

INSTR # 1573629  
OR BK 01647 PG 1972  
RECORDED 05/21/2002 04:12:48 PM  
MARSHA EWING  
CLERK OF MARTIN COUNTY FLORIDA  
RECORDED BY S Phoenix

**CERTIFICATE OF AMENDMENT  
TO THE  
BYLAWS  
OF  
FAIRWINDS COVE CONDOMINIUM ASSOCIATION  
OF HUTCHINSON ISLAND, INC.**

**A Non-Profit Florida Corporation**

The By-Laws of Fairwinds Cove Condominium Association of Hutchinson Island, Inc. were recorded in the public records of Martin County, Florida at Official Records Book 454, Page 540 et.seq. and amended at Official Records Book 604, Page 1918 and at Official Records Book 833, Page 1232. The same By-Laws are amended as approved by the membership by vote sufficient for approval at Special Members' Meeting held on May 10, 2002.

1. Section IX is amended to read as follows:

**ARTICLE IX**

**DEFAULT**

In the event a unit owner does not pay any sums, charges, or assessments required to be paid to the Corporation within thirty (30) days from the due date, the Corporation, acting on its own behalf or through its Board of Directors, may enforce its lien for assessments or take such other action to recover the sums, charges, or assessments to which it is entitled, in accordance with the Declaration and the statutes made and provided.

Record and Return to:

ELIZABETH P. BONAN, ESQ.  
Cornett, Gooze, Ross & Earle, P.A.  
P.O. Box 66  
Stuart, Florida 34995



If the Corporation becomes the owner of a unit by reason of foreclosure, it shall offer said unit for sale and at such time as a sale is consummated, it shall deduct from the proceeds of said sale all sums of money due it for assessments and charges, all costs incurred in the bringing of the foreclosure suit, including reasonable attorney's fees, and any and all expenses incurred in the resale of the unit, which shall include but not be limited to advertising expenses, real estate brokerage fees and expenses necessary for the repairing and refurbishing of the unit in question. All monies remaining after deducting the foregoing items of expenses shall be returned to the former owner of subject unit.

In the event of violation of the provisions of the Declaration, Corporate Charter or By-Laws, as the same are or may hereafter be constituted, for thirty (30) days after notice from the Association to the unit owners to correct said breach or violation, the Corporation, on its own behalf or by and through its Board of Directors, may bring appropriate action to enjoin such violation or may enforce the provisions of said documents, or may sue for damages, or take such other courses of action, or other legal remedy as it or they may deem appropriate. In addition to any other available remedy, the Association may levy reasonable fines against a unit for the failure of the owner of the unit, or its occupant, licensee or invitee to comply with any provision of the Declaration, By-Laws or Regulations of the Association in accordance with Florida Statute §718.303(3)(2000), as amended from time to time.

In the event such legal action is brought against a unit owner and results in a judgment for the Plaintiff, the Defendant shall pay the Plaintiff's reasonable attorney's fees and court costs.

Each unit owner, for himself, his heirs, successors and assigns, agrees to the foregoing provisions relating to default and abatement of nuisance, regardless of the harshness of the remedy available to the Corporation and regardless of the availability of the other equally adequate legal procedures. It is the intent of all owners of family units to give the Corporation a method and procedure which will enable it at all times to operate on a businesslike basis, to collect those monies due and owing it from the owners of units, and to preserve each unit owner's right to enjoy his unit, free from unreasonable restraint and nuisance.

2. The foregoing amendment to the By-Laws of Fairwinds Cove Condominium Association of Hutchinson Island, Inc. was adopted by the membership by a vote sufficient for approval at a Special Members' Meeting held on May 10, 2002.

3. The adoption of this amendment appears upon the minutes of said meeting and is unrevoked.

4. All provisions of the By-Laws of Fairwinds Cove Condominium Association of Hutchinson Island, Inc. are herein confirmed and shall remain in full force and effect, except as specifically amended herein.



IN WITNESS WHEREOF, the undersigned has caused these presents to be signed in its name by its President, its Secretary and its corporate seal affixed this 15<sup>th</sup> day of May, 2002.

WITNESSES:

FAIRWINDS COVE CONDOMINIUM  
ASSOCIATION OF HUTCHINSON ISLAND, INC.

Angela DiFiglia  
Printed Name #1: Angela D. Figlia

Sharon Beal  
Printed Name #2: Sharon Beal

Printed Name #1: Angela DiFiglia

Angela DiFiglia  
Printed Name #2: \_\_\_\_\_

Sharon Beal  
Sharon Beal

STATE OF FLORIDA  
COUNTY OF MARTIN

By: Robert Russell  
Robert Russell, President

By: Eileen M. Williams  
Eileen Williams, Secretary

CORPORATE  
SEAL

The foregoing instrument was acknowledged before me on May 15, 2002, by Robert Russell, as President of Fairwinds Cove Condominium Association of Hutchinson Island, Inc. [] who is personally known to me, or [] who has produced identification [Type of Identification: \_\_\_\_\_].

Notarial Seal

STATE OF FLORIDA  
COUNTY OF MARTIN

Lorraine H. Forte  
NOTARY PUBLIC  
LORRAINE H. FORTE  
MY COMMISSION # DD 085077  
EXPIRES: February 26, 2006  
1-800-3-NOTARY FL Notary Service & Bonding, Inc.

The foregoing instrument was acknowledged before me on May 15, 2002 by Eileen Williams, as Secretary of Fairwinds Cove Condominium Association of Hutchinson Island, Inc. [] who is personally known to me, or [] who has produced identification [Type of Identification: \_\_\_\_\_].

Notarial Seal

Lorraine H. Forte  
NOTARY PUBLIC

NOTARY PUBLIC  
LORRAINE H. FORTE  
MY COMMISSION # DD 085077  
EXPIRES: February 26, 2006  
1-800-3-NOTARY FL Notary Service & Bonding, Inc.