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KAREN E. RUSHING
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SARASOTA COUNTY, FLORIDA
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CERTIFICATE OF AMENDMENT

**DECLARATION OF COVENANTS
ENGLEWOOD ISLES SUBDIVISIONS, UNITS 4, 5 AND 6**

We hereby certify that the attached amendment to the Declaration of Covenants (herein, "the Declaration") of Englewood Isles Subdivisions, Units 4, 5 and 6 (which Declaration is recorded at Official Records Book 2882, Page 2118, of the Public Records of Sarasota County, Florida), which merged and replaced the Declarations of Restrictions of Englewood Isles Subdivision, Unit No. 4 (which is recorded at Official Records Book 1202, Page 1591, et seq. of the Public Records of Sarasota County); Englewood Isles Subdivision, Unit No. 5 (which is recorded at Official Records Book 1267, Page 1256 et seq. of the Public Records of Sarasota County) and Englewood Isles Subdivision, Unit No. 6 (which is recorded at Official Records Book 1267, Page 1266 of the Public Records of Sarasota County, Florida) was adopted on May 19, 1999 by a majority of the Board of Directors of the Association, which is sufficient for adoption under Article 23 of the Declaration (which is renumbered as Article 24 by the attached amendment).

DATED this 30th day of July, 1999.

Witnesses:

ENGLEWOOD ISLES PROPERTY OWNERS ASSOCIATION, INC.

sign Holly Lee VanDerLinden
print Holly Lee VanDerLinden

By: Duane Colegrove
Duane Colegrove, President

sign _____

print _____

Witnesses:

sign Holly Lee VanDerLinden
print Holly Lee VanDerLinden

Attest: Betty Fee, Secretary
Betty Fee, Secretary

sign _____

print _____

1999106357

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 30th day of July, 1999, by Duane Colegrove as President and Betty Fee as Secretary of Englewood Isles Property Owners Association, Inc., a Florida corporation, on behalf of the corporation. He/she are personally known to me or have produced

① FDL#C426-104-27-310-0 as identification.

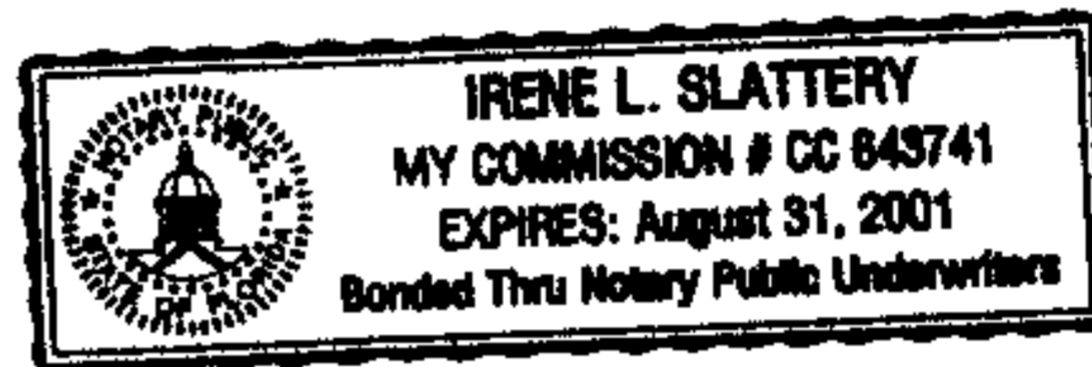
② FL DL#F000-082-23-555-0

NOTARY PUBLIC

sign Irene L. Slattery

print Irene L. Slattery
State of Florida at Large (Seal)

My Commission expires:



404

Prepared by:
Daniel J. Lobeck
2033 Main Street, Suite 301
Sarasota, Florida 34237

AMENDMENT

**DECLARATION OF COVENANTS
ENGLEWOOD ISLES SUBDIVISIONS, UNITS 4, 5 AND 6**

A new Article 23 is added, to read as follows, and Articles 23 through 25 are renumbered as Articles 24 through 26:

23. ENFORCEMENT FINES - In addition to other remedies provided to the Association for enforcement, the Association may levy a fine against any lot owner, tenant, guest or invitee (or any combination thereof) who fails to comply with any condition, restriction or covenant herein, subject to the following provisions:

(a) Each fine against a person shall be in an amount determined in each instance as provided in Section (d), below, not to exceed \$100.00, provided that a fine for a continuing violation may be in an amount up to \$100.00 for each day thereof not to exceed \$1,000.00.

(b) Prior to levying any fine, the Association shall provide notice to the person or persons sought to be fined, by personal delivery or by either regular or certified mail, which notice shall include the following:

(1) a statement of the provisions of the Declaration of Covenants which are alleged to have been violated;

(2) a short, plain statement of the matters asserted by the Association to constitute the violation, including but not limited to the date or dates of each alleged violation for which a fine may be imposed, as best as can be reasonably determined.

(3) a statement that the person or persons sought to be fined will be provided an opportunity for a hearing before a Committee, appointed by the Board of Directors, in the event such a request is received by the Association not later than fourteen (14) days after receipt of the notice if by personal delivery or by certified mail or not later than twenty (20) days after the mailing of the notice if by regular mail.

(4) a statement of the name and address of the person to whom the unit owner may request a hearing;

(5) the time, date and place on and at which the hearing shall be held, in the event it is timely requested;

(6) a statement that the person or persons sought to be fined shall, if a hearing is timely requested, have an opportunity at such hearing to respond to the alleged violation, present evidence and provide written and oral argument on all issues involved, as well as to review, challenge and respond to any material considered by the Association.

(c) the Committee referenced in Subsection (b)(3), above, shall consist of not less than three (3) members of the Association, none of whom is an officer, director or employee of the Association nor a spouse, parent, child, brother or sister of an officer, director or employee of the Association.

(d) In the event a hearing is requested and therefore held, the Committee shall consider all evidence and testimony presented at the hearing, prior to levying the fine. Whether or not a hearing is requested and held, the Committee shall determine the amount of the fine, if any, which shall be levied, consistent with Section (a) above. If the Committee, by majority vote, does not approve a fine, it may not be imposed. The Committee's determination shall be transmitted to the Board of Directors, which may formally approve and levy any fine provided by that determination. After a fine is levied, the Association shall provide a demand for payment to the unit owner.

(e) In the event any person refuses or otherwise fails to pay a fine properly levied, the Association may proceed with legal action in a court of competent jurisdiction to collect the sum due, together with costs and reasonable attorney's fees of the Association in such collection action.