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CERTIFICATE OF AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF SEA WATCH

IN THE RECORDS OF
JEFFREY K. BARTON
CLERK CIRCUIT COURT
INDIAN RIVER CO., FLA.

The undersigned, being the President and Secretary of **SEA WATCH CONDOMINIUM ASSOCIATION, INC.**, a Florida non-profit corporation, hereby certify that at the Membership Meeting of the Association duly held on April 28, 2003, in accordance with the requirements of Florida law, and of the Declaration of Condominium establishing Sea Watch Condominium, recorded in Official Records Book 498, beginning at Page 280, of the 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 three-fourths (3/4) of the total eligible voting members of the Association affirmatively voted to amend the Declaration of Condominium as hereinafter set out.

I. The first un-lettered Paragraph of Article XIX shall be amended to read as follows:

XIX
RESTRICTIONS OF USE

The use of the condominium property shall be in accordance with the following provisions, as long as the condominium exists and the buildings in useful condition exists upon the land:

II. Paragraph (A) shall be added to Article XIX and shall read as follows:

(A) Units. Each of the units shall be occupied as a single family private dwelling by the owner, someone related to him by blood, marriage or adoption, and his social guests, and for no other purpose. No unit may be divided or subdivided into a smaller unit or otherwise transformed without first amending this Declaration to show the changes in the units to be affected.

III. Paragraph (B) shall be added to Article XIX and shall read as follows:

(B) Fifty Five or Older Community. Association intends to provide housing for persons fifty five (55) years of age or older. Except for persons who qualify for an exemption, no apartment shall be occupied unless there is at least one (1) person occupying the apartment who has attained the age of fifty five (55) years. The foregoing shall not, however, be interpreted to prohibit the occupants of an apartment from entertaining social guests. Nor shall it apply to the following persons, who shall be permitted to occupy an apartment, even though there is not at least one (1) person occupying the apartment who has attained the age of fifty five (55) years: (1) any person who was the record title owner of a unit prior to the date of this amendment (this provision shall not apply to, or permit occupancy of, any other unit); (2) any occupant of an apartment under a written lease provided that the lease was fully executed prior to the date of this amendment (this provision shall not apply to, or permit the occupancy of, any other unit); (3) any person who was not an owner or a tenant as of the date of this amendment, but who was occupying a unit as of the date of this amendment; (this provision shall not apply to, or permit occupancy, of any other unit). The Association reserves the right to periodically require written registration information from owners, tenants or occupants documenting the following criteria: (1) a completed and executed registration form, as provided by the association; (2) documentation demonstrating proof of age; (3) if occupancy is based upon a lease, a fully executed copy of the lease. Owners shall notify the association of any periods of time during which their unit is unoccupied for thirty (30) days or more.

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IV. Paragraph (C) shall be added to Article XIX and shall read as follows:

(C) Ownership of Multiple Units. No one may own more than one unit in the condominium individually or as trustee. No one whose spouse owns a unit in the condominium may acquire a condominium unit and no one who owns a unit may have an ownership interest in a corporation, limited liability company, partnership or other entity, which owns a unit, or the beneficial interest in any trust which owns a unit.

V. Paragraph (D) shall be added to Article XIX and shall read as follows:

(D) Leasing. After approval of an application for lease by the Board of Directors of the Association as elsewhere required, entire units 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 families may be accommodated. All leases must be for a minimum term of fifty-nine (59) days. Units may not be leased for more than two hundred seventy-three (273) days in any calendar year.

VI. Paragraph (E) shall be added to Article XIX and shall read as follows:

(E) Children. No children under thirteen (13) years of age will be permitted to visit the condominium property, or to reside in any of the apartments of the condominium, during more than thirty (30) days in any calendar year, which days will not be cumulative. The Association reserves the right, when deemed necessary, to require written notification from owners documenting the names of all children under thirteen (13) years of age and the dates of their residency.

VII. Paragraph (F) shall be added to Article XIX and shall read as follows:

(F) Pets. No animals or pets of any kind shall be kept in any unit, or on any property of the condominium.

VIII. Paragraph (G) shall be added to Article XIX and shall read as follows:

(G) Appearance. The unit owners shall not cause anything to be hung, displayed or placed on the exterior walls, doors, railings, or windows of the condominium buildings and shall not otherwise change the appearance of any portion of the exterior of the building, and common element or limited common element, or the surfaces of interior building walls facing common elements or limited common elements.

IX. Paragraph (H) shall be added to Article XIX and shall read as follows:

(H) Exterior Surfaces. The Association shall determine the exterior color scheme of the buildings and all exteriors, and no owner shall paint an exterior wall, door, window or any exterior surface, or replace anything thereon or affixed thereto, without the written consent of the Association.

X. Paragraph (I) shall be added to Article XIX and shall read as follows:

(I) Vehicles. Automobiles may be parked only in designated parking areas of the condominium property but only in accordance with the regulations of the Board of Directors of the Association. No other vehicles or objects, including but not limited to commercial trucks, motorcycles, trailers and boats, will be parked or placed upon such portions of the condominium property.

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XI. Paragraph (J) shall be added to Article XIX and shall read as follows:

(J) Common Elements. The common elements shall be used only for the purposes for which they are intended.

XII. Paragraph (K) shall be added to Article XIX and shall read as follows:

(K) Nuisances. No nuisances shall be allowed upon the condominium property, nor any use or practice that is the source of annoyance to residents or which interferes with the peaceful possession and proper use of the property by its residents. All parts of the condominium shall be kept in a clean and sanitary condition, and no rubbish, refuse or garbage shall be allowed to accumulate nor any fire or safety hazard allowed to exist. No unit owner shall permit any use of his unit or make any use of the common elements, limited common elements, or additional facilities that will increase the cost of insurance or operating expenses upon said property.

XIII. Paragraph (L) shall be added to Article XIX and shall read as follows:

(L) Lawful Use. No immoral, improper, offensive or unlawful use shall be made of the condominium property nor any part of it; and all valid laws, zoning ordinances, and regulations of all governmental bodies having jurisdiction, shall be observed. The individual or entity responsible for meeting the requirements of governmental bodies for maintenance, modification or repair of the condominium property shall be the same as the individual or entity responsible for the maintenance and repair of the property concerned.

XIV. Paragraph (M) shall be added to Article XIX and shall read as follows:

(M) Rules and Regulations. Reasonable rules and regulations concerning other use of the condominium property may be made and amended from time to time by the Board of Directors of the Association. Copies of such rules and regulations will be furnished by said Board to all unit owners and residents of the condominium, upon request.

XV. Paragraph (N) shall be added to Article XIX and shall read as follows:

(N) Use or Acquisition of Interest in the Condominium to Render User or Acquire Subject to Provisions of Declaration of Condominium, Rules and Regulations. All present or future owners, tenants, or any other person who might use the facilities of the Condominium in any manner are subject to the provisions of this Declaration of Condominium, and the mere acquisition or rental of any unit, or the mere act of occupancy of any unit, shall signify that the provisions of this Declaration of Condominium are accepted and ratified in all respects.

IN WITNESS WHEREOF, the undersigned President and Secretary of SEA WATCH CONDOMINIUM ASSOCIATION, INC. have executed this Certificate of Amendment of the Declaration of Condominium on this 31st of May, 2003.

SEA WATCH CONDOMINIUM
ASSOCIATION, INC., a Florida non-profit
corporation

BY:

Gordon Fallow
President

ATTEST:

Richard J. McDermott
Secretary

(CORPORATE SEAL)

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STATE OF FLORIDA

COUNTY OF INDIAN RIVER

I HEREBY CERTIFY that on this date, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Gordon Fallow and Richard J. McDermott, President and Secretary respectively of the corporation named herein, personally known to me, and they acknowledged executing the same freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed hereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the State and County aforesaid this 31st day of May, 2003.

Kim N. Melzer
Notary Public



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