

**CERTIFICATE
OF
AMENDMENT TO THE
DECLARATION OF CONDOMINIUM ESTABLISHING
NORTH PASSAGE
A CONDOMINIUM**

The Declaration of Condominium Establishing North Passage, a Condominium has been recorded in the public records of Indian River County, Florida at Official Records Book 570, Page 1468, et. seq., and amended at Official Records Book 571, Page 792, et. seq., Official Records Book 593, Page 2857, et. seq., Official Records Book 593, Page 2858, et. seq., Official Records Book 1606, Page 249, et. seq., Official Records Book 1651, Page 2112, et. seq., and Official Records Book 2460, Page 1325, et. seq. The same Declaration of Condominium is hereby amended as approved by a majority of the Board of Directors and by at least 75% of the votes of the entire Membership. Said approval occurring at the Membership Meeting held on December 13, 2018.

1. Article IX, Subsection (A) is amended to read as follows:

IX

MAINTENANCE, ALTERATION AND IMPROVEMENT

Responsibility for the maintenance of the condominium property and restrictions upon its alteration and improvements shall be as follows:

- (A) Apartments.

- (a) By the Association. The Association will maintain, repair and replace:

- (1) All portions of the condominium property, except interior surfaces of apartments and the areas which are the responsibility of the apartment owner as set forth in Section (b) below, which portions shall include but not be limited to the outside walls of the apartment buildings and all fixtures thereon, boundary walls of apartments, floors, load bearing columns and load bearing walls. Such will be done at

the expense of the Association, unless made necessary by the negligence of any apartment owner, members of his family, or his, her or their guests, employees, agents or lessees. In the event of such negligence, it will be done by the Association at the expense of said apartment owner,

(b) By the apartment owners. The responsibility of the apartment owners will be as follows:

(1) To immediately maintain, repair and replace all portions of apartments and the fixtures and equipment contained within the apartments, except the portions thereof to be maintained, repaired or replaced by the Association. The apartment owner's responsibilities include, but are not limited to, the maintenance, repair and replacement of the following areas:

(i) The window screens, window glass and window frames and mechanisms.

(ii) All doors to the apartment except that the Association is responsible for painting the exterior surface of the exterior apartment doors.

(iii) The circuit breaker panel and all electric wiring within the apartment boundary.

(iv) Appliances, water heaters, smoke alarms and vent fans.

(v) All air conditioning and heating equipment, outside condensers, thermostats, ducts and installations serving the apartment exclusively, wherever located.

(vi) Carpeting, tile and other floor coverings.

(vii) Shower pans.

(viii) Other facilities or fixtures, including mechanical and plumbing lines, pipes, fixtures, switches, valves, drains and outlets (including connections) which are located and contained entirely within the apartment and serving only the apartment.

(ix) Railings situated on private balconies.

Such will be done at the expense of the owner of the apartment where the work is done.

(The balance of Article IX remains unchanged.)

2. The foregoing amendment to the Declaration of Condominium Establishing North Passage, a Condominium, is hereby amended as approved by a majority of the Board of Directors and by at least 75% of the votes of the entire Membership. Said approval occurring at the Membership Meeting held on December 13, 2018.

3. All provisions of the Declaration of Condominium Establishing North Passage, a Condominium, are herein confirmed and shall remain in full force and effect, except as specifically amended herein.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed in its name by its President, its Secretary and its corporate seal affixed this 7th day of January, 2019.

WITNESSES:

NORTH PASSAGE ASSOCIATION,
INC.

Wendy Cowan

Printed Name: Wendy Cowan

Melissa Medez

Printed Name: Melissa Medez

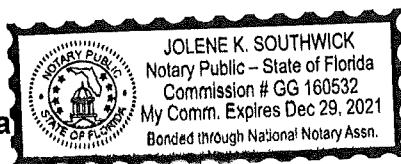
By: Alan F. Saeva, President

STATE OF FLORIDA

COUNTY OF Indian River

The foregoing instrument was acknowledged before me on January 7, 2019, by Alan Saeva, as President of North Passage Association, Inc. [] who is personally known to me, or [] who has produced identification [Type of Identification: _____].

Notarial Seal



Jolene K Southwick
Notary Public

WITNESSES:

NORTH PASSAGE ASSOCIATION,
INC.

Wendy Cowan
Printed Name: Wendy Cowan

Melissa Mendez
Printed Name: Melissa Mendez

By: Paul H. Yeagle, Secretary

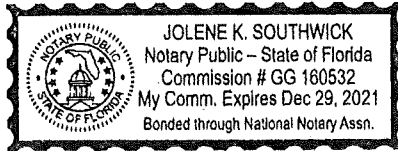
**CORPORATE
SEAL**

STATE OF FLORIDA
COUNTY OF Indian River

The foregoing instrument was acknowledged before me on January 7, 2019, by Paul Yeagle, as Secretary of North Passage Association, Inc. [] who is personally known to me, or [] who has produced identification [Type of Identification: _____].

Notarial Seal

Jolene K. Southwick
Notary Public



This Instrument Prepared by and Return to:
Charles W. McKinnon, Esq.
3055 Cardinal Drive, Suite 302
Vero Beach, FL 32963
Courthouse Box #79

**CERTIFICATE OF AMENDMENTS TO
DECLARATION OF CONDOMINIUM
OF
NORTH PASSAGE CONDOMINIUM**

THE UNDERSIGNED, being the President and Secretary of **NORTH PASSAGE ASSOCIATION, INC.**, a Florida non-profit corporation, hereby certify that at a duly called meeting of all of the unit owners of condominium units in the above-named condominium, held on the 28th day of November, 2010, in accordance with the requirements of Florida law, and of the Declaration of Condominium of **North Passage Condominium**, as originally recorded in Official Record Book 570, Beginning at Page 1470, Public Records of Indian River County, Florida, and after the adoption of a Resolution proposing said amendments by the Board of Directors, not less than seventy-five percent (75%) of the entire membership affirmatively voted to amend the Declaration of Condominium as hereinafter set out.

NOW, THEREFORE, in consideration of the foregoing, the Declaration of Condominium, shall be amended as follows:

Article XII shall be amended by adding the following paragraph to the beginning of the first paragraph:

XII. INSURANCE.

In the event of major damage, the contracted management company at the time will establish a separate account to control all incoming and expense monies. The management company will immediately enlist an adjuster to formally appraise the damage and submit the claim to the appropriate insurance carrier and will begin contracting with vendors to initiate repair. (The immediate use of equity funds are permitted for these actions with subsequent bank loans and special assessments as directed by the board.) References in this section of the Declaration of Condominium to an "Insurance Trustee" are no longer valid. The management company at the time of the major damage will act as the repair project manager and will be reimbursed as permitted by Florida Statutes. (References in this section of the Declaration of Condominium requiring the use of a licensed architect are no longer valid.)

IN WITNESS WHEREOF, the undersigned President and Secretary of the Association have executed this Certificate of Amendment to Declaration of Condominium, this 11 day of November, 2010.

NORTH PASSAGE ASSOCIATION, INC.

By: [Signature]
President
Print Name: Paul Yeagle

(CORPORATE SEAL)

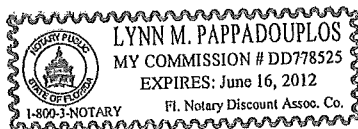
ATTEST:
By: [Signature]
Secretary
Print Name: Leah K. Scott

**STATE OF FLORIDA
COUNTY OF INDIAN RIVER**

I HEREBY CERTIFY that before me, a Notary Public, personally appeared Paul Yeagle and Leah Scott, respectively the President and Secretary of North Passage Association, Inc., who have produced Florida Drivers Licenses as identification or who are personally known to me to be the persons described in the foregoing instrument and who have acknowledged before me that they executed the same for the purposes therein set forth for and on behalf of said corporation.

WITNESS my hand and official seal in the state and county last aforesaid this 11 day of November, 2010.

[Signature]
Name: Lynn M. Pappadopoulos
Notary Public, State of Florida
(Affix Seal)



This instrument prepared by and return to:
Charles W. McKinnon, Esquire
McKinnon & McKinnon, Chartered
3405 Ocean Drive
Vero Beach, FL 32963
Courthouse Box #94

1486806
THIS DOCUMENT HAS BEEN RECORDED
IN THE PUBLIC RECORDS OF
INDIAN RIVER COUNTY FL.
BK: 1651 PG:2112, Page 1 of 2
10/29/2003 at 09:04 AM,

JEFFREY K BARTON, CLERK OF
COURT

CORRECTED CERTIFICATE OF AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF
NORTH PASSAGE CONDOMINIUM

The undersigned, being the President and Secretary of NORTH PASSAGE CONDOMINIUM ASSOCIATION, INC., a Florida corporation, hereby certify that at a duly called meeting of all of the unit owners of condominium units in the above-named condominium, duly held on the 10th day of April, 2003, in accordance with the requirements of Florida law, and of the Declaration of Condominium of NORTH PASSAGE CONDOMINIUM, recorded in Official Record Book 570, beginning at Page 1470, Public Records of Indian River County, Florida, after the adoption of a Resolution proposing said amendments by the Board of Directors, the entire membership of the Board of Directors and the entire membership of the Association, affirmatively voted to amend Paragraph IX(B)(b) of the Declaration of Condominium as follows:

IX(B)(b) Alteration and Additions. There shall be no material alterations to the common elements or limited common elements without prior approval in writing by not less than seventy-five percent (75%) of the record owners of all apartments. Costs of such alterations shall be a common expense shared equally by all owners.

IN WITNESS WHEREOF, the undersigned President and Secretary of NORTH PASSAGE CONDOMINIUM ASSOCIATION, INC. have executed this Certificate of Amendment to Declaration of Condominium in accordance with the authority hereinabove expressed this 10th day of September, 2003.

NORTH PASSAGE CONDOMINIUM
ASSOCIATION, INC.

BY: [Signature]
President

(CORPORATE SEAL)

ATTEST:

BY: [Signature]
Secretary

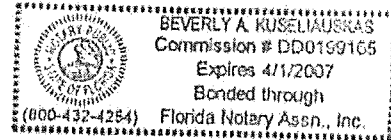
STATE OF FLORIDA

COUNTY OF INDIAN RIVER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared J. Scott and J. Cody personally known by me to be the President and Secretary of NORTH PASSAGE CONDOMINIUM ASSOCIATION, INC. and that they acknowledged executing the same for such corporation, freely and voluntarily, under authority duly vested in them by said corporation.

WITNESS my hand and official seal in the State and County last aforesaid, this 8th day of September, 2003

Beverly A. Kuselias
Notary Public



Rec. 700

239101

NORTH PASSAGE CONDOMINIUM
AMENDMENT OF DECLARATION OF CONDOMINIUM

NORTH PASSAGE ASSOCIATION, INC., a Florida corporation not for profit, does hereby certify that the Declaration of Condominium establishing NORTH PASSAGE CONDOMINIUM as recorded in Official Record Book 870, Page 1468, Public Records of Indian River County, Florida, was amended by action of the Association, pursuant to the provisions for adoption of amendments as prescribed in the Declaration of Condominium, By-laws and the Florida Statutes, in the following respects, to-wit:

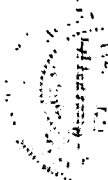
That the Declaration of Condominium be amended by deleting the existing paragraph (E) of Article XIV and substituting in lieu thereof the following:

(E) LEASING. After approval by the Board of Directors of the Association elsewhere required, entire apartments may be rented, provided the occupancy is only by the Lessee, members of his family, and his social guests. No rooms may be rented and no transient tenants may be accommodated. All Leases must be for a minimum term of sixty (60) days.

NORTH PASSAGE ASSOCIATION, INC.

By Donald D. Cody
Donald D. Cody, President

Attest Angelo DiCataldo
Angelo DiCataldo, Secretary

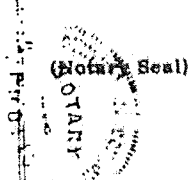


(Corporate Seal)

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared DONALD D. CODY and ANGELO DICATALDO, well known to me to be the President and Secretary respectively of NORTH PASSAGE ASSOCIATION, INC., a Florida corporation not for profit, and that they severally acknowledged executing the above and foregoing Amendment of Declaration of Condominium freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of November, 1978.



Caroline H. Dawson
Notary Public, State of Florida at Large
My commission expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES SEPT. 17 1980
BONDED WITH GENERAL IND. UNDERWRITERS

GORDON B. JOHNSON, ATTORNEY AT LAW, VERO BEACH, FLORIDA

1582 38665 2857

THIS INSTRUMENT IS NOT
SUITABLE FOR MICROFILMING

NORTH PASSAGE CONDOMINIUM
AMENDMENT OF DECLARATION OF CONDOMINIUM

THE MOORINGS DEVELOPMENT COMPANY, a Florida corporation, the developer of North Passage, a Condominium according to the Declaration of Condominium recorded July 28, 1978, in Official Record Book 570, at page 1468, of the public records of Indian River County, Florida, and the current owner of all condominium apartments located in North Passage Condominium, pursuant to Florida Statute 718.110(2), amends the aforementioned Declaration of Condominium by changing the identifying designation of the penthouse apartments on the plot plan marked, "Exhibit B-3", as shown by the Exhibit attached hereto, and by amending provision V, DEVELOPMENT PLAN (G) Apartment boundaries, (a) Upper and Lower boundaries, (2) Lower Boundary, to read as follows, to-wit:

(2) Lower Boundary - the plane of the lowest surfaces of the unfinished floor slab, including the floor slab of a balcony, deck, loggia, terrace, porch, canopy, stairway or other portion of the building serving only the apartment being bounded. In a unit containing a room in which the floor is raised above the level of the floor in the rest of the unit, the floor slab shall include the vertical slab or wall connecting the raised floor with the floor of the remaining portion of the unit, and the lower boundary shall include the plane of the unfinished surface of the vertical slab or wall that joins the planes of the lowest surfaces of the unfinished horizontal portions of the floor slabs.

EXECUTED at Vero Beach, Indian River County, Florida, this

14 day of August, 1978.

THE MOORINGS DEVELOPMENT COMPANY

Attest:

[Signature]
Secretary

By [Signature]
President

Signed, Sealed and Delivered

ed in the presence of:

[Signature]
[Signature]



STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared JORGE GONZALEZ and CHARLES E. COX, well known to me to be the President and Assistant Secretary respectively of the corporation named in the foregoing Amendment, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 14th day of August, 1978.

John P. McKeon
Notary Public, State of Florida at Large. My commission expires:

Notary Public, State of Florida at Large
My commission expires 11/28/80

This Instrument Prepared By:
Charles R. McKinnon, Esquire
of Gould, Cooksey, Fennell,
Appleby & McKinnon
Professional Association
Post Office Box 760
Vero Beach, Florida 32960

FILED FOR RECORD
BY NOTARY PUBLIC
1978 AUG 15 PM 2:32
COUNTY OF INDIAN RIVER
FLORIDA
John P. McKeon