



Turnberry On The Green Condo Association

Hard Surface Flooring Sound Control Installation Acknowledgement

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

Pursuant to the Declaration of Condominium of Turnberry on the Green (the "Condominium") and the Rules and Regulations of the Association, as hereafter defined, no flooring materials (including, but not necessarily limited to, ceramic tile, marble, wood, and the like) can be installed in any part of the Condominium Unit except the kitchen and baths as allowed for in the original construction, without obtaining the prior written approval of the Turnberry on the Green Condominium Association, Inc. (the "Association") and without insuring that sound control underlayment system must be approved in writing by Association prior to installation (the "Sound Control Underlayment System").

No installation of hard flooring shall be acceptable unless the Owner assumes the responsibility for meeting the Standards for insulating materials to be used as such Standards are promulgated by the Association, and thereafter meets such Standards by completing the installation accordingly. No installation will be approved by the Board of Directors of the Association, unless the aggregate sound isolation and acoustical treatment made part of the installation meets, and Owner demonstrates that it meets, the minimum acceptable Sound Transmission Control Rating ("STC") of 73 (without a suspended ceiling) and the minimum acceptable Impact Isolation Class Rating ("IIC") of 72 (without a suspended ceiling) as same may be required by the Association and as adopted by the Board of Directors of the Association from time to time. The installation also must include such perimeter isolation material of which will insure that impact noises are not transmitted either directly through the floor or by flanking through the surrounding walls. The Owner's responsibility for compliance herewith includes, but is not limited to, making installation in a proper manner so as to comply with all standards and structural requirements established by the Association, and meeting all other requirements of the Association, such as obtaining permits, insurance for the Association and meeting structural and aesthetic compatibility of the Condominium.

Further, the Association's approval of the installation of hard and/or heavy surface floor coverings is condition upon, Owner delivering to the Association affidavit(s), in substantially the form and substance as attached hereto as Exhibit "A", from the Owner and its flooring contractor (i) specifying the type and amount of soundproofing material installed in the unit(including a copy of the soundproofing specifications); (ii) certifying that the soundproofing material was installed in accordance with the manufacturer's specifications; and (iii) in the Owner's affidavit, acknowledging that the Unit Owner accepts all responsibility in the event that the soundproofing is not adequate or is installed improperly.

In addition, the Association (at its own expense) or any neighbor of the Owner (at their own expense) may call for any Unit to be tested to determine compliance with the sound insulation requirements set forth herein. If it is found that the tested floor does not meet these established criteria, the Unit Owner will be required to tear up the floor and replace the soundproofing material with flooring material meeting the applicable soundproofing standards and shall promptly reimburse the appropriate party for expenses of testing.

If any installation of hard and/or heavy surface flooring materials shall be attempted to be made, or made without compliance herewith, the Board of Directors shall have, in addition to the rights described above, the immediate right to request that such flooring materials be removed at the Owner's expense (or failing which, to remove the flooring itself at the Owner's expense), and replace with flooring materials and sound insulation which meets the Association's minimum requirements. Compliance with such standards is mandatory under the Declaration of Condominium, and shall be enforced by the Association in any proper manner, including, without limitation, in the Circuit Court in and for Miami-Dade County, Florida, by suit brought for injunction or specific performance. The Owner acknowledges such rights and submits to the jurisdiction of the court for the enforcement of the Standards described above and agrees that if judicial proceeding shall be necessary, the costs to the Association for making the required corrections, costs for bringing suit, and reasonable attorney's fees/apellate or otherwise shall be charged against the Condominium Owner found responsible for his failure to comply. If the Board of Directors or the Developer shall obtain a decree for injunctive relief or for the removal of such flooring, together with the costs of bringing the suit and attorney's fees, all such costs shall constitute a lien upon the Condominium Unit of the Owner, which shall be enforced as otherwise provided in the Declaration of Condominium.

HARD FLOORING ACKNOWLEDGEMENT

The undersigned hereby acknowledges receipt of this notice and agrees also on behalf o all successors and assigns of the subject Condominium Unit, to abide and be bound by the terms hereof.

UNIT OWNER:

REPRESENTATIVE OF CONTRACTOR:

By: _____

By: _____

Print Name: _____

Print Name: _____

Unit Number: _____