

Prepared by and Return to:
Richard A. Ulrich, Esq.
Ulrich, Scarlett, Wickman & Dean, P.A.
713 S. Orange Ave., Suite 201
Sarasota, FL 34236

CERTIFICATE OF AMENDMENT
TO THE DECLARATION OF CONDOMINIUM OF
BAY VIEW EAST, A CONDOMINIUM

KNOW ALL MEN BY THESE PRESENTS: that the undersigned, being the President and Secretary, respectively, of LEMON BAY VIEW EAST CONDOMINIUM ASSOCIATION, INC., a not-for-profit Florida corporation, hereby certify that the Declaration of Condominium of BAY VIEW EAST, a Condominium, as recorded in Official Records Book 668, Page 1266, et. seq., as amended from time to time, and all recorded in the Public Records of **Charlotte County**, Florida, was duly amended by the required vote of the members of the Association at the annual meeting of the membership held on January 18, 2020. The below amendment was proposed and adopted in accordance with the requirements of the Declaration of Condominium and Florida law. It is further certified that the below language is a true and correct copy of the Amendment. The proposal to amend the Declaration underlined the added text.

1. Amendment to the Declaration of Condominium Section 11, Covenants and Restrictions Concerning the Use of Units, shall be amended to add a new subsection (r) as follows:

11. (r). Secondhand smoke is a nuisance, as well as a known health hazard. As such, smoking shall not be permitted on any common element, limited common element, condominium unit, including, but not limited to, stairwells, walkways, lobby, elevators, pool, pool decks, fitness facilities, restrooms, utility rooms, or parking areas. However, smoking shall be permitted in the guest parking area at least 25 feet Street side of the carport structure.

Smoking is defined to include carrying, burning or otherwise handling or controlling any lighted or smoldering product containing tobacco including, but not limited to, cigarettes, cigars, or pipes and vapor smoking apparatus and chemicals. Each owner is responsible for the compliance with this rule by the owner and all occupants within the owner's unit, and for all guests and invitees of such owner. Violations of this restriction shall result in

enforcement action as permitted by this declaration and the Condominium Act.

IN WITNESS WHEREOF, the Association has caused this Certificate to be executed by its President and Secretary this 5 day of February, 2020.

LEMON BAY VIEW EAST
CONDOMINIUM ASSOCIATION, INC.
a Florida not for profit corporation

WITNESSES:

Caree Moody
Print Name: Caree Moody

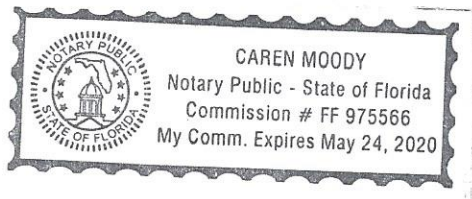
Caree Moody
Print Name: Caree Moody

By: Marc Elsmo
Marc Elsmo
President

Attested:
By: Joy Lester
Joy Lester
Secretary

STATE OF FLORIDA
COUNTY OF Charlotte

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 5 day of Feb 20 (year), by Marc Elsmo, as President and Joy Lester, as Secretary of Lemon Bay View East Condominium Association, Inc., on behalf of said corporation. They are personally known to me or have produced FLDL as identification.



Caree Moody
Print Name: Caree Moody
Notary Public
My Commission Expires: May 24, 2020