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**CONSTRUCTION BY LAWS  
ATTACHMENT "C"**

**ARTICLE FIRST.-** These by laws (which may be periodically changed if necessary in accordance to the needs of the development) will be applicable for all the buildings that may be constructed in the development, and to the use of the lots and constructions.

**ARTICLE SECOND.-** Besides the fact that every person involved must obtain the corresponding construction license form the Municipal Authorities, no construction may be started if the project has not been previously approved by the Technical Committee of Architectural Supervision of Puerto Aventuras. The application for review of the project and the corresponding plans must be presented to the central offices of the development located in Km. 269.5 Carretera Chetumal-Puerto Juarez, Puerto Aventuras, Q. Roo, 77782 Mexico.

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| 1.- Whole Plan (localization and identification of the lot) | 3 copies |
| 2.- Architectural Plans                                     | 3 copies |
| 3.- Facades and cuts  | 3 copies |
| 4.- Sanitary and hydraulic plans                            | 3 copies |
| 5.- Exterior finishing specifications                       | 3 copies |
| 6.- Electrical Installation Plans                           | 3 copies |
| 7.- Air Conditioning Installation Plans                     | 3 copies |

Such heliographic copies must be presented, duly signed by the client and by the Planner; the application must be presented signed by the client together with the following information:

- 1.- Name of the Owner, address and telephone number form home and business.
- 2.- Name of the Planner with home and business phone number.
- 3.- Lots identification (Development, Section, Block and lot number)

**ARTICLE THIRD.-** The Technical Committee of Architectural and Urbanistic Supervision designated by Puerto Aventuras will have the following functions:

- a) Provide the purchaser of the lot with the necessary, information regarding the Bylaws, restrictions and architectural styles previous to the execution of his project, with the purpose that at the moment of presenting it for its review and authorization, it is already in the compliance to the development regulations.
- b) Review and approve the construction projects that are going to be built in the development, they must be adjusted to the requirements established in these Bylaws.
- c) Supervise that the execution of the construction works are made following the general dispositions of these Bylaws and of the approved project.
- d) Assist the purchaser of the lot, when necessary, regarding the requirements their constructions must follow the adhere to these Bylaws.
- e) Give a written notice to the legal and administrative department of the development, as soon as the purchaser of the lot has fulfilled all of the regulations in these constructions, with the purpose of liberating the lot so it can be notarized.

**ARTICLE FOURTH.-** In the lots that have been marked in the Master Plan and have been sold as a single family dwelling, only one family home may be constructed. The service unit may be constructed independently from the house in the lot. By no means can the lots be divided nor may more than one family dwelling be built on them. The Technical Committee of Puerto Aventuras may by request of the purchaser, accept the merger of one or more lots in order to form a unique common area, but in the understanding that in such common area the number of houses can not be more than the number of merged lots. In the event of the authorization of a merging by the Technical Committee, the purchaser of the lots may not start any construction without previously obtaining the merging permit issued by the competent municipal authorities. A copy of such permit must be delivered to the Technical Committee of Puerto Aventuras who will authorize the initiation of the construction.

**ARTICLE FIFTH.-** The restricted areas for the single family dwelling lots, in which no construction can be done, will be a five meter strip on the totality of the lot front, this strip being the one that gives access to the lot; a 10 meter strip on the totality of the rear end of the lot, facing the sea, marina, golf course on the lot as specified in the Master Plan; a strip of as long as one of the sides of the lot as specified in the Mater Plan, extending from the access to the rear end of the lot. The restriction for corner lots located in golf course and marina will be negotiated.

**ARTICLE SIXTH.-** No single family dwelling may have a built surface larger than 60% of the lots total area. The constructions on single family dwelling lots may be of one or two stories, having a height of 4.75 meters and 3.50 meters straight vertical facades for one story buildings. The two story buildings can built with intermediate levels and loft, only in the event that these are interior to both levels, no additional floor can be constructed in addition to the two levels. These constructions can not exceed a maximum height of 7.75 meters in slope ceilings and 6.50 meters in vertical straight facades, it is understood that in all cases the height of the roof must be measured in relation to the natural ground level. The constructions whose use will be to hide water tanks, antennas, gas tanks, air conditioning systems or any other equipment may surpass such height but must remain protected from the facades view.

**ARTICLE SEVENTH.-** For all lots that will be sold and appear in the Master Plan for condominium use, a minimum / maximum construction density has been determined and must be followed in accordance to the following specifications: In each fraction of lot equivalent to 12 meters of front (approximately) per 50 meters of back rear (approximately) giving an area of 600 square meters (approx) a minimum of 7 hotel keys and a maximum of 12 hotel keys may be constructed. By means of these Bylaws a hotel key is considered as a room or bedroom with bathroom, a living room with bathroom will also be considered as a hotel key, a living room without bathroom will be considered as 5 hotels key. (For example, an apartment with two bedrooms, a living room and three bathrooms will be considered as three hotel keys, the same apartment with two bathrooms will be considered as 2.5 hotel keys.) A hotel key unit will have a maximum built area of 50 square meters. In the event that it should exceed this surface, an additional factor of 0.5 hotels key will be added to such unit. For those special condominium fractions with bigger areas to the ones established herein a proportionate density will be considered in relation with the lot area as a base.

By means of the Master Plan project and for the development convenience, it has been determined that some of the condominium lots are in front of the marina, in the area close to the heart of the development services, commercial units for restaurants and boutiques may be built on the ground floor only in the event that this is on the level peripheral to the marina. Such units may be built form the limit of the lot with the federal maritime terrestrial zone, and occupy a maximum built area of not more than twenty percent of the lot area. The roof of these concessions must be straight and used as gardens and terraces of the condominiums on upper levels, set back by ten meters according to the restriction. The use and business of such locals must be approved by the Technical Committee of Puerto Aventuas and by all means must follow such authorization; any change of business requires a new authorization form the same Technical Committee. Only the following lots may have this kind of construction: Lots 1 to 12 of the block adjoining with the marina, public activities area and navigation channel with access to the marina; lots 1 to 10 of the block adjoining with the marina, Maritime services area and Principal Boulevard.

A Condominal lot may not be subdivided in any case. In the event of acquiring two or more lots, the purchaser of such lots must ask the Technical Committee for the merger of them in the understanding that the density in the whole may not surpass those specified in the above paragraph, considering the sum of fractions merged. As soon as the merge is authorized by the Technical Committee, the purchaser of the lot is obligated to obtain the merger permit before the competent municipal authorities, which must be presented to the Technical Committee in advance to the initiation of any kind of construction on the mentioned lots.

**ARTICLE EIGHTH.-** The restricted areas for the Condominal lots on which no construction may be performed will be a five meters strip on the totality of the lot front, this being the access to the lot; a 10 meters strip on the totality of the rear end of the lot adjoining the sea, five meters on lots adjoining marina or golf course an a strip of one meter of each adjoined lot running fraction from the access to the rear end of the lot. In the event of the merging of several condominium lots to form a whole, the areas of lateral restriction will be added and can be considered in the development extremes on one or both sides, not allowing less than one meter in width. (For example four Condominal lots together can leave o free restriction strip of two meters on each side of the whole with four meters restriction as a total, or three meters to one side and one meter to the other)

**ARTICLE NINTH.-** No Condominal lot may build a covered area (per level) greater than 60% of the lots total area. In a Condominal lot, four stories may be built, only in the event that three levels are built as a maximum with an exterior access form common areas and a fourth level integrated to the third one, with interior access through the unit. In this

way, apartments and units of three levels may be constructed, the one on the third level may be a two story penthouse including a fourth level. The maximum height for a two level building will be 7.45 meters in slope ceilings and 6 meters in vertical straight facades. For three story buildings the maximum heights will be 10.45 meters in slope ceilings and 9 meters in vertical straight facades. The maximum height of the fourth level will be 13.45 meters for slope ceilings and again 9 meters in vertical straight facades. As in the above mentioned case, the fourth level must be lowered a minimum of 1.0 meters from the general facade plan in the front and in its back facade. It is understood that in all cases the height of the roof must be measured in relation to the natural ground level.

**ARTICLE TENTH.-** The lots determined in the Master Plan as Condo-hotel can be used for the construction of hotel and condominiums with a hotel operation only in the event that the project contemplates enough service areas additional to the sellable areas inside the units, in order to handle correctly a five star hotel operation. The maximum density allowed for these lots will be 120 hotel keys per ha. A hotel key is considered a bedroom with bathroom or a living room with bathroom; in the event of a living room without a bathroom it will be considered as 0.5 hotel key. By no means can a hotel or condo-hotel lot be divided; in the event that a purchaser acquires two or more hotel lots, he may ask the Technical Committee for the merger of such lots, only in the case that the total projected density does not surpass the sum of the ones specified for the lots before being merged. If this occurs, it will be the obligation of the purchaser to request and obtain before the municipal authorities the merger authorization and must deliver a copy of such to the Technical Committee before the initiation of any constructions on the lot.

**ARTICLE ELEVENTH.-** The restricted areas for the hotel or condo-hotel lots in which no construction may be done will be a 10 meter strip in width on all the ocean front lots, a 10 meter strip on the street or avenue front lots, and a strip of five meters on both sides of the lot for the first four levels. In the event of a construction higher than the four levels, the additional levels starting on the fifth and until the seventh must be reduced a minimum of nine meters on both sides of the lot. In the event that two or more hotel lots are merged the lateral restrictions will be only on the edges of the complete merger, using as a base the rear end of the lot that goes from the federal maritime terrestrial zone to the street or avenue. On the strip closest to the sea, with an equivalent depth of one fourth part or 25% of the total depth, only a 50% of the sea front can be built, leaving the other 50% free of any construction, allowing an opening that may only be used for pools, sport grounds and elements without a roof or walls higher than one meter over the natural ground level as specified in the project.

**ARTICLE TWELFTH.-** No Hotel or Condo-hotel may have a built covered surface large than the equivalent of 85% of the lot's total area, with a layout area on the ground level of up to 60% of the lot's surface, The constructions on this lot may have a maximum height of seven levels, not to exceed a maximum of 24.50 meters in straight facades and 29.75 meters in ceilings, in all cases, the altitude of the ceilings are measured in reference to the level of the natural ground.

**ARTICLE THIRTEENTH.-** Each hotel or condominium project must solve in an autonomous way in the interior of its lot, the parking spaces necessary for their installations, allowing that the number not be less than 1 parking space for every three rooms. In the event that the hotel or condo-hotel has a restaurant, bar or discotheque with service to the general public as part of its installations, it must also consider parking spaces for such installations on a basis of 1 parking space per 40 meters of construction.

**ARTICLE FOURTEENTH.-** All constructions built in the development called Puerto Aventuras must respect the use of the ground indicated in the Master Plan that will be established in the application and purchase agreement, Puerto Aventuras reserves the right to change the use of the land or general regulations in exceptional cases on the behalf of the development, without affecting its general image.

**ARTICLE FIFTEENTH. -** The purchaser must keep the facade of the constructions in good shape, properly painted and maintained and also keep all the gardens in good shape during the construction. In the event that this disposition is not followed, Fideicomisio Puerto Aventuras may make the decision of doing the works and charging them to the owner.

**ARTICLE SIXTEENTH.-** The purchaser of the lot may not start the construction of his house until he has physically received it. In the event that he should start this construction without the mentioned delivery, he will be responsible for the eventual results of his action. The physical delivery of the lot will be recorded in a certificate that will have the lots exact localization with its measurements and adjoining, together with the possession right given to the purchaser, including the corresponding sketch. This document will be signed by the purchaser. While working on the construction, the purchaser of the lot may not use the adjoining lots or the public accesses to store any materials or trash or to prepare construction elements. Each purchaser is compelled to keep this area completely clean and must at the end of the construction withdraw all the rubbish from the same. The owner of the lot is responsible for all the damages that may be

caused to the development in its construction or installations or to any person due to the use of vehicles, materials or any cause related to the construction. In the event that any sidewalk or irrigation ditch must be removed to give access to the lot, the buyer must make all the necessary works to protect the installations of the development and must replace such elements with that of the same quality.

**ARTICLE SEVENTEENTH.-** For all lots that face the golf course and that would like to grow grass as part of their garden; they must grow the same kind of grass used in the golf course. This is in order to avoid invasion and high maintenance costs.

**ARTICLE EIGHTEENTH.-** The Technical Committee of Puerto Aventuras reserves the right to reject projects that in their own judgment do not harmonize with the architecture the development intends to have, due to the fact that the development must have homogeneous or similar architectural characteristics.

For this reason the following guidelines must be followed in order to fulfill the above mentioned purpose:

- a) All single family dwelling construction or condominiums of at least four levels must be projected with a minimum of 60% of the area of its last slab with a slope ceiling in natural clay or palapa roof. The slope slabs that may be used to keep equipment or water disposals must have brick railing to hide such installations. In the event of the construction of an arched roof on the exterior, they must have brick railings to hide curved lines of such arched roof.
- b) The facades finishing may be done in any texture and painted. Any natural material can be used such as wood, stone, lajas, nacax or similar; we suggest to use materials from the area and avoid materials from other places. In any case artificial materials such as glazed tiles ceramics, etc. May not be used in exterior facades.
- c) All the facades finishing must be painted in a single color chosen from a commercial catalogue that the Technical Committee will determine for the development of Puerto Aventuras. In the event that the owner does not follow this indication, the Technical Committee of the development reserves the right to paint such facade and charge it to the owner.
- d) The water or gas deposits, heaters, trash deposits, service patios and areas where washed linen is set up to dry must not be visible from any exterior place of the house, making it necessary to build a wall around them.
- e) Any owner of a single family dwelling, Condominial or hotel lot may not build around its lot, walls higher than 90 cms. The only exception to this rule will be those lots whose back boundary is a limit to the development, where they may build higher walls. We suggest in all cases to manage this limit in first option with wood fences, plant divisions and if necessary with local stone.
- f) The forge on windows and doors can be made of natural dyed wood that can not be painted different colors other than those established for the facades. They can also be made in aluminum only in the event that they are painted brown or bronze colors (the aluminum can not keep its natural color o be painted in gold)
- g) We suggest that the constructions have big terraces to give more volume, shade, temperature control and attractiveness to the facades. We also suggest the use of flower gardens, banisters and similar.
- h) The owners of the lots must clear in its totality only the specific areas where they will build. On the remainder of the lot, it will be advisable to clear the low shrubs leaving the trees and palm trees, this for the view of the development and as a protection for the construction. In reference to the restriction on the street, the minimum area must be cleared in order to have access for the cars, leaving the remainder with tall vegetation. This will not only be attractive but will represent an important saving for the owner in gardens and in later maintenance.
- i) In the event that an owner wants to put a satellite dish, he must necessarily situate it on the natural ground level where it is not visible from the exterior or on the flat roof only if the brick railing does not allow it to be seen from the exterior or surpass the maximum stipulated altitudes.
- j) All the single family dwelling lots must build inside their construction, a minimum of two parking spaces in order to avoid parking in the public areas. They must also consider a visitors parking area using their own judgment.
- k) The private pools must have water recycling equipment to avoid waste.
- l) All constructions must consider and build trash deposits as established by the Technical Committee; they must be close to the public access to facilitate its gathering.

**ARTICLE NINETEENTH.-** All constructions, single family dwellings, Condominial, hotel or commercial, must build their own septic tank for drainage unloading, After being treated in such septic tanks, the unloading can be connected to the sewers that the development will put in every lot which will be connected to the general collector that conducts it to the treatment plant. Such septic tanks must have the adequate capacity in accordance to every one of the projects. They must appear in the project which must be approved by the Technical Committee who will be in charge of supervising that the works are strictly followed as approved. Water coming from rain must be handled by each project in separate

lines in the drainage system and unloaded in the lots through absorption wells or filter galleries. The water that comes from rain can never be connected to the drain that carries the general collector.

**ARTICLE TWENTIETH.-** All the lot's owners will be obliged to have a garden on the totality of the lot's area that is not constructed. For this we recommend in first place not to clear out the lot in its totality, but only the area that is going to be built upon, keeping the high jungle on the remainder of the lot. As soon as the construction is finished, clear out low bushes keeping trees, palm trees and high jungle, and grow grass or climbing vine; we recommend to grow "rionina" (low plant) in view but not in service areas due to the fact that it does not need maintenance or watering so saves water consumption and gives a very good visual effect.

**ARTICLE TWENTY FIRST.-** In the case that an owner installs an air conditioning system in his construction, this equipment must be projected in such a way that it is not visible from the facade. We recommend to avoid window units and in all cases use fan and coil type equipment or Splits.

**ARTICLE TWENTY SECOND.-** From the moment in which any construction work is initiated and for its duration, a set of plans approved by the Technical Committee of Puerto Aventuras together with a set approved by the Municipal Public Works Office, must be kept in the construction site and must be shown at any time to the Supervisors or authorized inspectors who may want to check them.

**ARTICLE TWENTY THIRD.-** By six months following the signature of the Promise of Designation of the Beneficiary of the Trust Agreement, the owners must send the plans and attachments of their projects as regulated by article second of these Bylaws, to the Technical Committee of Puerto Aventuras for its approval. The term established for the presentation of plans and other documents will be applied to all owners independently for the use that the Master Plan may determine for their property.

**ARTICLE TWENTY FOURTH.-** The construction works must be finished in the terms listed beneath

Single family dwelling lots in general	18 (eighteen) months
Condominal lots	24 (twenty four) months
Hotel lots	30 (thirty) months

The terms will be considered in all cases from the date of signature of the Promise of Designation of Beneficiary of the Trust Agreement. The Technical Committee of Puerto Aventuras may authorize in any case, the extension of the terms detailed in this article.

**ARTICLE TWENTY FIFTH.-** It is compulsory for all the owners to finish the constructions in the terms indicated in article twenty fourth above. If this regulation is not followed, the property will not be notarized on the behalf of the owner. In the event that the constructions are not finished on the mentioned terms, clauses ninth and tenth of the Promise of Designation of Beneficiary of the Trust Agreement will be applied to the transgressor. On the other hand, the Technical Committee of the Trust may sell the lots of such transgressors together with the unfinished construction that the lots may have, or finish such constructions personally. In both cases the price for the unfinished works that will be paid to the transgressor, will be determined by so independent appraiser hired by the Trust Technical Committee with charge to the transgressor.

**ARTICLE TWENTY SIXTH.-** On the lots that are marked on the Master Plan for condominiums or hotels, the developer will deliver installations for high voltage electric energy. In each case the owner of condominium or hotels lots must install the necessary transformers to obtain low voltage current.

**ARTICLE TWENTY SEVENTH.-** Each owner is obligated to build the necessary bases for electric installations on his lot (s) according to the maps and plans that in effect will be provided by the Fideicomiso Technical Committee.

**ARTICLE TWENTY EIGHT.-** For no reason will covered or uncovered parking spaces are allowed in the areas marked as restricted, on the golf course, marina or sea lots,

Puerto Aventuras, Quintana Roo, México,

**The Purchaser**

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