



Prepared By and Return to:
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CERTIFICATE OF AMENDMENT

**DECLARATION OF CONDOMINIUM
OF
CAPRI VILLAGE EAST**

We hereby certify that the attached amendment to the Declaration of Condominium of Capri Village East (which Declaration is originally recorded at Book 1037, Page 956 *et seq.*, of the Official Records of Sarasota County, Florida) were approved and duly adopted at a special membership meeting of Capri Village East, Inc. (herein, the "Association") held on August 18, 2020, by the affirmative vote of the owners of not less than fifty-one (51%) of the units of the Association as required by Article 9 of the Declaration of Condominium. The amendments were also approved by institutional first mortgagees holding not less than 51% of the first mortgages on units in the condominium, in accordance with Section 718.110(11), Florida Statutes.

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 provided to the amendments to the Declaration of Restrictions..

DATED this 23rd day of February, 2021.

Signed, sealed and delivered
in the presence of:

sign [Signature]

print Mark Reese

sign [Signature]

print Warren Wood

CAPRI VILLAGE EAST, INC

By: [Signature]

Charles Reck, President

Attest: [Signature]

Dan McFarland, Secretary

(Corporate Seal)

STATE OF FLORIDA)
COUNTY OF SARASOTA)

The foregoing instrument was acknowledged before me this 23rd day of February, 2021, by Charles Reck as President of Capri Village East, Inc., a Florida not for profit corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification.

My Commission Expires:

NOTARY PUBLIC
JACALYN K WOOD
MY COMMISSION # GG 091846
EXPIRES: April 20, 2021
Bonded Thru Budget Notary Services

NOTARY PUBLIC
sign [Signature]

print _____
State of Florida at Large (Seal)

**AMENDMENT
DECLARATION OF CONDOMINIUM
OF
CAPRI VILLAGE EAST
A CONDOMINIUM**

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

9. AMENDMENTS TO DECLARATION. This Declaration may be amended at any time by an affirmative vote of 51 per cent of the units provided, however, that paragraph 6 through 6.4 and 8 through 8.2 above may not be amended without the consent of 100 per cent of the units.

9.1 Consents of holders of liens on any portion of the condominium property or any unit shall not be required to modify or amend as aforesaid; provided, however, that the consent of mortgagees shall only be required for those amendments materially affecting the rights of mortgagees ~~to so amend for any purpose hereof.~~

AFFIDAVIT OF INSTITUTIONAL MORTGAGEE CONSENT
TO AMEND THE DECLARATION OF
CAPRI VILLAGE EAST, INC.

STATE OF FLORIDA
COUNTY OF SARASOTA

BEFORE ME, the undersigned authority, authorized by law to administer oaths and take acknowledgments, personally appeared Michael W. Cochran, Esq., who, after being by me first duly sworn according to law, deposes and says:

1. Affiant is the attorney and authorized agent of CAPRI VILLAGE EAST, INC. (herein, the "Association").
2. Affiant states that he conducted a search of the Public Records of Sarasota County, Florida and identified the names and address of all institutional mortgagees of record that encumber a unit in Capri Village East.
3. Affiant states that the Association also contacted in writing each condominium unit owner and requested that each unit owner whose unit is encumbered by an institutional first mortgage provide the institutional mortgagee's name and payment address.
4. Affiant then contacted via certified mail, return receipt requested all identified mortgagees at all available addresses provided to or discovered by the Association via a letter dated and mailed on December 16, 2020, and requested their consent to the Amendments to Article 9.1 of the Declaration of Condominium.
5. Affiant hereby states that all institutional mortgagees contacted by the Association failed to respond on the merits to Affiant's December 16, 2021 letter within sixty (60) days after the date of mailing. Pursuant to Section 718.110(11), Florida Statutes, and Article 9 of the Declaration of Condominium the institutional mortgagees have consented or are deemed to have consented to the Amendment to the Declaration of Condominium.

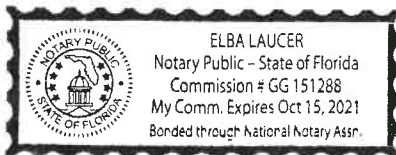
FURTHER AFFIANT SAITH NOT.



MICHAEL W. COCHRAN, ESQ.

The foregoing instrument was sworn to and subscribed before me this 11th day of March, 2021, by Michael W. Cochran as the attorney and authorized agent of Capri Village East, Inc., a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me.

My Commission expires:



NOTARY PUBLIC

Sign Elba Laucer

Print Elba Laucer

State of Florida at Large (Seal)