offered to the next name appearing on the list for other KICA Members in good standing.
- q. All non-motorized watercrafts stored in the storage facility must bear, in plain view, a decal as provided by KICA, its successors and assigns. All non-motorized watercrafts must be stored in their KICA assigned slip.
- r. Children under the age of 12 must be accompanied by an adult. Parents must remain with children at all times.
- s. Pets must always be on a leash. Any pet waste must be removed by the KICA Member.
- t. Licensees, KICA Members, and their guests and invitees are expected to conduct themselves as good neighbors, respecting the rights of quiet enjoyment of others.
- u. Injury to natural resources and wildlife is strictly prohibited.
- v. All South Carolina maritime laws must be observed.
- w. Swimming is not permitted from the docks or creek bank.
- x. These Rules and Regulations have been promulgated by KRA, and are enforceable by KICA, its successors and/or assigns. The KICA General Manager shall have full discretion as to the interpretation of these Rules and Regulations.

Failure to enforce these Rules and Regulations in whole or in part, shall in no event be deemed waiver or estoppel of the right to do so thereafter.

- y. KICA shall have the right to modify and amend these Rules and Regulations in whole or in part from time to time.

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