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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CEAGLETO Receipt#1450080

Prepared by and Return to:
Jeremy V. Anderson, Esquire
Lobeck & Hanson, P.A.
2033 Main Street, Suite 403
Sarasota, Florida 34237
(941) 955-5622 (Telephone)
(941) 951-1469 (Facsimile)

CERTIFICATE OF AMENDMENT
TO
AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
VILLA GARDENS, A SUBDIVISION

We hereby certify that the attached amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions (which Declaration was originally recorded at Official Records Book 1327, Pages 634 et seq. of the Public Records of Sarasota County, Florida), was approved and adopted at the Annual Meeting of the Association Membership of Villa Gardens Owners Association, Inc., held on November 13, 2011, by not less than fifty-one percent of all the Lots covered thereby, which is sufficient pursuant to Article 11.02 of the Declaration.

DATED this 1st day of Dec., 2011.

Signed, sealed and delivered
In the presence of:

VILLA GARDENS
OWNERS ASSOCIATION, INC.

sign: [Signature]
print: RONALD S. DUBER
sign: [Signature]
print: SCOTT RYERSON

By: [Signature]
John Burnham, President

Signed, sealed and delivered
in the presence of:

sign: [Signature]
print: RONALD S. DUBER
sign: [Signature]
print: SCOTT RYERSON

By: [Signature]
Linda Recker, Secretary

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 1st day of Dec., 2011, by John Burnham as President of Villa Gardens Owners Association, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification.



BONNIE J. JENNINGS-DUBIN
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD0945802
Expires 2/24/2014

NOTARY PUBLIC

sign

print

Bonnie J. Jennings-Dubin
State of Florida at Large (Seal)

My Commission expires:

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 1st day of Dec., 2011, by Linda Recker, as Secretary of Villa Gardens Owners Association, Inc., a Florida corporation, on behalf of the corporation. She is personally known to me or has produced _____ as identification.



BONNIE J. JENNINGS-DUBIN
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD0945802
Expires 2/24/2014

NOTARY PUBLIC

sign

print

Bonnie J. Jennings-Dubin
State of Florida at Large (Seal)

My Commission expires:

AMENDMENT
TO
AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
VILLA GARDENS

[Substantial Rewording of Article 5.03(g) of the Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Easements. See the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements.]

This Declaration of Covenants, Conditions and Restrictions shall govern Villa Gardens, a Subdivision (herein, "the Subdivision").

...

5.03. MONETARY DEFAULTS AND COLLECTION OF ASSESSMENTS.

...

(g) Subordination of the Lien to First Mortgages.

The lien of the assessments provided for herein shall be subordinate to the lien of any mortgage recorded prior to the recording of a Claim of Lien. Unless the law provides for a greater amount otherwise, the liability of a first mortgagee, or its successor or assignee as a subsequent holder of the first mortgagee which acquires title to a lot by foreclosure or by deed in lieu of foreclosure for the unpaid assessments that come due before the mortgagee's acquisition of title, shall be the lesser of: 1) the parcel's unpaid regular periodic and special assessments that accrued or came due during the 12 months immediately preceding the acquisition of title and for which payment in full has not been received by the Association; or 2) one percent of the original mortgage debt.