



INSTR # 2024095477
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This instrument prepared by:

Robert C. Chilton, Esq.
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245 S. Central Avenue
Bartow, FL 33830
(863) 533-7117

**CERTIFICATE OF AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND BYLAWS OF QUEENS COVE HOMEOWNERS ASSOCIATION, INC.**

WHEREAS, Queen's Cove Homeowners Association, Inc., a Florida corporation not for profit ("Association"), is the homeowners' association for the Queen's Cove community consisting of the lands depicted and described in the plats of:

Queen's Cove, recorded in Plat Book 89, Page 49, Queens Cove Phase 2, recorded in Plat Book 95, Page 10, Queen's Cove Phase 3A, recorded in Plat Book 98, Page 26, Queen's Cove Phase 3B, recorded in Plat Book 105, Page 44, and Queen's Cove Phase IV, recorded in Plat Book 127, Page 1, all in the public records of Polk County, Florida;

WHEREAS, the Association's original Declaration of Restrictions was recorded on May 29, 1990 in O.R. Book 2859, Pages 577 et seq., and has been amended, supplemented and restated from time to time, including via the restated Declarations of Covenants, Conditions, Restrictions and Bylaws recorded on April 9, 2002 in O.R. Book 4974, Page 511 et seq. and the restated Declarations of Covenants, Conditions, Restrictions and Bylaws recorded on April 11, 2023 in O.R. Book 12647, Page 588 et seq., all in the public records of Polk County, Florida (collectively "Declaration");

WHEREAS, pursuant to Article XVI of the Declaration, the same may be amended at a membership meeting by a vote of a majority of a quorum of members present in person or by proxy;

WHEREAS, the below-described amendments to the Declaration have been duly approved, voted upon and adopted by the members of the Association at the membership meeting, duly noticed and conducted, and at which a quorum was present, held on February 6, 2024;

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS that the undersigned, on behalf of the Association and its members, pursuant to applicable law and the Declaration, do hereby certify and attest that the foregoing recitals are true and correct and that the following amendments to the Declaration has been duly and properly approved and adopted (deletions are ~~lined through~~; additions are underlined):

Article VII § 18 of the Declaration is hereby created as follows:

SECTION 18: RENTALS

(A) "Rental" or "Leasing" means any agreement by which an Owner or possessor of a Lot, or its designee, grants the right to use and occupy the Lot in exchange for consideration (including by rental, licensing and via the use of third parties, management companies and travel agents and agencies).

(B) No rental, whether initially or a renewal thereof, may be for a term of less than 12 months and no Lot may be rented more than 3 times in a calendar year.

(C) No portion of a Lot may be rented other than the entire Lot.

(D) No rental may commence or renew unless all sums due to the Association with respect to the Lot are paid in full.

(E) All agreements to rent shall be in writing, shall be signed by the parties, shall identify each adult occupant of the Lot and shall be deemed to incorporate the terms and provisions of the Association's governing documents and rules.

(F) No Owner may rent a Lot to a person who (i) has, within 10 years prior to the rental, been convicted of a felony involving violence to persons or property, a felony involving theft or fraud or a felony involving sale or possession of a controlled substance, or (ii) is a convicted sexual predator or sexual offender. To ensure compliance, each owner shall secure a criminal background check on each renter prior to agreeing to the rental, shall keep and maintain the report for the duration of the rental and shall allow the Association to inspect the report upon request.

(G) No Lot may be utilized as a public lodging establishment or in a manner within the purview of Chapter 509, Florida Statutes, or a similar successor statute.

(H) No rental may be assigned; subleasing (via leasing, licensing, etc.) is prohibited.

(I) All renters and their guests are subject to the Association's governing documents and rules.

(J) The Association shall have the right, after reasonable written notice, to terminate a rental, and evict the renter in the name of and as agent for the Owner, if the renter fails to abide by the Association's governing documents and rules, in which case the Owner shall be responsible for the Association's legal expenses and prohibited from renting the Lot for a period of 12 months following the eviction of the renter.

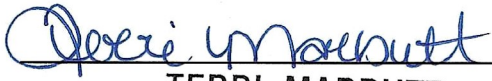
(K) This foregoing rental restrictions shall apply to the maximum extent possible to all Owners and Lots in the Subdivision. To the narrow extent that the July 1, 2021 amendments to the Homeowners' Association Act in any way limit the applicability of any of the foregoing rental restrictions as to a particular Lot or Owner, the remaining restrictions shall apply, no rental shall be for less than 6 months and no Lot may be rented more than 3 times in a calendar year.

(L) The Association's Board of Directors may adopt reasonable rules and regulations to effectuate and enforce these rental provisions.

ALL OTHER PROVISIONS OF THE DECLARATION REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, the undersigned have executed this instrument on this 24th day of April, 2024.

Signed in the presence of:


TERRI MARBUTT
245 S. Central Ave., Bartow, FL 33830


Erica Jessie
245 S. Central Ave., Bartow, FL 33830

Queen's Cove Homeowners Association, Inc.

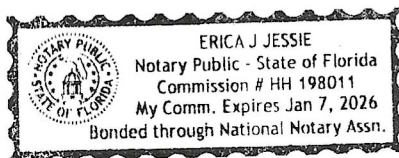

Tom Westberry, President

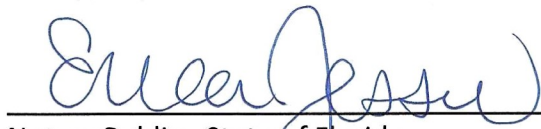
ATTEST:


Wayne Lord, Treasurer

**STATE OF FLORIDA
COUNTY OF POLK**

The foregoing was acknowledged before me by means of physical presence this 24th day of April, 2024, by Tom Westberry, as President, and Wayne Lord, as Treasurer, of Queen's Cove Homeowners Association, Inc.




Notary Public - State of Florida
☒ Produced Identification
Type of ID Produced: drivers' licenses