

James M. Weber

OF: BEGGS & LANE
700 BRENT BUILDING
PENSACOLA, FLORIDAAMENDMENT TO DECLARATION OF CONDOMINIUM OF BAYSHORE CONDOMINIUM

WHEREAS, a resolution for the adoption of proposed amendments was proposed by the Board of Directors of Bayshore Condominium Association of Pensacola, Inc., and notice of the subject matter of the proposed amendments was given in accordance with the Declaration of Condominium; and

WHEREAS, the proposed amendments have received the unanimous approval of the entire membership of the Board of Directors and have been approved by more than 75% of the votes of the entire membership of the Association,

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the Declaration of Condominium of the Bayshore Condominium, dated the 6th day of June, 1980, and recorded in Official Records Book 1444 at pages 298 through 363, of the public records of Escambia County, Florida, is hereby amended as follows:

1. Paragraph 2.5 of said Declaration on page 2 is amended by the deletion in its entirety of sub-paragraph "b." and by the relettering of sub-paragraphs "c." and "d." to "b." and "c.", respectively.

2. The third paragraph of paragraph 4.1 on page 7 of the Declaration is clarified to confirm that there is no Apartment 1005 or 1105.

3. Sub-subparagraph (4) of subparagraph "b." of paragraph 5.1 on page 8 of the Declaration is amended by changing the word "this" on the first line to the word "the".

4. Subparagraph "c" of paragraph 5.1 of the Declaration, on the 11th line of page 9, is amended by changing the reference from "75%" to read "66-2/3%".

5. Sub-paragraph "b." of paragraph 5.2 on page 9 of the Declaration is amended by changing the reference on the fourth line from "75%" to read "66-2/3%".

6. Subparagraph "d" of paragraph 5.2 of the Declaration is amended by changing the reference on line five from "75%" to read "66-2/3%".

7. Subparagraph "c" of paragraph 5.2 on page 9 of the Declaration is amended by changing the word "or" on line eight to the word "for".

8. Paragraph 6.4 on page 10 of the Declaration is amended in its entirety and henceforth shall read as follows:

"6.4. Rental pending foreclosure. In any foreclosure of a lien for assessments, the owner of a unit subject to the lien shall be required to pay a reasonable rental for the unit from the date on which the payment of any assessment or installment thereof became delinquent and the Association shall be entitled to the appointment of a Receiver to collect the rent. The rental required to be paid shall be equal to the rental charged on comparable types of units in Escambia County, Florida."

9. Paragraph 6.5 on page 10 of the Declaration is deleted in its entirety and the following provision is hereby added:

"6.5. Time for payment. The assessment levied against each apartment shall be payable on an annual basis with 1/12th due on the first day of each month and shall be delinquent as of the 5th day of each month. Names of delinquent owners may be posted on the bulletin board."

10. Sub-subparagraph (3) of subparagraph "b" of Paragraph 9.1 on page 16 of the Declaration is amended by changing the reference on line two from "75%" to read "66-2/3%".

11. Paragraph 9.4 on page 17 of the Declaration is amended by changing the reference to "75%" on line seven to read "66-2/3%".

12. Paragraph 11 of the Declaration on pages 20 and 21 is amended by the addition of subparagraph 11.8 which shall henceforth read as follows:

"11.8. Pets. No pets shall be allowed on the condominium property. Those pets owned by occupants of any unit as of the date of approval of this provision may be retained, provided, however, that in the event of the death or other disposition of such pet, it may not be replaced. Pets must be confined to the unit of their owners and must be on a leash whenever beyond the confines of the unit. No pets may be kept that cause any annoyance of any kind to the occupants of any other units. Owners of pets are responsible for any soiling of any part of the common elements caused by incontinence of the pet, and the cleaning thereof."

13. Sub-subparagraph (2) of subparagraph "a" of Paragraph 12.2 of the Declaration on page 22 is deleted in its entirety and in lieu thereof the following provision is hereby added:

"(2) Lease. A unit owner intending to make a lease shall give to the Association notice of that intention, together with the name and address of the intended lessee, such other information concerning the intended lessee as the Association may require and an executed copy of the proposed lease. Leases must be made for a period of at least one year. Leases will not be approved when it is known that the proposed lessee will be in occupancy for a period of less than one year. Each lease shall contain a provision that the lessee shall observe all the rules and regulations of the Condominium including the Declaration of Condominium, the Articles of Incorporation, the By-Laws, and such Rules and Regulations as are established by the Association. The lease shall also contain a provision that the Association through its Board of Directors is irrevocably appointed agent by the lessor, and has the authority to direct the owner to evict a tenant in the event of flagrant or repeated violations of the Rules and Regulations. Lease renewals must be approved by the Board of Directors."

14. Subparagraphs "a", "b" and "c" of Paragraph 14.2 on page 25 of the Declaration are amended, respectively, as follows:

(a) Subparagraph "a" is amended by changing the percentage vote on lines one and two from "75%" to read "66-2/3%".

(b) Subparagraph "b" is amended by changing the vote requirement on line one from "80%" to read "66-2/3%".

(c) Subparagraph "c" is amended by changing the vote requirement on line one from "50%" to read "66-2/3%".

15. Paragraph 15.3 of the Declaration on page 26 is amended by changing the vote requirement on line four from "75%" to read "66-2/3%".

16. Subparagraph "g" of paragraph 3.2 of the Articles of Incorporation of Bayshore Condominium Association of Pensacola, Inc., is amended by changing the vote reference on line four from "75%" to read "66-2/3%".

17. Subparagraph "a" of paragraph 9.2 of the Articles of Incorporation of Bayshore Condominium Association of Pensacola, Inc., is hereby amended to read as follows:

"a. by not less than 66-2/3% of the entire membership of the Board of Directors and by not less than 66-2/3% of the votes of the entire membership of the Association; or"

18. Subparagraph "b" of paragraph 9.2 on page of the Articles of Incorporation is amended to read as follows:

"b. by not less than 66-2/3% of the votes of the entire membership of the Association."

19. Paragraph 2.2 on page 2 of the By-Laws of Bayshore Condominium Association of Pensacola, Inc. is amended to provide that the annual members meeting shall fall on the third Saturday in January of each year.

20. Subparagraph "b" of paragraph 6.2 on page 7 of the By-Laws is amended by changing the number "\$500.00" on the fifth line of said paragraph to read "\$2,000.00".

21. Subparagraph "c" of paragraph 6.2 on page 7 of the By-Laws is amended by changing the vote requirement on the third line from "75%" to read "66-2/3%".

22. Subparagraph "a" and "b" of paragraph 8.2 on page 9 of the By-Laws are amended, respectively, as follows:

(a) Subparagraph "a" is amended by changing the vote requirement on the first and second lines from "75%" to read "66-2/3%".

(b) Subparagraph "b" is amended by changing the vote requirement on the first line from "80%" to read "66-2/3%".

23. Paragraph (5) on page 1 of the Regulations is deleted in its entirety and in lieu thereof the following provision is added:

"5. The balconies, terraces, and interior halls and exterior stairways shall be used only for the purposes intended, and shall not be used for hanging garments or other objects or for cleaning of rugs or other household items. Interior halls and exterior stairways shall not be used for the placement of furniture or plants or similar objects."

24. Paragraph (12) on page 2 of the Regulations is deleted in its entirety and in lieu thereof the following provision is added:

"12. No pets will be allowed in the Condominium in accordance with Item 11.8 of the Declaration of Condominium."

IN WITNESS WHEREOF, certification is hereby made that the foregoing amendments were duly adopted as recited above and this Amendment is being made effective as of the 30 day of November, 1983.

Signed, sealed and delivered in the presence of:

Clarence E. Bryson
Wallace J. Baxter

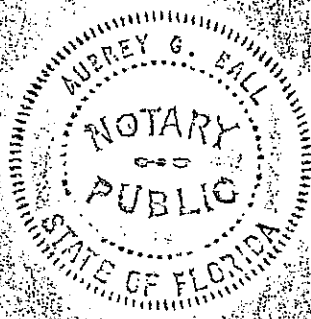
BAYSHORE CONDOMINIUM ASSOCIATION
OF PENSACOLA, INC.

By: J. H. McCurtain
Its President
ATTEST: Betty B. Hite
Its Secretary

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 30 day of November, 1983, by J. H. McCurtain and Betty B. Hite, President and Secretary, respectively, of Bayshore Condominium Association of Pensacola, Inc., a Florida corporation not for profit, on behalf of the corporation.

Aubrey G. Ball
Notary Public, State of Florida
at Large MY COMMISSION EXPIRES DEC. 17, 1984
My Commission Expires: _____



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CLERK