

INSTRUMENT PREPARED BY
SHARON S. VANDER WULP
ATTORNEY AT LAW
P.O. BOX 1767
VENICE, FLORIDA 34284-1767



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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
KONESS Receipt#408457

CERTIFICATE OF AMENDMENT
TO THE
DECLARATION OF CONDOMINIUM
OF



GARDENS III OF ST. ANDREWS PARK AT THE PLANTATION, a condominium

GARDENS III OF ST. ANDREWS ASSOCIATION, INC., its address being c/o Capri Property Management, Inc., 810-B Pinebrook Road, Venice, FL 34292, Sarasota County, by the hands of the undersigned hereby certify that:

The Declaration of Condominium of GARDENS III OF ST. ANDREWS PARK AT THE PLANTATION, a condominium, is recorded in O.R. Book 3303, page 2662, et seq., as amended, of the Public Records of Sarasota County, Florida. The following amendments to the Declaration of Condominium were submitted to the entire membership of the Association at its meeting called and held on the 24 day of July, 2003, and approved by affirmative vote of not less than 2/3rds of the entire voting interests in the condominium, as required by the Declaration of Condominium.

Article 21, Remedies for Default, is hereby amended to to read as follows:

21. REMEDIES FOR DEFAULT. The board of directors of the Association shall have the authority to levy fines as follows:

(a) The Association may levy reasonable fines against a unit for failure of the unit owner or its occupant, licensee or invitee to comply with any provision of the declaration of condominium, the bylaws, or the Association's reasonable rules. No fine shall become a lien against a unit. A fine shall not exceed \$100.00 per violation or be levied in an amount other than as permitted by law, whichever is greater. However, a fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for a hearing, provided that no such fine shall in the aggregate exceed \$1,000.00 or as otherwise permitted by law, whichever is greater. A fine shall not be levied except after giving reasonable notice

and opportunity for a hearing to the owner and, if applicable, its licensee or invitee.

(b) The board of directors shall afford an opportunity for hearing to the party against whom the fine is sought to be levied, after reasonable notice of not less than 14 days. The Notice shall include:

(1) A statement of the date, time and place of hearing.

(2) A statement of the provisions of the declaration, the bylaws and lawfully adopted rules and regulations which have allegedly been violated; and

(3) A short and plain statement of the matters asserted by the Association.

(c) The party against whom the fine may be levied shall have an opportunity to respond, to present evidence, and to provide written and oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge, and respond to any material considered by the Association.

(d) Upon the levying of any fine, the board may collect such fines like assessments in one or more installments. Each day of violation shall be a separate violation.

(e) The affected owner, whether the offending party or not, shall always be given notice of the hearing.

In addition to the remedies provided by statute and common law and the remedies elsewhere provided herein, a default by a unit owner, tenant or occupant of a unit in complying with the provisions of the condominium act, this declaration, articles of incorporation, bylaws and the regulations and rules promulgated by the Association board of directors, shall entitle the other unit owners of the Association to injunctive relief or money damages or both. In any such legal or equitable action or proceeding the prevailing party shall be entitled to recover his costs and expenses, including reasonable attorneys' fees to be determined by the court for trial and appellate proceedings.

IN WITNESS WHEREOF, said Association has caused this Certificate to be signed in its name by its President, this 11th day of November, 2003.

ATTEST:

GARDENS III OF ST. ANDREWS
ASSOCIATION, INC.

By: Jane McCosky
Secretary

By: Gary L. Franzen
President

WITNESSES:

[Signature]
[Signature]

INSTRUMENT # 2003243108
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STATE OF FLORIDA
COUNTY OF SARASOTA

I HEREBY CERTIFY that on this day before me, a Notary Public in and for the State of Florida at large, personally appeared Gary L. Franzen, as President and Jane McCosky, as Secretary, of GARDENS III OF ST. ANDREWS ASSOCIATION, INC., and they acknowledged before me that they are such officers of said corporation; and they executed the foregoing Certificate of Amendment to the Declaration of Condominium on behalf of said corporation, and affixed thereto the corporate seal of said corporation; that they are authorized to execute said Certificate of Amendment to the Declaration of Condominium and that the execution thereof is the free act and deed of said corporation. They are personally known to me or have produced their driver's licenses as identification and did not take an oath.

WITNESS my hand and official seal at Venice, Sarasota County, Florida this 1st day of Dec., 2003.

[Signature]
Printed Name of Notary:
Deborah H Green
Notary Public
Commission # CC964352

My Commission Expires:

