

KANETSKY MOORE & DEBOER
★ THIS INSTRUMENT PREPARED BY

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

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BARBARA T. SCOTT, CLERK
CHARLOTTE COUNTY
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CERTIFICATE OF AMENDMENT

TO THE

DECLARATION OF CONDOMINIUM

OF

BAY VIEW EAST, a Condominium

LEMON BAY VIEW EAST CONDOMINIUM ASSOCIATION, INC., its address being 53 West Bay Heights Road, #404, Englewood, FL 34223, Sarasota County, by the hands of the undersigned hereby certify that:

The Declaration of Condominium of BAY VIEW EAST, a Condominium is recorded in O.R. Book 668, page 1266, of the Public Records of Charlotte 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 21st day of February, 1999, and approved by affirmative vote of not less than 51% of the units, as required by the Declaration of Condominium.

1. Article 1, Name and Address, is hereby amended to read as follows:

1. NAME AND ADDRESS: The name by which the condominium property is to be identified is: BAY VIEW EAST, A CONDOMINIUM. The address of the condominium is 53 Bay Heights Avenue, Englewood, FL 34223 33533.

2. Article 6, Condominium Association, the first paragraph, is hereby amended to read as follows:

6. CONDOMINIUM ASSOCIATION: The name of the Association which will operate the condominium is the LEMON BAY VIEW EAST CONDOMINIUM ASSOCIATION, INC. This Association is a Florida non-profit corporation. The owners of each unit in the condominium, as shown by the Public Records of Charlotte County, Florida, are members of the Association.

3. Article 15, Rights of Lenders, the first paragraph, is hereby amended to read as follows:

15. RIGHTS OF LENDERS: Notwithstanding anything contained in this Declaration or any of the exhibits annexed hereto to the contrary, the written consent of each institutional lender holding a first mortgage upon each unit shall first be obtained before this Declaration may be amended for only the following circumstances:

(a) any change in the percentage of ownership of the common surplus;

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(b) any change in the percentage of participation in the common expense or assessments;

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(c) any change in the voting rights; and

(d) prior to the partition or subdivision of any unit; or prior to the abandonment, partition, subdivision, encumbrance, sale or transfer of the common elements; or

(e) the Condominium terminated,

which said consent shall not be unreasonably withheld. As used in this Declaration of Condominium, the term, institutional lender, shall be construed to include, but not be limited to, banks, savings and loan associations, insurance companies, Massachusetts business trusts, real estate investment trusts, mortgage bankers, mortgage brokers and agencies of the United States government.

IN WITNESS WHEREOF, said Association has caused this Certificate to be signed in its name by its President, this _____ day of April 13, 1999.

ATTEST:

LEMON BAY VIEW EAST CONDOMINIUM ASSOCIATION, INC.

By: Barbara A. Houser
BARBARA A. HOUSER, Secretary

By: Carolyn Green
CAROLYN GREEN, President

WITNESSES:

Ann E. Ninkov

Flavina Bush

STATE OF FLORIDA
COUNTY OF CHARLOTTE

I HEREBY CERTIFY that on this day before me, a Notary Public in and for the State of Florida at large, personally appeared CAROLYN GREEN, as President, and BARBARA A. HOUSER, as Secretary, of LEMON BAY VIEW EAST CONDOMINIUM 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 Englewood, Charlotte County, Florida this 13th day of April, 1999.

Catherine M Levay
Printed Name of Notary:
Catherine M Levay
Notary Public
Commission # 744641

My Commission Expires:

