

1872050 RECORDED IN THE RECORDS OF JEFFREY K BARTON, CLERK CIRCUIT COURT INDIAN RIVER CO FL, BK: 2203 PG: 621, 09/13/2007 03:08 PM

Recording: \$

**THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:**

Samuel A. Block, Esq.
21 Royal Palm Pointe, Suite 100
Vero Beach, FL 32960

**CERTIFICATE OF SIXTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND LIMITATIONS FOR OCEAN COLONY**

KNOW ALL MEN BY THESE PRESENTS:

THAT THIS CERTIFICATE OF SIXTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND LIMITATIONS FOR OCEAN COLONY is made as of the 26 day of August, 2007, by **OCEAN COLONY PROPERTY OWNERS' ASSOCIATION, INC.**, a Florida corporation (hereinafter referred to as the "Association").

WITNESSETH:

WHEREAS, under ARTICLE XIII, Section 6, Amendments, the Declaration may be amended at any time and from time to time upon the execution and recording of an instrument executed by the President and Secretary of the Association acknowledging and affirming that the Owners holding not less than two-thirds (2/3rds) of the voting interests of the membership in the Association have approved said amendment; and

WHEREAS, all of the requirements necessary to effect an amendment to the Declaration have been met, including the holding of a special meeting of the membership after notice, at which a quorum was present and the amendments adopted.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confirmed, and for purposes of protecting the value, attractiveness, and desirability of the Property, as said Property is defined in the Declaration, the Association hereby amends the Declaration as follows:

1. The above recitals are affirmed as being true and correct and are hereby incorporated herein by reference.

2. The Declaration is hereby modified and amended as set forth below. Any conflicting provision in the Declaration is hereby declared to be modified, amended, or deleted to the extent that it conflicts with the following:

A. ARTICLE VI, INSURANCE AND CASUALTY LOSSES, Section 1, Insurance, is hereby deleted in its entirety and shall now read as follows:

Section 1. Insurance. The Associations' Board of Directors or its duly authorized agent shall have the authority to obtain and maintain insurance, in its sole discretion and as it deems appropriate, for all insurable improvements on the Common Area against loss or damage by fire or other hazards, including extended coverage, vandalism and malicious mischief, and shall also obtain a public liability policy covering all the Common Area and all damage or injury caused by the negligence of the Association or any of its agents, which public liability policy shall have personal injury and property damage combination single limit coverage of at least One Million and No/100 Dollars (\$1,000,000.00). Premiums for all such insurance shall be commons expenses of the Association. The policy may contain a reasonable deductible, and the amount thereof shall be added to the face value of the policy in determining whether the insurance equals at least the full replacement cost. The Board of Directors of the Association shall have the authority to increase the minimum insurance requirements in its sole discretion.

3. Except as specifically modified and amended by this instrument and except as previously modified and amended, the terms and conditions of the Declaration shall remain unchanged and in full force and effect and are expressly re-affirmed by this instrument.

IN WITNESS WHEREOF, the undersigned has hereunto caused this instrument to be executed on the date set forth above.

Signed, Sealed and Delivered
in the Presence of:

“ASSOCIATION”

OCEAN COLONY PROPERTY OWNERS’
ASSOCIATION, INC., a Florida corporation

Wendy Cowan
(Name:) Wendy Cowan
Wendy Cowan Nancy Olson
(Name:) Nancy Olson

By: Ann Wheeler
Ann Wheeler, President

Wendy Cowan
(Name:) Wendy Cowan
Nancy Olson
(Name:) Nancy Olson

Attest: Richard Vacca
Richard Vacca, Secretary

STATE OF FLORIDA)
 :SS.
COUNTY OF INDIAN RIVER)

I HEREBY CERTIFY that before me, an officer duly authorized to take acknowledgments, personally appeared Ann Wheeler and Richard Vacca, as President and Secretary, respectively, of OCEAN COLONY PROPERTY OWNERS' ASSOCIATION, INC., a Florida corporation, to me known to be the persons described in and/or who produced _____ as identification, and acknowledged before me that they executed the foregoing instrument on behalf of said corporation for the purposes therein set forth.

WITNESS my hand and official seal in the state and county last aforesaid this 28 day of August, 2007.



MORGAN SMITH
MY COMMISSION # DD 301919
EXPIRES: March 21, 2008
Bonded Thru Budget Notary Services

(S E A L)

Morgan Smith
Notary Public, State of Florida
Morgan Smith
Printed Name of Notary
My Commission Expires: