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PAGE

COLLIER COUNTY

RECORDED

Winterport Condominium Association Inc.
4072 Belair Lane
Naples, Fl. 33940

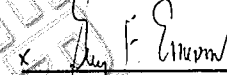
Dear Winterport Unit Owner:

Section 5. Budget and Assesements;


This is to certify that the attached page # 47 of the
By-laws for the Winterport has been amended to now
include a new paragraph 5.3

The unit owners voted unanimously in favor of the
amendment.

Certified By;



President - Guy F. Emerson



Secretary - Sally B. Howland ←

2.21.85

Date

Personnaly appeared before me this 21st day of February, 1985.
State of Florida, County of Collier.



Notary

4072 Belair Lane Apt. 303
Naples Fl.

33940

NOTARY PUBLIC
STATE OF FLORIDA
MY COM. EXPIRES 12/31/85



c) at the option of the Developer

or

d) in any event, not later than such time as specified in Florida Statute 718.301.

3.2 Representation by owner or proxy of a majority of the units under the control of the Association at a membership meeting shall constitute a quorum, except as otherwise provided herein or by statute or by the Declarations.

3.3 At all meetings of members, each member may vote as provided in the Declarations either in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his unit.

3.4 Except where otherwise required under the provisions of the Articles of Incorporation of the Association, these By-Laws, the Declaration of Condominium, or where the same may otherwise be required by law, the affirmative vote of the owners of a majority of the units represented at any duly called membership meeting at which a quorum is present shall be binding upon the members.

SECTION 4. MEMBERSHIP MEETINGS

4.1 The annual meeting shall be on the second Tuesday in January of each year at Nine O'Clock A.M., Eastern time. The Board shall determine the location of the annual meeting.

4.2 Special meetings of the members may be called at any time by a majority of the Board, or upon written request of twenty percent of the members; the president shall call such a meeting.

4.3 Except as otherwise provided, written notice of each meeting of the members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least fifteen days prior to such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association, or supplied by such member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting. Nothing contained herein shall prevent the giving of additional notice either prior to or after the stated time period.

SECTION 5. BUDGET AND ASSESSMENTS

5.1 As provided above, the Board shall adopt the annual budget. Written notice shall be given each unit owner of the time and place of the meeting to consider said budget. In the event that said budget requires an assessment in excess of 115% of such assessment for the preceding year, upon written application of ten percent of the membership, a special meeting of the membership shall be held upon not less than ten days written notice to each such member, but within thirty days

of the delivery of such application to the Board or any member thereof, at which special meeting members may consider and enact a revision of the budget, or recall any and all members of the Board and elect their successors.

5.2 The Board shall collect the assessments not less frequently than quarterly. Payments may be made in advance less frequently than quarterly, but the Board may not require payment less frequently except in the case of a unit owner who is in arrears on his assessment.

5.3 The Board shall collect a ~~\$-50.00~~ sale, rent, lease or transfer application fee.

SECTION 6. AMENDMENTS

Amendments to these By-Laws shall be proposed and adopted in the following manner:

(a) Amendment to these By-Laws may be proposed by the Board or upon vote of the majority of the members whether meeting as members or by instrument, in writing, signed by them.

(b) Upon any amendment or amendments to these By-Laws being proposed by said Board or members, such proposed amendment or amendments shall be transmitted to the president of the Association, or other officer of the Association in the absence of the president, who shall, thereupon, call a Special Joint Meeting of the members of the Board of Directors of the Association and the membership for a date not sooner than twenty days or later than sixty days from receipt by such officer of the proposed amendment or amendments, and it shall be the duty of the secretary to give to each member written or printed notice of such meeting in the same form and in the same manner as the notice of the call of a special meeting of the members is required, as herein set forth.

(c) In order for such amendment or amendments to become effective, the same shall be approved by an affirmative vote of two-thirds of the entire membership of the Board and by an affirmative vote of the members owning not less than two-thirds of the units in all condominiums under control of the Association. Thereupon, such amendment or amendments to these By-Laws shall be transcribed, certified by the president and secretary of the Association, and a copy thereof shall be recorded in the public records of the county, within ten days from the date on which any amendment or amendments have been affirmatively approved by the directors and members.

(d) At any meeting held to consider such amendment or amendments to the By-Laws, written vote of any member of the Association shall be recognized if such member is not in attendance at such meeting or represented thereat by proxy, provided such written vote is delivered to the secretary of the Association at or prior to such meeting.

(e) Notwithstanding the foregoing provisions of this Section 6, no amendment to these By-Laws may be adopted or become effective prior to relinquishment of control of the Association by the Developer without the prior written consent of the Developer; nor at any time shall any amendment be effective which is in violation of the Declaration of Condominium or the Articles of Incorporation of the corporation managing the condominium association.

RECORDERS MEMO: Legibility
of Writing, Typing or Printing
unsatisfactory in this document
when received.

RECORDED AND RETURNED
TO THE OFFICE OF THE
CLERK OF THE COUNTY OF
LOS ANGELES
WILLIAM A. HARRIS
CLERK OF COUNTY

47

CERTIFICATE OF AMENDMENT
DECLARATION OF CONDOMINIUM OF
WINTERPORT, A CONDOMINIUM

THE UNDERSIGNED, being the duly elected and acting President and Secretary of WINTERPORT CONDOMINIUM ASSOCIATION INC., a Florida corporation not for profit, do hereby certify that at the joint annual meeting of the Board of Directors and the members held on February 11, 2014, where a quorum was present, after due notice, the resolution set forth below was approved and adopted by the votes indicated for the purpose of amending the Declaration of Condominium of WINTERPORT, a Condominium, as originally recorded at O.R. Book 781, Pages 122 et seq., Public Records of Collier County, Florida, and later amended as recorded at O.R. Book 1175, Pages 416-417 on January 21, 1986, O.R. Book 1453, Pages 394-397 on July 5, 1989, O.R. Book 4325, Pages 2768-2769 on January 31, 2008, and O.R. Book 4422, Pages 1331-1332 on January 26, 2009 Public Records of Collier County, Florida.

1. The following resolution was approved by at least two-thirds (2/3rds) of the Board of Directors, and at least seventy-five percent (75%) of the members.

RESOLVED: That the Declaration of Condominium of WINTERPORT, a condominium, be and is hereby amended, and the amendments are adopted in the form attached hereto as Exhibit "A" and made a part hereof; and

RESOLVED: That the officers are hereby instructed and authorized to execute the aforementioned amendment and cause it to be filed of public record, together with a Certificate of Amendment as required by law.

2/20/14

Date

ATTEST:

WINTERPORT CONDOMINIUM ASSOCIATION

By: James T. Botkin
President

(Seal)

[Signature]
Secretary

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 20th day of Feb, 2014, by James T. Botkin, President of WINTERPORT CONDOMINIUM ASSOCIATION, INC., on behalf of the Association.

[Signature]
Notary Public

(Seal)

My Commission Expires: 6/5/14



LISA M. JOHNSON
MY COMMISSION # DD 992952
EXPIRES: June 5, 2014
Bonded Thru Budget Notary Services

Exhibit "A"
AMENDMENT TO DECLARATION OF CONDOMINIUM

The Declaration of Condominium of Winterport, a Condominium, shall be amended as shown below.

Note: New language is underlined; language being deleted is shown in struck-through type.

1. Article VII, Section 3 of the Declaration shall be amended as follows:

ARTICLE VII
APARTMENT SALE, LEASE AND INHERITANCE

* * *

Section 3. Lease. Any owner, shall have the right to lease his unit for a minimum term of ~~two~~ three months, ~~not to exceed twice annually~~ upon procuring ~~the~~ a maximum one year approval of the association except that said lease shall in no way violate any term of the Declaration or the By-Laws nor shall it violate any law including the laws of the State of Florida, and in that among the inducements to purchase a unit is the right to let, rent, and lease said unit, this section may not be amended to the detriment of any owner except by such owner's consent.

CERTIFICATE OF AMENDMENT
DECLARATION OF CONDOMINIUM OF
WINTERPORT, A CONDOMINIUM

THE UNDERSIGNED, being the duly elected and acting President and Secretary of WINTERPORT CONDOMINIUM ASSOCIATION INC., a Florida corporation not for profit, do hereby certify that at the joint annual meeting of the Board of Directors and the members held on January 28, 2016, where a quorum was present, after due notice, the resolution set forth below was approved and adopted by the votes indicated for the purpose of amending the Declaration of Condominium of WINTERPORT, a Condominium, as originally recorded at O.R. Book 781, Pages 122 et seq., Public Records of Collier County, Florida, and later amended as recorded at O.R. Book 1122, Pages 1014-1016 on February 21, 1985, O.R. Book 1175, Pages 416-417 on January 21, 1986, O.R. Book 1444, Pages 2379-2380 on May 31, 1989, O.R. Book 1453, Pages 394-402 on July 5, 1989, O.R. Book 4325, Pages 2768-2769 on January 31, 2008, O.R. Book 4422, Pages 1331-1332 on January 26, 2009 and O.R. Book 5010, Pages 1878-1879 on February 20, 2014 Public Records of Collier County, Florida.

1. The following resolution was approved by at least two-thirds (2/3rds) of the Board of Directors, and at least seventy-five percent (75%) of the members.

RESOLVED: That the Declaration of Condominium of WINTERPORT, a condominium, be and is hereby amended, and the amendments are adopted in the form attached hereto as Exhibit "A" and made a part hereof; and

RESOLVED: That the officers are hereby instructed and authorized to execute the aforementioned amendment and cause it to be filed of public record, together with a Certificate of Amendment as required by law.

Jan 29, 2016

Date

ATTEST:

By: _____

President

(Seal)

Secretary

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 29th day of January, 2016, by Donald F. Maxson, President of WINTERPORT CONDOMINIUM ASSOCIATION, INC., on behalf of the Association.

Notary Public (Seal)
My Commission Expires:

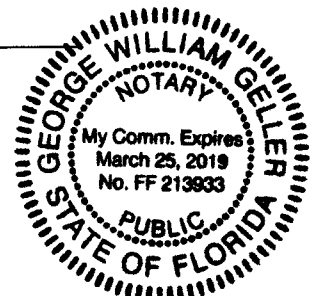


Exhibit "A"
AMENDMENT TO DECLARATION OF CONDOMINIUM

The Declaration of Condominium of Winterport, a Condominium, shall be amended as shown below.

Note: New language is underlined; language being deleted is shown in struck through type.

1. Article VII, Section 2 of the Declaration shall be amended as follows:

ARTICLE VII
APARTMENT SALE, LEASE AND INHERITANCE

* * *

Section 2. Sale of Unit. ~~No owner, except the DECLARANT, may sell his unit without approval of the Association as provided below.~~

CERTIFICATE OF AMENDMENT TO
AMENDED AND RESTATED BYLAWS FOR
WINTERPORT CONDOMINIUM ASSOCIATION, INC.

THE UNDERSIGNED, being the duly elected and acting President and Secretary of WINTERPORT CONDOMINIUM ASSOCIATION INC., a Florida corporation not for profit, do hereby certify that at the joint annual meeting of the Board of Directors and the members held on January 25, 2019, where a quorum was present, after due notice, the resolution set forth below was approved and adopted by the votes indicated for the purpose of amending the By Laws of WINTERPORT, a Condominium, as originally recorded at O.R. Book 781, Pages 122 et seq., Public Records of Collier County, Florida, and later amended as recorded at O.R. Book 1122, Pages 1014-1016, on February 21, 1985 and O.R. Book 1175, Pages 416-417 on January 21, 1986, O.R. Book 1444, Pages 2379-2380 on May 31, 1989, O.R. Book 1453, Pages 394-402 on July 5, 1989, O.R. Book 4325, Pages 2768-2769 on January 31, 2008, O.R. Book 4422, Pages 1331-1332 on January 26, 2009, O.R. Book 5010, Pages 1878-1879 on February 20, 2014 and O.R. Book 5238, Page 1502 on February 2, 2016 Public Records of Collier County, Florida.

1. The following resolution was approved by at least two-thirds (2/3rds) of the Board of Directors, and at least seventy-five percent (75%) of the members.

RESOLVED: That the By Laws of WINTERPORT, a condominium, be and is hereby amended, and the amendments are adopted in the form attached hereto as Exhibit "A" and made a part hereof; and

RESOLVED: That the officers are hereby instructed and authorized to execute the aforementioned amendment and cause it to be filed of public record, together with a Certificate of Amendment as required by law.

2/5/19
Date

WINTERPORT CONDOMINIUM ASSOCIATION INC.

ATTEST:

By: [Signature]
President
(Seal)

Nancy DeJohn
Secretary

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 5th day of February, 2019, by Donald F. Maxson, President of WINTERPORT CONDOMINIUM ASSOCIATION, INC., on behalf of the Association.

[Signature]
Notary Public (Seal)
My Commission Expires: 6/5/22

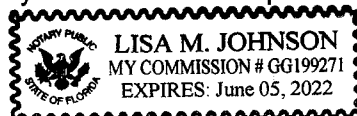


Exhibit "A"
AMENDMENT TO BY-LAWS

The By-Laws of Winterport Condominium Association Inc. shall be amended as shown below.

Note: New language is underlined; language being deleted is shown in ~~struck through~~ type.

SECTION 2. BOARD OF DIRECTORS AND OFFICERS

* * *

2.3 The permanent Board shall be comprised of five three (3) directors.

1.00
ADDENDUM TO DECLARATION OF CONDOMINIUM OF
WINTERPORT, a condominium

RECORDED
OFFICIAL RECORD BOOK
COLLIER COUNTY, FLORIDA

563770-

JAN 3 4 22 PM '79

This Addendum is executed by Declarant, Betty Carden, OFF REC 789 PAGE 1410
for the purpose of incorporating in and causing to be
made a part of the captioned Declaration of Condominium,
and in particular Exhibit "B" thereof, the "As-Built"
certificate of surveyor which certificate is dated
27 December 1978 and is executed by
P A Irminger, Sr and is attached to this Addendum to
be incorporated in and made a part of this Addendum and a
part of the Declaration of Condominium and part of Exhibit "B"
referred to therein.

Betty Carden
Betty Carden

Dated 27 December 1978

STATE OF FLORIDA
COUNTY OF COLLIER

Subscribed and sworn to before me this 27 day of December 1978.

Patricia Nelson
Notary Public

My commission expires 5/24/82

Addendum to Exhibit "B"
recorded in Condo Book 12,
Page 62, January 3, 1979.

William J. Reagan, Clerk
by: James Evans

This instrument prepared by KESchumacher, 14500 Valley
View Rd, Eden Prairie MN 55343

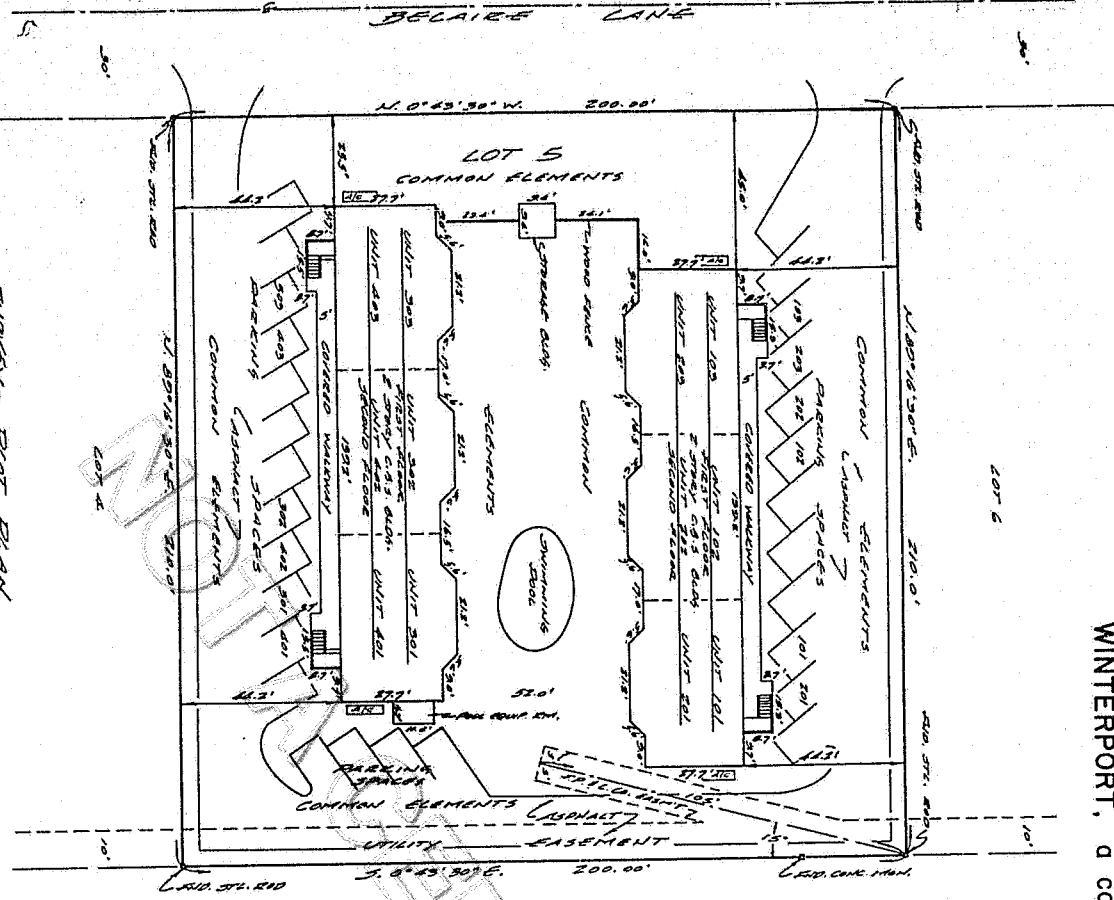
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LEGAL DESCRIPTION
LOT NO. 5, BLOCK 22, UNIT
3 OF PUEBLO SQUARE AS
RECORDED IN PLAT BOOK
8, PAGES 57 AND 60,
PUEBLO RECORDS OF
SOUTHERN COLORADO
(SEE EXHIBIT A)

as with diamonds

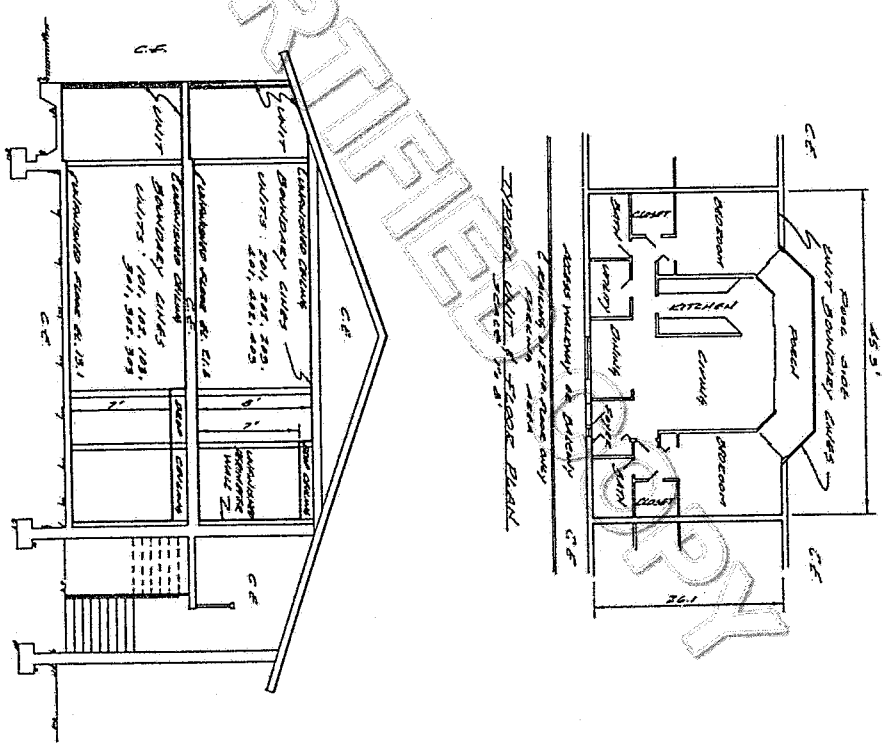
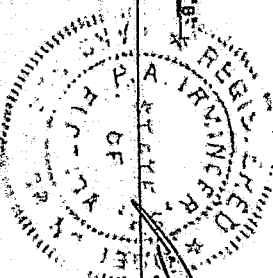
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504
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NOTES:
C.F. ELEMENTS
E.C.F. ELEMENTS
ELEMENTS COMMON TO
BOTH C.F. & E.C.F.
ELEMENTS COMMON TO
BOTH C.F. & E.C.F.



WHELEY - BOOT BLANK
JAN 14 1916

APPENDUM TO EXHIBIT



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GENERAL

THE UNIVERSITY OF MICHIGAN LIBRARY

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GERRY MARSH & MILDRED MARSH	
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Recorded and Verified
In Official Records of
COLLIER COUNTY, FLORIDA
WILLIAM J. REAGAN, CLERK
BY MARY FINLAY, D.C.

RECORDER'S MEMO: Legibility of writing, Typing or Printing unsatisfactory in this document when received.

9.00

WINTERPORT CONDOMINIUM ASSOCIATION, INC.
4072 Belair Lane
Naples, FL 33940
January 21, 1986

Dear Winterport Owner:

This is to certify that the attached page # 14
(Declaration of Condominium, Article V., Section 8)
has been amended to state that any assessment shall
be paid within ten days, rather than thirty days.

A majority of the unit owners voted in favor
of this amendment in a recent balloting tallied
at Winterport's Annual Members Meeting held on
January 14, 1986.

Certified By :

Guy F. Emerson
President - Guy F. Emerson

Sally B. Howland
Secretary - Sally B. Howland

January 21, 1986
Date

Notary Public, State of Florida
My Commission Expires Feb. 7, 1986
Issued for: Guy F. Emerson, Inc.

FLORIDA
COLLIER Co.



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COLLIER COUNTY

SALLY HOWLAND
4072 BELAIR LANE
APT # 303
NAPLES, FL 33940

advance of each annual assessment period. Written notice of the annual assessment shall be sent to every owner subject thereto. The due dates shall be established by the Board. The Association shall, upon demand, and for a reasonable charge, furnish a certificate signed by an officer of the Association setting forth whether the assessments of a specified unit have been paid.

Section 6. Capital Assessments. The Association shall have the right to make capital assessments to defray costs of capital improvements. No such assessment shall be made unless it is pursuant to a capital improvement plan which is approved by two-thirds of the membership of the Association. Additionally, a capital assessment may be assessed as provided in Section 2 of Article X.

Section 7. Special Assessments. The Association shall have the right, concurrent with all other rights, to levy fines as special assessments. Such fines may be levied for violation of the conditions, covenants, and restrictions contained herein, or for violations of rules and regulations as promulgated by the Association. Fines shall not be levied in excess of \$50.00 per infraction or \$50.00 per day for continuing infractions.

Section 8. Effect of Nonpayment of Assessments: Remedies of the Association. Any assessment not paid within ^{ten}~~thirty~~ days after the due date shall bear interest from the due date at the rate of 10 percent per annum. The Association may bring an action at law against the owner personally obligated to pay the same, or foreclose the lien described in Section 1 of this Article against the unit. No owner may avoid or otherwise escape liability for the assessments provided for herein by nonuse of the properties, or abandonment of his unit; the Association shall establish notice of any lien for delinquent assessment payments pursuant to applicable provisions of the Condominium Act.

Section 9. Subordination of the Lien to Mortgages. The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage unless such lien is recorded prior to said mortgage. Sale or transfer of any unit shall not affect the assessment lien, provided same has been properly established of record or actual notice of same has been given to the party to be charged with same. The sale or transfer of any unit pursuant to mortgage foreclosure or any proceeding in lieu thereof, shall, however, nullify payments which became due prior to such sale or transfer unless such assessment lien is secured by a claim of lien for assessments that is recorded prior to the recording of the foreclosed mortgage. Except as otherwise herein provided, no sale or transfer shall relieve any unit from liability for any subsequent assessments or from the lien thereof.

Section 10. Assessment of DECLARANT. DECLARANT shall be excused from the payment of the share of the common expenses and assessments related to the condominium units DECLARANT offers for sale, for a period of time subsequent to the recording of this Declaration of

Recorded and Verified
in Official Records of
COLLIER COUNTY, FLORIDA
WILLIAM J. REAGAN
Clerk of Circuit Court

OC 1175
OR BOOK

000417
PAGE

14

CERTIFICATE OF AMENDMENT
DECLARATION OF CONDOMINIUM OF
WINTERPORT, A CONDOMINIUM AND
BY-LAWS OF WINTERPORT CONDOMINIUM ASSOCIATION, INC.

THE UNDERSIGNED, being the duly elected and acting President and Secretary of WINTERPORT CONDOMINIUM ASSOCIATION INC., a Florida corporation not for profit, do hereby certify that at the joint annual meeting of the Board of Directors and the members held on January 25, 2008, where a quorum was present, after due notice, the resolution set forth below was approved and adopted by the votes indicated for the purpose of amending the Declaration of Condominium of WINTERPORT, a Condominium, as originally recorded at O.R. Book 781, Pages 122 et seq., Public Records of Collier County, Florida, and the By-Laws of the corporation and later amended as recorded at O.R. Book 1122, Page 1014-1016, on February 21, 1985 and O.R. Book 1444, Pages 2379-2380 on May 31, 1989 Public Records of Collier County, Florida.

1. The following resolution was approved by at least two-thirds (2/3rds) of the Board of Directors, and at least seventy-five percent (75%) of the members.

RESOLVED: That the Declaration of Condominium of WINTERPORT, a condominium, be and is hereby amended, and the amendments are adopted in the form attached hereto as Exhibit "A" and made a part hereof; and

RESOLVED: That the officers are hereby instructed and authorized to execute the aforementioned amendment and cause it to be filed of public record, together with a Certificate of Amendment as required by law.

1/29/08
Date
ATTEST:

WINTERPORT CONDOMINIUM ASSOCIATION INC.

By: [Signature]
President

(Seal)

[Signature]
Secretary

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 30th day of January, 2008, by William F. DeJohn, President of WINTERPORT CONDOMINIUM ASSOCIATION, INC. on behalf of the Association.

[Signature]
Notary Public

(Seal)

My Commission Expires:



Exhibit "A"
AMENDMENT TO BY-LAWS

The By-Laws of Winterport Condominium Association Inc. shall be amended as shown below.

Note: New language is underlined; language being deleted is shown in ~~struck through~~ type.

SECTION 5. BUDGET AND ASSESSMENTS

* * *

5.3 The board shall collect a \$100.00 ~~\$50.00~~ sale, rent, lease or transfer application fee.

CERTIFICATE OF AMENDMENT
DECLARATION OF CONDOMINIUM OF
WINTERPORT, A CONDOMINIUM

THE UNDERSIGNED, being the duly elected and acting President and Secretary of WINTERPORT CONDOMINIUM ASSOCIATION INC., a Florida corporation not for profit, do hereby certify that at the joint annual meeting of the Board of Directors and the members held on January 22, 2009, where a quorum was present, after due notice, the resolution set forth below was approved and adopted by the votes indicated for the purpose of amending the Declaration of Condominium of WINTERPORT, a Condominium, as originally recorded at O.R. Book 781, Pages 122 et seq., Public Records of Collier County, Florida, and later amended as recorded at O.R. Book 1175, Pages 416-417, on January 21, 1986 and O.R. Book 1453, Pages 394-397 on July 5, 1989 Public Records of Collier County, Florida.

1. The following resolution was approved by at least two-thirds (2/3rds) of the Board of Directors, and at least seventy-five percent (75%) of the members.

RESOLVED: That the Declaration of Condominium of WINTERPORT, a condominium, be and is hereby amended, and the amendments are adopted in the form attached hereto as Exhibit "A" and made a part hereof; and

RESOLVED: That the officers are hereby instructed and authorized to execute the aforementioned amendment and cause it to be filed of public record, together with a Certificate of Amendment as required by law.

1/23/09

Date

ATTEST:

[Signature]

Secretary

WINTERPORT CONDOMINIUM ASSOCIATION INC.

By: [Signature]

President

(Seal)

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 23 day of January, 2009, by William F. DeJohn, President of WINTERPORT CONDOMINIUM ASSOCIATION, INC., on behalf of the Association.

[Signature]
Notary Public

(Seal)

My Commission Expires:

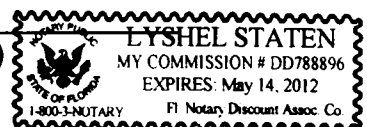


Exhibit "A"
AMENDMENT TO DECLARATION OF CONDOMINIUM

The Declaration of Condominium of Winterport, a Condominium, shall be amended as shown below.

Note: New language is underlined; language being deleted is shown in ~~struck through~~ type.

1. Article VII, Section 3 of the Declaration shall be amended as follows:

ARTICLE VII
APARTMENT SALE, LEASE AND INHERITANCE

* * *

Section 3. Lease. Any owner, ~~including the DECLARANT~~, shall have the right to lease his unit for a minimum term of two months, not to exceed twice annually ~~30 days~~ upon procuring the approval of the association ~~or the DECLARANT~~ except that said lease shall in no way violate any term of the Declaration or the By-Laws nor shall it violate any law including the laws of the State of Florida, and in that among the inducements to purchase a unit is the right to let, rent, and lease said unit, this section may not be amended to the detriment of any owner except by such owner's consent.

REC 37.00
PRM 5.00
DOC _____
INT _____
IND _____

CERTIFICATE OF AMENDMENT
DECLARATION OF CONDOMINIUM OF
WINTERPORT, A CONDOMINIUM AND
BY-LAWS OF WINTERPORT CONDOMINIUM ASSOCIATION, INC.

THE UNDERSIGNED, being the duly elected and acting President and Secretary of WINTERPORT CONDOMINIUM ASSOCIATION INC., a Florida corporation not for profit, do hereby certify that at a joint special meeting of the Board of Directors and the members held on June 21, 1989, where a quorum was present, after due notice, the resolutions set forth below were approved and adopted by the votes indicated for the purposes of amending the Declaration of Condominium of WINTERPORT, a Condominium, as originally recorded at O.R. Book 781, Pages 122 et seq., Public Records of Collier County, Florida, and the By-laws of the corporation.

1. The following resolution was approved by at least two-thirds (2/3rds) of the Board of Directors, and at least seventy-five percent (75%) of the members.

RESOLVED: That the Declaration of Condominium of WINTERPORT, a Condominium, be and is hereby amended, and the amendments are adopted in the form attached hereto as Exhibit "A" and made a part hereof; and

2. The following resolutions were approved by at least two-thirds (2/3rds) of the Board of Directors, and at least seventy-five percent (75%) of the members.

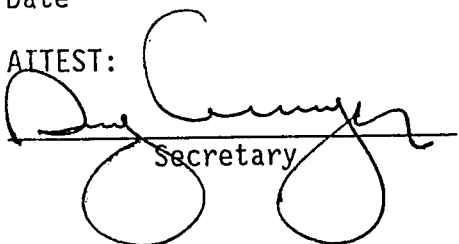
RESOLVED: That the By-laws of WINTERPORT CONDOMINIUM ASSOCIATION INC., be and are hereby amended, and the amendments are adopted in the form attached hereto as Exhibit "B", and made a part hereof; and

RESOLVED: That the officers are hereby instructed and authorized to execute the aforementioned amendment and cause it to be filed of public record, together with a Certificate of Amendment as required by law.

JUNE 22, 1989
Date

WINTERPORT CONDOMINIUM ASSOCIATION INC.

ATTEST:


Secretary

By: Robert Grossenbacher
President
(SEAL)

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 22 day of JUNE, 1989, by Robert Grossenbacher, President of WINTERPORT CONDOMINIUM ASSOCIATION, INC., on behalf of the Association.

Jerry O. LeBeau
Notary Public (SEAL)
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. JUNE 26, 1992
BONDED THRU GENERAL INS. UND.

➤ FORSYTH, SWALM & BRUGGER, P.A., Attorneys at Law, 600 Fifth Avenue South, Suite 210, Naples, Florida 33940

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COLLIER COUNTY

EXHIBIT "A"
AMENDMENT TO DECLARATION OF CONDOMINIUM

The Declaration of Condominium of Winterport, a Condominium, shall be amended as shown below.

Note: New language is underlined; language being deleted is shown in struck through type.

1. Article IV of the Declaration shall be amended as follows:

ARTICLE IV
MEMBERSHIP AND VOTING RIGHTS

Section 1. Members. ~~The DECLARANT and~~ Every owner of a unit within the project shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any unit, except for the assignment of rights of use to lessees of the unit as elsewhere provided herein.

Section 2. Voting. ~~The Association shall have two classes of voting membership:~~

~~CLASS-A.---Class-A members shall be all owners with the exception of the DECLARANT and~~ The members shall be entitled to one vote for each unit owned. When more than one person holds an ownership interest in any unit, all such persons shall be members. Voting rights shall be exercised as provided in Section 3.1 of the By-laws. ~~The vote for such unit shall be exercised by one person---who must be designated in writing to the Association.---In no event shall more than one Class-A vote be cast with respect to any one unit.~~

~~CLASS-B.---The Class-B member(s) shall be the DECLARANT and shall be entitled to three votes for each unit for which there has not been a closing. The Class-B membership on the happening of either of the following events, whichever occurs earlier:~~

~~(a)---when the total votes outstanding in the Class-A membership equal the total votes outstanding in the Class-B membership;~~

~~or~~

~~(b)---on 30 day of June 1989~~

~~or~~

~~(c)---at the option of the DECLARANT~~

~~or~~

~~(d)---in any event, not later than such time as specified in Florida Statute 718.301~~

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2. Section 8 of Article V of the Declaration shall be amended as follows:

Section 8. Effect of Nonpayment of Assessments: Remedies of the Association. Any assessment not paid within ten (10) thirty days after the due date shall bear interest from the due date at the highest rate allowed by law ~~of -10- percent- per- annum.~~ The Association may bring an action at law against the owner personally obligated to pay the same, or foreclose the lien described in Section 1 of this Article against the unit. No owner may avoid or otherwise escape liability for the assessments provided for herein by nonuse of the properties, or abandonment of his unit; the Association shall establish notice of any lien for delinquent assessment payments pursuant to applicable provisions of the Condominium Act.

3. Section 2 of Article VI of the Declaration shall be amended as follows:

ARTICLE VI
GENERAL RESTRICTIONS

* * *

Section 2. Vehicles. Trucks, commercial trucks, motor homes, vans, minivans, recreational vehicles, motorcycles, mopeds, vehicles for hire, boats and trailers shall not be parked on common elements within the project, except for temporary periods for the purposes of loading and unloading; and service vehicles present for business purposes.

4. Section 8 of Article VI of the Declaration shall be amended as follows:

Section 8. Children. There is no restriction on the age of occupants. All occupants under eighteen (18) years of age shall be supervised by an adult to ensure that they do not become a source of unreasonable annoyance to other residents. ~~There shall be no occupancy of a unit by children under the age of twelve (12) years of age, except as a house guest and then for a visit not to exceed thirty (30) days.~~

5. Section 3 of Article XIV of the Declaration shall be amended as follows:

ARTICLE XIV
GENERAL PROVISIONS

* * *

Section 3. Amendment to Declaration. No amendment shall change a unit's proportionate share of the common expenses or common surplus, nor the voting rights of the members, unless all of the record owners and all of the record

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owners of first mortgages shall consent to and execute such an amendment. No amendment shall be passed which changes this Declaration with respect to the reservations or rights of DECLARANT unless the DECLARANT shall furnish his approval to such amendment in writing. --- Anything herein notwithstanding; Except as otherwise provided, this Declaration may be amended at any regular or special meeting called in accordance with the By-Laws by the affirmative vote of seventy-five percent of the voting interests present in person or by proxy. the membership. Such amendment shall be evidenced by a certificate executed with the formalities of a deed and in accordance with the Florida Condominium Act by any two officers of the Association and shall become effective upon recording among the public records of the county. -DECLARANT shall have the unqualified right and authority to amend this Declaration and any of its exhibits until prohibited by the Condominium Act.

NOT A CERTIFIED COPY

EXHIBIT "B"
AMENDMENT TO BY-LAWS

The By-laws of Winterport Condominium Association, Inc., shall be amended as shown below.

1. Section 3.1 of the By-laws shall be amended to read as follows:

NOTE: SUBSTANTIAL REWORDING OF SECTION 3.1 OF THE BY-LAWS, FOR EXISTING TEXT SEE SECTION 3.1 OF THE ORIGINAL BY-LAWS.

3.1 Voting Rights; Voting Interests. The members of the Association are entitled to one (1) vote for each unit owned by them. The total number of votes ("voting interests") shall equal the total number of units. The vote of a unit is not divisible. The right to vote may not be denied because of delinquent assessments. If a condominium unit is owned by one natural person, his right to vote shall be established by the record title to the unit. If a unit is owned jointly by two or more natural persons who are not acting as trustees, that unit's vote may be cast by any one of the record owners. If two or more owners of a unit do not agree among themselves how their one vote shall be cast, that vote shall not be counted. If the unit is owned by a corporation or partnership, that unit's vote may be cast by the one natural person designated in accordance with Article VII, Section 6 of the Declaration of Condominium. If the unit is owned in trust, that unit's vote may be cast by any one of the trustees.

2. Section 4.1 of the By-laws shall be amended as follows:

Note: New language is underlined; language being deleted is shown in struck through type.

4.1 The annual meeting shall be ~~on the second Tuesday in~~ held during the month of January of each year. ~~at Nine O'Clock A.M., Eastern time.~~ The Board shall determine the date, time and location of the annual meeting.

3. Paragraph (b) and (c) of Section 6 of the By-laws shall be amended as follows:

SECTION 6. AMENDMENTS

Amendments to these By-laws shall be proposed and adopted in the following manner:

* * *

(b) Upon any amendment or amendments to these By-Laws being proposed by said Board or members, such proposed amendment or amendments shall be transmitted to the president of the Association, or other officer of the Association in the absence of the president, who shall, thereupon, call a Special Joint Meeting of the members. ~~-----of the Board of Directors of the Association and the membership for a date not sooner than twenty days or later than sixty days from receipt by such officer of the proposed amendment or~~

amendments, and It shall be the duty of the secretary to give to each member written or printed notice of such meeting in the same form and in the same manner as the notice of the call of a special meeting of the members is required, as herein set forth.

(c) In order for such amendment or amendments to become effective, the same shall be approved by an affirmative vote of two-thirds of the entire membership of the Board and by an affirmative vote of the members owning not less than two-thirds of the units in all condominiums under control of the Association. the voting interests present in person or by proxy at any annual or special meeting. Thereupon, such amendment or amendments to these By-Laws along with a certificate that the amendment or amendments were duly adopted, which certificate shall be executed by officers of the Association with the formalities of a deed, shall be recorded in the Public Records of Collier County, Florida. The certificate must identify the book and page of the Public Records where the original Declaration of Condominium is recorded. shall be transcribed, certified by the president and secretary of the Association, and a copy thereof shall be recorded in the public records of the county, within ten days from the date on which any amendment or amendments have been affirmatively approved by the directors and members.

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State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Amendment, filed on June 27, 1989, to Articles of Incorporation for WINTERPORT CONDOMINIUM ASSOCIATION INC., a Florida corporation, as shown by the records of this office.

The document number of this corporation is 743582.

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Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
28th day of June, 1989.



CR2EO22 (6-88)

Jim Smith

Jim Smith
Secretary of State

ARTICLES OF AMENDMENT

Article V of the Articles of Incorporation of Winterport Condominium Association, Inc., which was filed on July 13, 1978, and recorded as Exhibit "C" to the Declaration of Condominium of Winterport, a Condominium, originally recorded in O.R. Book 781, Pages 122 et seq., Public Records of Collier County, Florida, is hereby amended to read as follows:

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Note: New language is underlined; language being deleted is shown in struck through type.

Article V of the Articles shall be amended as follows:

ARTICLE V
VOTING RIGHTS

~~The Association shall have two classes of voting membership:~~

~~CLASS A.---Class A members shall be all owners with the exception of the Developer and The members shall be entitled to one vote for each unit owned. When more than one person holds an ownership interest in any unit, all such persons shall be members. Voting rights shall be exercised as provided in Section 3.1 of the By-laws. The vote for such unit shall be exercised by one person---who must be designated in writing to the Association.---In no event shall more than one Class A vote be cast with respect to any one unit.~~

~~CLASS B.---The Class B member(s) shall be the Developer and shall be entitled to three votes for each unit for which there has not been a closing. The Class B membership on the happening of either of the following events, whichever occurs first:~~

~~(a)---when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership;~~

~~or~~

~~(b)---on 30 day of June 1989~~

~~or~~

~~(c)---at the option of the Developer~~

~~or~~

~~(d)---in any event, not later than such time as specified in Florida Statute 718.301~~

The foregoing amendment was adopted by two-thirds (2/3rds) of the Board of Directors of this corporation on June 21, 1989. Thereupon, the foregoing amendment was adopted by seventy-five percent (75%) of the membership on June 21, 1989.

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IN WITNESS WHEREOF, the undersigned President and Secretary of this corporation have executed these Articles of Amendment this 22 day of June, 1989.

WINTERPORT CONDOMINIUM ASSOCIATION, INC.

Robert Grossenbacher
President

(SEAL)

ATTEST:

[Signature]
Secretary

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE ME, the undersigned authority, personally appeared Robert Grossenbacher, known to me to be the person who executed the foregoing Articles of Amendment and he acknowledged before me that he executed those Articles of Amendment for the purpose therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 22 day of June, 1989.

Garry D. LeBeau
Notary Public (SEAL)

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. JUNE 26, 1992
BONDED THRU GENERAL INS. UND.

NOT A CERTIFIED COPY

Recorded and Verified
in Official Records of
COLLIER COUNTY, FLORIDA
TAMMIS R. GILES, CLERK

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COLLIER COUNTY

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CORRECTIVE
CERTIFICATE OF AMENDMENT
OF THE BY-LAWS OF WINTERPORT CONDOMINIUM ASSOCIATION, INC.

THE UNDERSIGNED, being the duly elected and acting President and Secretary of WINTERPORT CONDOMINIUM ASSOCIATION INC., a Florida corporation not for profit, do hereby certify that at the annual meeting of the members held on January 8, 1985, where a quorum was present, after due notice, the resolutions set forth below were approved and adopted by at least two-thirds (2/3) of the units for the purposes of amending the By-laws of WINTERPORT CONDOMINIUM ASSOCIATION INC., recorded as Exhibit "D" to the Declaration of Condominium of WINTERPORT, a Condominium, as originally recorded at O.R. Book 781, Pages 122 et seq., Public Records of Collier County, Florida.

RESOLVED: That the By-laws of WINTERPORT CONDOMINIUM ASSOCIATION INC., be and are hereby amended, and the amendment is adopted in the form attached hereto, and made a part hereof; and

RESOLVED: That the officers are hereby instructed and authorized to execute the aforementioned amendment and cause it to be filed of public record, together with a Certificate of Amendment as required by law.

5-19-89
Date

WINTERPORT CONDOMINIUM ASSOCIATION INC.

ATTEST:

[Signature]
Secretary

By: J. Robert Grossenbacher
President

(SEAL)

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 19th day of May, 1989, by J. Robert Grossenbacher, President of WINTERPORT CONDOMINIUM ASSOCIATION, INC., on behalf of the Association.

Jessie O. LeBeau
Notary Public (SEAL)

Comm Exp' 6-26-92

NOTE: This amendment is being made to correct a technical error in the recording of a previously recorded amendment to the Declaration of Condominium of Winterport, a Condominium, recorded on February 21, 1985, at O.R. Book 1122, Page 1014-1016, Public Records of Collier County, Florida.

✓
FORSYTH, SWALM & BRUGGER, P.A., Attorneys at Law, 600 Fifth Avenue South, Suite 210, Naples, Florida 33940

AMENDMENT TO BY-LAWS

The By-laws of Winterport Condominium Association Inc., shall be amended as shown below.

Note: New language is underlined; language being deleted is shown in struck through type.

A new Section 5.3 shall be added to Section 5 to read as follows:

SECTION 5. BUDGET AND ASSESSMENTS

* * *

5.3 The Board shall collect a \$50.00 sale, rent, lease or transfer application fee.

NOT A CERTIFIED COPY

Recorded and Verified
in Official Records of
COLLEGE COUNTY, FLORIDA
JAN 1 1984

FORSYTH, SWALM & BRUGGER, P.A., Attorneys at Law, 600 Fifth Avenue South, Suite 210, Naples, Florida 33940