

Prepared by and return to:  
Kevin T. Wells, Esq.  
Law Offices of Wells | Olah, P.A.  
1800 Second Street, Suite 808  
Sarasota, FL 34236  
(941) 366-9191

**CERTIFICATE OF AMENDMENT**

**DECLARATION OF CONDOMINIUM  
BEACH TOWNHOUSES, A CONDOMINIUM**

**ARTICLES OF INCORPORATION  
BYLAWS  
BEACH TOWNHOUSES CONDOMINIUM ASSOCIATION, INC.**

We hereby certify that the attached amendments to the Declaration of Condominium of **BEACH TOWNHOUSES, A CONDOMINIUM** (which Declaration was originally recorded at Official Records Book 1087, Page 581 *et seq.* of the Public Records of Manatee County, Florida), and the amendments to the Articles of Incorporation and Bylaws (which Articles of Incorporation and Bylaws are recorded as Exhibits to the originally recorded Declaration of Condominium) of **BEACH TOWNHOUSES CONDOMINIUM ASSOCIATION, INC.** (herein, the "Association") were duly adopted at the Annual Membership Meeting of the Association held on February 11, 2020 and reconvened on February 19, 2020, by the affirmative vote of not less than 2/3 of all voting rights of all unit owners as required by Article 19 of the Declaration, Article VIII of the Articles of Incorporation and Article VIII of the Bylaws, respectively. The Association further certifies that the amendments were proposed and adopted as required by the governing documents and applicable law.

Pursuant to Section 718.110(11), Florida Statutes, attached hereto and incorporated herein is an affidavit of the Association that attests that the Association has complied with the statutory mandated procedures and 100% of the institutional mortgagees have consented to the attached amendments to the Declaration of Condominium, either via written consent or the institutional mortgagee failed to respond within sixty (60) days and their consent is, therefore, deemed to be automatically provided to the amendments to the Declaration of Condominium.

DATED this 14 day of ~~August, 2020~~ September 2021

Signed, sealed and delivered in the presence of

Sign: [Signature]  
Print: FRANK WILLIAMS

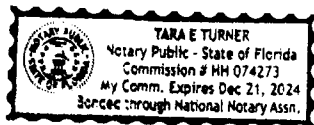
Sign: [Signature]  
Print: LISA WELLS

**BEACH TOWNHOUSES CONDOMINIUM ASSOCIATION, INC.**

By: [Signature]  
Vito Servidio, President

STATE OF FLORIDA  
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 14 day of August, 2020, by Vito Servidio as the President of BEACH TOWNHOUSES CONDOMINIUM ASSOCIATION, INC., a Florida corporation, on behalf of the corporation, who is personally known to me or has produced D-5613-82045173-0 as identification.



NOTARY PUBLIC

Sign: [Signature]  
Print: Tara E Turner  
State of Florida at Large (Seal)  
My Commission expires: Dec 21 2024

Sign: [Signature]  
Print: Jaleera Alvarez  
Sign: [Signature]  
Print: ALEX WES AMADORO

ATTEST:  
By: [Signature]  
Laura Lisi, Secretary

[Corporate Seal]

STATE OF NEW YORK  
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 20 day of December, 2021, by Laura Lisi as the Secretary of BEACH TOWNHOUSES CONDOMINIUM ASSOCIATION, INC., a Florida corporation, on behalf of the corporation, who is personally known to me or has produced driver license as identification.

NOTARY PUBLIC

Sign: [Signature]  
Print: Linda Leiva Amador

State of Florida at Large (Seal)  
My Commission expires: 02/25/2023

LINDER LEIVA AMADOR  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01LE6387734  
QUALIFIED IN NASSAU COUNTY  
COMMISSION EXPIRES FEBRUARY 25, 2023

## AMENDMENTS

### DECLARATION OF CONDOMINIUM BEACH TOWNHOUSES, A CONDOMINIUM

### ARTICLES OF INCORPORATION AND BYLAWS BEACH TOWNHOUSES CONDOMINIUM ASSOCIATION, INC.

*[Additions are indicated by underline; deletions by ~~strike through~~]*

#### I. DECLARATION OF CONDOMINIUM

16. **RIGHTS OF INSTITUTIONAL FIRST MORTGAGEES.** Notwithstanding any provisions of this Declaration, the written consent of all savings and loan associations, banks, FNMA, FHLMC, and insurance companies or their subsidiaries or affiliates holding first mortgages upon any of the condominium units (herein sometimes referred to as "institutional first mortgagees") shall be first obtained prior to any amendments to this Declaration, the Articles of Incorporation, or the By-Laws that materially or adversely affect the interests of the institutional first mortgage company or priority of the first mortgagee; prior to the termination of the condominium; prior to the partition or subdivision of any unit, or prior to the abandonment, partition, subdivision, encumbrance, sale or transfer of the common elements. Such institutional first mortgagees shall have the right to examine the books and records of the Association upon reasonable notice during normal business hours and, upon written request to the Association, shall be furnished written notification by the Association of any default by the mortgagor of a unit in the performance of such mortgagor's obligations under this Declaration or the By-Laws which are not cured within thirty (30) days. Except as otherwise provided in Section 718.116(1)(b), Florida Statutes, such institutional first mortgagees who obtain title to a unit through mortgage foreclosure or acceptance of deed in lieu of foreclosure shall not be liable for the share of common expenses assessed to such unit prior to the acquisition of such title, unless such share is secured by a claim of lien for assessments recorded prior to the recording of the mortgage. Unpaid shares of common expenses or assessments shall be deemed to be common expenses collectable from all unit owners. Such mortgagee shall pay all common expenses assessed to such unit which shall come due during the period the unit is owned by the mortgagee, however.

...

19. **AMENDMENTS.** A majority of the Board of Directors may propose one or more amendments to this Declaration. This Declaration may be amended at any time by affirmative vote of a majority (that is, more than half) of the voting interests present (in person or by proxy) at a membership meeting at which a quorum is obtained, ~~two thirds (2/3) of all voting rights of all unit owners~~ except that provisions relating to percentage of ownership and sharing of common expenses, ~~rights of Developer,~~ termination of the condominium, and the voting rights of members may be amended only with the written consent of all persons adversely affected thereby. The Articles of Incorporation and By-Laws may be amended in the manner provided therein. ~~by a two thirds (2/3) vote of all voting rights of all members of the Association.~~ No amendment shall be effective unless it be in writing, executed by the president or vice president and attested by the secretary of the Association with the formalities required for a conveyance of real property in the State of Florida, and recorded in the Public Records of Manatee County. It shall not be necessary for the individual unit owners or holders of recorded liens thereon (except institutional first mortgage holders as herein provided) to join in the execution of any amendment, and the execution of any amendment by the president or vice president and attested by the secretary of the Association as provided herein shall be prima facie evidence that the amendment was duly adopted in accordance with the requirements of this Declaration, the Articles of Incorporation and the By-Laws. ~~Until such time as Developer shall have conveyed title to all units, no amendments to the~~

~~Declaration of Condominium or By-Laws shall be effective without its written consent. By acceptance of a deed to a condominium unit, the grantee agrees for himself, his heirs, successors and assigns, and the holders of any mortgages, liens or other interests in or to any unit, that Developer shall have the right and irrevocable power to amend this Declaration and the exhibits recorded herewith as may be necessary or desirable from time to time prior to the conveyance of all units by Developer to (a) identify, locate and dimension any units which are not completed at the date of this Declaration, (b) to correct any errors or omissions in the Declaration or any exhibits hereto; (c) to make the documents comply with the requirements of any statutory provisions or any state or federal rules or regulations or (d) to gain acceptance or approval of any institutional mortgage lender or title insurer. Such amendments shall be executed by the Developer with written consent of all institutional first mortgagees, and the joinder or further consent of individual unit owners or holders of recorded liens or other interests therein or thereon shall not be required. Such Amendments, along with a certificate of amendment, shall take effect immediately upon recordation in the Public Records of Manatee County.~~

## II. ARTICLES OF INCORPORATION

### ARTICLE XII. BY-LAWS

~~The By-laws of the Association shall be amended in the manner provided in the Bylaws adopted by the Board of Directors and may be amended or rescinded by majority vote of the voting rights of the members.~~

...

### ARTICLE XIV. AMENDMENTS.

~~A majority of the Board of Directors may propose one or more amendments to the Articles of Incorporation. The Association may amend the Articles of Incorporation upon the approval of a majority (that is, more than half) of the voting interests present (in person or by proxy) at a membership meeting at which a quorum is obtained. The Association reserves the right to amend, alter, change or repeal any provisions contained in these Articles of Incorporation by a two-thirds (2/3) vote of all voting rights of all members of the corporation and all rights conferred upon the members herein are granted subject to this reservation.~~

## III. BYLAWS

### ARTICLE II. MEMBERSHIP

...

~~3. ANNUAL MEETING. An annual meeting of the members shall be held at a location located within 45 miles of the condominium property at a specific location to be designated by the Board of Directors and at a time and date within the months of January, February or March to be established by the Board the principal office of the Association or such other place within said County as may be designated by the president, at 8:00 p.m. on the second Thursday in the month of February for the purpose of electing directors and for the transaction of such other business as may properly come before the meeting.~~

...

### ARTICLE VIII. AMENDMENTS.

~~A majority of the Board of Directors or three (3) eligible voting interests may propose one or more amendments to these By-laws. These By-laws may be amended upon the approval of a majority (that is, more than~~

~~half) of the voting interests present (in person or by proxy) at a membership meeting at which a quorum is obtained, altered, or repealed by a new By-laws adopted by two thirds (2/3) vote of the voting rights at the annual meeting or at any special meeting of the members. No modification of or amendment to the By-laws shall be valid unless set forth in or annexed to a Certificate of Amendment an amendment to the Declaration of Condominium and duly recorded in the Public Records of Manatee County in the manner provided in the Declaration.~~