

FOOD AND BEVERAGE MINIMUM POLICY

The Dunes of Naples Property Owners Association, Inc.'s Board of Directors Meeting:
December 1, 2023.

Proposed New Business: Proposed Board resolution to amend and clarify the annual food and beverage minimum policy for the Dunes POA effective as of January 1, 2024.

Background:

Pursuant to Section 6.11 of the Declaration of Covenants and Easements for The Dunes of Naples Property Owners Association, Inc., as amended, the Board of Directors has the right and power to increase the amount of the annual food and beverage minimum and to create, modify and implement a policy for the annual food and beverage minimum.

Annual Food and Beverage Minimum Policy Effective January 1, 2024:

The annual (*i.e.*, January 1 – December 31) food and beverage minimum that each individual unit owner within the Dunes community must spend (and pay for) at the Club is \$1,000.00. Purchases of food and beverages at the Club on a unit owner's account count against the required annual minimum. The annual \$1,000.00 minimum excludes taxes and gratuity and is limited solely to food and beverage purchases. If an individual unit owner does not spend the minimum \$1,000.00 on or before December 31, then the unit owner's account will be assessed the difference between \$1,000.00 and the amount actually spent during the applicable annual period (the "Deficiency Amount"). The Deficiency Amount shall be billed and payable on the next billing cycle following December 31 annually. The Deficiency Amount shall be considered an Assessment subject to a lien, and can be collected by the Dunes POA against a unit owner in accordance with the governing documents of the Dunes POA.

If a unit owner sells his/her unit, as of the closing date of such unit, the new owner (transferee) shall be assessed an annual food and beverage minimum of \$1,000.00 for the calendar year of the closing; provided, however, that transferee's annual food and beverage minimum shall be reduced for such year by the amount of food and beverage purchases by the transferring owner during that annual period. By way of example only, if a transferring owner has made food and beverage purchases of \$600.00 prior to the sale closing date of the unit, then the transferee owner shall be required to spend \$400.00 (\$1,000 - \$600.00) on food and beverages at the Club during annual period in which the closing of the sale of the unit occurred.

The Dunes POA reserves the right to increase or decrease the annual food and beverage minimum and/or clarify or update its food and beverage minimum policy from time to time as permitted by Section 6.11 of the Declaration.

This Board resolution concerning the Dunes POA's annual food and beverage minimum replaces and supersedes all prior Board resolutions concerning the same.