

**From:** Tony Andrade <tonyandrade@aol.com>

**To:** spinnakercaymgmt <spinnakercaymgmt@aol.com>

**Subject:** Eagle Cay

**Date:** Fri, Mar 13, 2015 8:04 am

**Attachments:** modifications+application.docx (44K)

---

Carmel,

The attached document for Eagle Cay is now in place. Please send it to all new owners when you send coupon book, rules etc... Any owner in the future that wants to do work inside their unit, need to fill out the attached document and get approval from the Board. Any questions let me know.

Respectfully,

Tony Andrade

Spinnaker Cay Management

[tonyandrade@aol.com](mailto:tonyandrade@aol.com)

Dear Eagle Cay Owner,

As a condition for Board Approval of the Unit Modifications/ Alterations application, which may include replacement of lanai floor covering, it is mandatory to notify the Eagle Cay Association to arrange for the base surface of the lanai floor to be professionally waterproofed before any tile or other covering is reinstalled.

The waterproofing is a two-step process that must be done by a qualified professional service so that the concrete below is adequately protected. The Association is being proactive in preserving the infrastructure (of the concrete and rebar supporting the lanais) to avoid future water damage resulting in expensive stucco/concrete repairs.

You or your contractor can contact Site Manager Adan Baez at 239-642-9100 or Spinnaker Cay Management at 239-642-8872 to arrange for the waterproofing. The cost is approximately \$850 and is totally covered by the Association.

Thank you for your cooperation.

The Eagle Cay Board of Directors  
April 2017

*Eagle Cay Condominium Association, Inc.*

**Application, Procedures,  
and Indemnifications**

**for**

**UNIT  
MODIFICATIONS /  
ALTERATIONS**

0415

**Eagle Cay Condominium Association, Inc.**

**Application, Procedures, and Indemnifications for Unit Modifications/Alterations  
Instructions**

1. Read carefully the enclosed application and accompanying documents.
2. Direct any questions to the Board of Directors of the Eagle Cay Condominium Association, Inc.
3. Complete the application, attaching documents that describe in detail the proposed modifications or alterations.
4. Sign the application where indicated.
5. Submit the application with accompanying documents to the Board of Directors, who will review and return it to you and will advise you whether the application has been approved or denied, if the application is incomplete, or whether additional information is required.
6. The Board of Directors, any individual Director, and the site manager do not have the authority to grant exceptions to the provisions of the condominium documents.
7. All work must conform to all applicable codes, statutes, regulations, condominium documents, and rules and regulations of Eagle Cay Condominium Association, Inc.
8. No alterations or modifications to the common elements or limited common elements are permitted.
9. All work covered under this application must be completed within one (1) year from the date of approval or within the time period specified in the Application Action form.
10. All contractors and subcontractors must be licensed and fully insured and must complete the indemnification agreement.

Page 1 of 7

**Application for Unit Modifications / Alterations**  
*[Submit to Site Manager for Board of Directors' consideration]*

Section 10.2.1 of the Amended and Restated Declaration of Condominium of Eagle Cay requires prior approval of the Board before performing any maintenance responsibilities which require change or alterations to the physical appearance of the condominium property, removal or modification of any interior partitions, or such other actions as may cause concern for the peace and safety of the condominium and its residents.

In conjunction herewith, I/we hereby submit for approval the proposed alterations/modifications to Unit \_\_\_\_\_ in Building \_\_\_\_\_, as depicted by the accompanying plans and specifications and as described below:

---

---

---

---

---

---

---

---

*[Attach additional sheets as required.]*

Modifications include or affect the following: *[Check all applicable.]*

- |                                                            |                                                       |
|------------------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> Unit Floor Covering               | <input type="checkbox"/> Interior Walls               |
| <input type="checkbox"/> Lanai Floor Covering              | <input type="checkbox"/> Bathroom Layout or Structure |
| <input type="checkbox"/> Hurricane Shutters/Glass          | <input type="checkbox"/> Bath Exhaust or Laundry Vent |
| <input type="checkbox"/> Lanai Screening/Enclosure         | <input type="checkbox"/> Electrical Wiring            |
| <input type="checkbox"/> Storage Closet                    | <input type="checkbox"/> Water Pipes or Drains        |
| <input type="checkbox"/> Lanai Doors and Windows           | <input type="checkbox"/> Cable or Phone Wiring        |
| <input type="checkbox"/> Lanai Ceiling Fans                | <input type="checkbox"/> Boat Dock                    |
| <input type="checkbox"/> Kitchen Layout or Structure       | <input type="checkbox"/> Boat Lift                    |
| <input type="checkbox"/> Chipping or drilling of structure | <input type="checkbox"/> Other <i>[Explain]</i> _____ |
| <input type="checkbox"/> Common Elements                   |                                                       |

My/Our signature(s) below will certify that the proposed alterations/modifications comply with the provisions of the Eagle Cay Declaration of Condominium, Articles of Incorporation, Bylaws, Rules and Regulations, and Building Standards, as well as the provisions of this document and all applicable governmental codes and regulations.

*[Application is continued on the next page.]*

Page 2 of 7

**Application for Unit Modifications / Alterations**

*[Continued]*

I/We also agree to obtain all permits, licenses, certifications, or other documents required by all applicable governmental agencies or authorities.

Projected Start Date \_\_\_\_\_

Projected Completion Date \_\_\_\_\_

**Indemnification: UPON APPROVAL OF THIS APPLICATION, I/WE WILL ASSUME ALL LIABILITY AND AGREE TO PAY ALL COSTS TO CORRECT AND REPAIR ANY DAMAGE INCURRED TO THE COMMON ELEMENTS OR ANY OTHER UNIT AS A RESULT OF THESE MODIFICATIONS, AS WELL AS ANY ADDITIONAL MAINTENANCE COSTS THAT MAY BE INCURRED BY THE ASSOCIATION OR OTHER UNIT OWNER(S).**

I/We also indemnify and hold Eagle Cay Condominium Association, Inc., harmless for any damage caused by or related to these modifications.

Attached please find the following additional information:

- Floor plan of unit showing proposed changes
- Copy of contract for proposed changes including plans and specifications
- Contractor Information Form, including license number, proof of insurance, and indemnification agreement.

Owner Name *[Print]* \_\_\_\_\_

*Signature* \_\_\_\_\_

Owner Name *[Print]* \_\_\_\_\_

*Signature* \_\_\_\_\_

Building \_\_\_\_\_ Unit \_\_\_\_\_

Date \_\_\_\_\_

**Contractor Information Sheet** [Please print.]

**Contractor / Installer:**      Scope of work \_\_\_\_\_

for Unit \_\_\_\_\_ in Building \_\_\_\_\_ has been:

\_\_\_\_\_ Approved  
\_\_\_\_\_ Approved as noted below  
\_\_\_\_\_ Disapproved

NOTES:

---

---

---

---

---

In all cases the site manager must inspect, with the contractor, before any opened walls are covered with drywall, to determine that no common elements or other units have been damaged or the structure has been compromised or altered by the project.

**Disclaimer:** Approval of this application shall not in any way be considered as a representation that the work approved hereunder is in compliance with building and/or fire codes. It is solely approval of the work as relates to the governing documents of the Eagle Cay Condominium Association, Inc.

For the Board of Directors:

Director's Name [Print] \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

1. *Return original executed copy to unit owner applicant.*
2. *File copy in unit file with the site manager.*
3. *File copy in Units Under Modification file with the site manager.*

\_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_  
(hereafter CONTRACTOR).

**Whereas,** CONTRACTOR is doing business in Collier County, Florida.

**Whereas,** CONTRACTOR desires to conduct work at Eagle Cay Condominium located on Marco Island, Florida, and in connection therewith has agreed to indemnify Eagle Cay Condominium, Inc., from any and all liability associated with said work.

**Now therefore,** in consideration of \$10.00 and other good and valuable consideration, the sufficiency of which is hereby acknowledged, it is agreed as follows:

CONTRACTOR does hereby indemnify Eagle Cay Condominium, Inc., a Florida not-for-profit corporation, its successors and/or assigns, directors, officers, employees, agents, and individual members, and hold them harmless, and otherwise remise, release, acquit, satisfy, and forever discharge them from all manner of action and actions, cause and causes of action, suits, sums of money, damages, judgments, executions, claims, and demands whatsoever, in law or in equity, for, upon or by request or any matter, cause, or thing whatsoever, pertaining to or otherwise arising out of the provision by CONTRACTOR, its agents, successors, and or assigns, of any labor and/or materials to any individual unit and/or the limited and/or common elements of Eagle Cay Condominium, said Indemnification, Release, and Hold Harmless to include, but not be limited to, attorney's fees in any manner incurred in connection with this agreement, including those that may be incurred on appeal.

Contractor Name *[Print]* \_\_\_\_\_

Capacity/Position \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Application Action**

The above Application for Modifications / Alterations dated \_\_\_\_\_



done in any unit until a signed contractor letter of agreement is on file. The Board also requires each contractor and sub-contractor doing work in a building to provide acceptable insurance certificates for all insurance requirements stated in the agreement, along with a license certificate and the indemnification agreement. No work may be commenced until these requirements have been satisfied.

Rules specific to all vendors, contractors, sub-contractors, and service people are:

- Contractors must register with the Association and sign in and sign out at the site manager's office in Building 3.
- Written unit modification approval from the Board of Directors is required before any work commences.
- **Prior to commencing work, all contractors are required to provide a Certificate of Insurance evidencing current insurance coverage as follows: \$1,000,000 public liability insurance, a minimum of \$500,000 worker's compensation insurance, and a minimum of \$300,000 automotive liability insurance.**
- All required permits must be issued before any work begins.
- All work in units shall be limited to 8 a.m. to 5 p.m. Monday through Friday and 8 a.m. to noon on Saturday. Emergencies, such as water leaks, are exceptions.
- It is recommended that no major construction resulting in loud noise be scheduled between December 15 and April 30.
- Unit entry doors are to be closed once a unit is entered or exited.
- Smoking is not allowed in elevators or common areas.
- Proper attire in common areas (shoes, shirts, etc.) is required at all times.
- No storage, sawing, or staging may occur in common areas or on lanais, except with prior authorization from the site manager.
- Contractors must make every reasonable effort to keep dust and debris out of or off the common areas and lanais. Daily clean-up of these areas is required, as well as upon completion of the project.
- Condo trash containers are NOT to be used by contractors or sub-contractors.
- If a contractor is in noncompliance with Eagle Cay regulations, the owner will be contacted and the contractor may be restricted from the premises or complex.

I/We, being a duly authorized agent of the company below, agree to abide by the above and all rules and regulations governing conduct and construction while working at the Eagle Cay Condominium complex.

Company Name *[Print]* \_\_\_\_\_  
License # \_\_\_\_\_

Agent's Name *[Print]* \_\_\_\_\_ Capacity \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

## Indemnification Agreement

**This Agreement** is made and entered into on this \_\_\_\_ day of

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Contractor's License # \_\_\_\_\_

**Sub-Contractor(s):** Scope of work \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Contractor's License # \_\_\_\_\_

**Sub-Contractor(s):** Scope of work \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Contractor's License # \_\_\_\_\_

**Sub-Contractor(s):** Scope of work \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Contractor's License # \_\_\_\_\_

**Sub-Contractor(s):** Scope of work \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Contractor's License # \_\_\_\_\_

**Contractor Letter of Agreement**

The Eagle Cay Board of Directors requires each contractor and sub-contractor doing work at the condominium complex to sign a letter of agreement **No work is to be**