

Date: Thu, Oct 22, 2020 at 1:05 PM

Subject: Ocean Breeze at Belmar, a Condominium AND 903 Ocean at Belmar, a Condominium

To: benjaminhkirsch@gmail.com <benjaminhkirsch@gmail.com>

Cc: Owen T. Hughes <ohughes@lawfirm.ms>

ON BEHALF OF OWEN T. HUGHES, ESQ.:

Ben,

You have asked me to review the Master Deed for Ocean Breeze at Belmar, A Condominium and the Master Deed for 903 Ocean at Belmar, a Condominium.

Pursuant to Section 10.13 of the Master Deed for Ocean Breeze at Belmar, A Condominium, "each of the Unit Owners shall have the right to make structural modifications or alterations to the existing building on their Unit, including renovation and additions to the Unit, without the written consent of the Association, provided that: (i) the existing footprint of the building on the Unit is not materially increased, (ii) such modifications or additions do not or tend to adversely affect any of the Common Elements...."

All references to the Association in Paragraph 10.13 refer to the Ocean Breeze at Belmar Condominium Association.

For purposes of overview, Unit 3, having an address at 903 Ocean Avenue, is a Unit within Ocean Breeze at Belmar, a Condominium.

As you are aware, Unit 3 is the subject of a sub-condominium regime called 903 at Belmar, a Condominium. The sub-condominium regime for Unit 3 of Ocean Breeze at Belmar consists of five (5) sub-units; all of which are controlled by a sub-association that deals exclusively with Unit 3 of Ocean Breeze at Belmar. All of the sub-units and related Limited Common Elements and General Common Elements for the sub-units are all located within Unit 3 of Ocean Breeze at Belmar.

Based on your advice, it is my understanding that the location of the proposed shower for Unit 2 at 903 Ocean at Belmar is fully located within the perimeter of Unit 3 at Ocean Breeze at Belmar. Accordingly, the renovation and addition is permitted without the written consent of the Ocean Breeze at Belmar Condominium Association.

That being said, pursuant to the Master Deed for 903 Ocean at Belmar, the outdoor shower addition proposed by the Owner of Unit 2, which apparently is located within the limited common space or common space of 903 Ocean at Belmar (and NOT on any of the Common Elements for Ocean Breeze at Belmar), is subject to approval by the 903 Ocean at Belmar Condominium Association. It is my understanding that the 903 Ocean at Belmar Condominium Association has approved the proposed addition.

Please feel free to call if you have any further questions.

OTH

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