

This Instrument Prepared by:  
Lisa A. Bell, Esq.  
Conley & Dorman, Chartered  
2401 Manatee Avenue West  
Bradenton, Florida 34205  
(941) 748-8778

This Space for Recording Information:

BK 1746 PG 137 DKT # 1616607 1 of 8

CERTIFICATE OF AMENDMENT TO  
DECLARATION, BY-LAWS AND  
ARTICLES OF INCORPORATION

OF

**BAYSHORE GARDENS CONDOMINIUM APARTMENTS ASSOCIATION, INC.**

We the undersigned agents of BAYSHORE GARDENS CONDOMINIUM APARTMENTS ASSOCIATION, INC., certify that the Amendments to the Declaration, By-Laws and Articles of Incorporation of BAYSHORE GARDENS CONDOMINIUM APARTMENTS ASSOCIATION, INC., have been adopted by the Unit Owners / Members pursuant to a lawfully noticed and publicly held Annual Meeting on February 9, 2002 and continued to March 9, 2002. The required quorum was achieved by a total of 133 Unit Owner/Members being present, voting or otherwise participating by proxy.

The Amendments are Attached hereto as Composite Exhibit A, consisting of five (5) pages. The Amendments were carried by a majority of the Unit Owners / Members pursuant to Article IX of the Declarations, Article X of the Articles of Incorporation and Article XIII of the By-laws. The vote on the amendments is set forth on the official count sheet attached.

The Amendments apply to the Declaration of Condominium and By-Laws previously adopted as Exhibit C to the Declarations of Condominium of the following condominiums, recorded as follows in the Public Records of Manatee County, Florida to wit:

- Bayshore Gardens Condominium Apartments, Section 1, O.R. 209, Page 539
- Bayshore Gardens Condominium Apartments, Section 2, O.R. 225, Page 107
- Bayshore Gardens Condominium Apartments, Section 3, O.R. 243, Page 619
- Bayshore Gardens Condominium Apartments, Section 4, O.R. 265, Page 677
- Bayshore Gardens Condominium Apartments, Section 5, O.R. 285, Page 277
- Bayshore Gardens Condominium Apartments, Section 6, O.R. 302, Page 729
- Bayshore Gardens Condominium Apartments, Section 7, O.R. 319, Page 479
- Bayshore Gardens Condominium Apartments, Section 8, O.R. 331, Page 144
- Bayshore Gardens Condominium Apartments, Section 9, O.R. 341, Page 711
- Bayshore Gardens Condominium Apartments, Section 10, O.R. 350, Page 88
- Bayshore Gardens Condominium Apartments, Section 11, O.R. 356, Page 53
- Bayshore Gardens Condominium Apartments, Section 12, O.R. 363, Page 391

The Amendment applies to all Amendments to the Articles of Incorporation, Amendments to the Declaration of Condominium and Amendments to the By-Laws which have been recorded as follows in the Public Records of Manatee County, Florida to wit:

5/9/02

DV 1747 DE 170  
DR 1140 FD LJO 2 of 8

Bayshore Gardens Condominium Apartments, Correction of Scrivener's Error at O.R. 1153 Page 2355 through 2382.

Bayshore Gardens Condominium Apartments, Correction of Scrivener's Error at O.R. 1136 Page 1116 through 1118.

Bayshore Gardens Condominium Apartments, Certificate of Amendment at O.R. 1109 Page 1203.

Bayshore Gardens Condominium Apartments, Amendment to By-laws at O.R. 918 Page 1135.

Bayshore Gardens Condominium Apartments, Certificate of Amendment at O.R. 1115 Page 3828

Bayshore Gardens Condominium Apartments, Certificate of Amendment at O.R. 1138 Page 1177

Bayshore Gardens Condominium Apartments, Amendment to Declaration at O.R. 783 Page 371 through 374.

Bayshore Gardens Condominium Apartments, Amendment to Declaration at O.R. 1085 Page 3561 through 3562.

Bayshore Gardens Condominium Apartments, Certificate of Amendment at O.R. 1703 Page 4434 through 4439.

IN WITNESS WHEREOF, we have affixed our signatures and set our hands on this 12 day of April 2002, at Bradenton, Manatee County, Florida.

BAYSHORE GARDENS CONDOMINIUM  
APARTMENTS ASSOCIATION, INC.

by: William Lamphere  
William Lamphere, President

[Signature]  
Witness

[Signature]  
Witness

STATE OF FLORIDA  
COUNTY OF MANATEE

BEFORE ME, the undersigned authority personally appeared and who provided identification \_\_\_\_\_ (list type and ID #) or is personally known to me, William Lamphere, who being dully sworn upon oath, deposes and says that he is the President as specified in the foregoing instrument and that the contents therein are true and correct.

SWORN TO AND SUBSCRIBED before me this 12 day of April 2002.

DV 1777 OF 170  
DA 1140 TO LJ7 3 of 8

SEAL



Barbara Smialek  
Notary Public

Commission Expiration:  
My Commission CC837500  
Expires May 17, 2004

BAYSHORE GARDENS CONDOMINIUM  
APARTMENTS ASSOCIATION, INC.

by: Donna Boas  
Donna Boas, Secretary

Lisa A. Bell  
Witness Lisa A. Bell

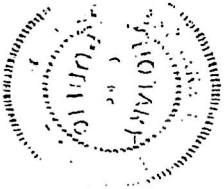
Barbara Smialek  
Witness

STATE OF FLORIDA  
COUNTY OF MANATEE

BEFORE ME, the undersigned authority personally appeared and who provided identification \_\_\_\_\_ (list type and ID #) or is personally known to me, Donna Boas, who being dully sworn upon oath, deposes and says that she is the Secretary as specified in the foregoing instrument and that the contents therein are true and correct.

SWORN TO AND SUBSCRIBED before me this 12 day of April 2002.

SEAL



Barbara Smialek  
Notary Public

Commission Expiration:

Barbara Smialek  
My Commission CC837500  
Expires May 17, 2004

BK 1746 PG 140 4 of 8

Bayshore Gardens Condominium Apartments, Inc., Unit 1  
1600 Leisure Drive Bradenton, Florida 34207  
Annual Meeting of the Membership

OFFICIAL COUNT ON VOTING ISSUES  
February 9, 2002

<u>YES</u>	<u>NO</u>	<u>PASSED</u>	<u>SUBJECT VOTED ON</u>
<u>79</u>	<u>54</u>	<u>yes</u>	WAIVE THE AUDIT
<u>112</u>	<u>16</u>	<u>yes</u>	AMENDMENT # 1
<u>115</u>	<u>17</u>	<u>yes</u>	AMENDMENT # 2
<u>94</u>	<u>37</u>	<u>yes</u>	AMENDMENT # 3

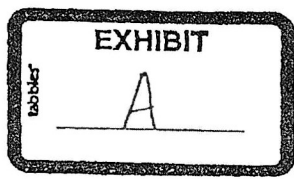
46 PROXIES

87 MAILED OR IN PERSON

133 TOTAL NUMBER OF VOTES

Chris Cerwin Head of Counting Committee  
Chris Cerwin

William Tompkins President  
Barbara Smialek Secretary



BAYSHORE GARDENS CONDOMINIUM APARTMENTS, INC., UNIT 1  
1600 LEISURE DRIVE BRADENTON, FL. 34207

BALLOT FOR ISSUES

THIS IS THE BALLOT FOR THE ISSUES STATING WHAT YOU NEED TO VOTE ON. THIS IS NOT A SECRET BALLOT. REMEMBER TO SIGN THE OUTSIDE OF THE ENVELOPE WITH YOUR BUILDING LETTER AND YOUR APARTMENT NUMBER, (EX: A 22). IF THE ENVELOPE IS NOT SIGNED ON THE OUTSIDE IT CANNOT LEGALLY BE COUNTED, THEREFORE IT WILL BE THROWN OUT.

- 1.. CONDO LAW REQUIRES THAT WE HAVE AN ANNUAL AUDIT OF THE CONDO FUNDS, OR THE MEMBERS MAY WAIVE THE AUDIT IN FAVOR OF A COMPILATION OF FINANCIAL PAPERS.

DO YOU WAIVE THE AUDIT REQUIREMENT?

79 YES

54 NO

PROPOSED AMENDMENT TO DECLARATION OF CONDOMINIUM AND BY-LAWS AND ARTICLES OF INCORPORATION OF BAYSHORE GARDENS CONDOMINIUM APARTMENTS ASSOCIATION, INC., UNIT 1

PLEASE NOTE: WORDS STRICKEN ARE DELETIONS; WORDS IN PARAGRAPHS UNDERLINED ARE ADDITIONS, TITLES ARE ALWAYS UNDERLINED.

EXPLANATION: ITEM 1 TO BE VOTED ON:

Declaration of Condominium

The following restrictions shall apply to and bind the Condominium, Condominium Property, Units and Unit parcels, to wit:

Section 12

(a) through (q) remain unchanged.

The following is an addition:

(r) Apartments/Units shall only be sold or leased to a household wherein at least one resident occupant is age fifty-five (55) or older, and has appeared in person for the screening process.

By-laws-Article XIV

The following restrictions shall apply to and bind the Condominium, Condominium property, Units and Unit parcels, to wit:

All prospective tenants must fill in an application form, submit to an interview (screening) in person and be approved by the Board of Directors. The Condominium/Unit/Apartment may only be sold to or leased by occupants where at least one member of the household is age fifty-five (55) or older, and has appeared in person for the screening process.

BK 1746 PG 141 5 of 8



the year. Not more than one member from a household may be on the Board of Directors at the same time. The officers and members of the board shall perform such duties, hold office for such terms, and take office at such times as shall be provided in the By-Laws of the corporation.

PLEASE INDICATE WHETHER YOU AGREE WITH THE FORM OF THE PROPOSED AMENDMENT TO THE BY-LAWS, ARTICLES OF INCORPORATION AND DECLARATION OF CONDOMINIUM AS SPECIFIED ABOVE.

115 YES

17 NO

EXPLANATION: ITEM 3 TO BE VOTED ON:

DECLARATION OF CONDOMINIUM  
SECTION 12 - C (1)

That the occupants and owners of each unit shall keep, and obey all laws, ordinances, regulations, requirements and rules of all governmental bodies, divisions or sub-divisions, in so far as the same pertain to the control or use of such unit. Any exceptions to the rules must be determined by the Board.

(1) 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, the Association By-Laws, or reasonable rules of the Association. No fine will become a lien against a unit. No fine may exceed \$100.00 per violation. However, a fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, provided that no such fine shall in the aggregate exceed \$1,000.00. No fine may be levied except after giving reasonable notice and opportunity for a hearing to the unit owner and, if applicable, its licensee or invitee. The hearing must be held before a committee of other unit owners. If the committee does not agree with the fine, the fine may not be levied. If after 30 days from the date of the Board's notice the violation is not corrected or the fine not paid the Board may refer the matter to its Attorney for legal action. The violater will be liable for all Attorney's fees and all costs pertaining to the violation.

BK 1746 PG 143 of 8

BY-LAWS  
ARTICLE XI

(1) That the occupants and owners of each unit shall keep and obey all laws, ordinances, regulations, requirements and rules of all governmental bodies, divisions or sub-divisions, in so far as the same pertain to the control or use of such unit. Any exceptions to the rules must be determined by the Board.

(2) 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, the Association By Laws, or reasonable rules of the Association. No fine will become a lien against a unit. No fine may exceed \$100.00 per violation. However, a fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, provided that no such fine shall in the aggregate exceed \$1,000.00. No fine may be levied except after giving reasonable notice and opportunity for a hearing to the unit owner and, if applicable, its licensee or invitee. The hearing must be held before a committee of other unit owners. If the committee does not agree with the fine, the fine may not be levied. If after 30 days from the date of the Board's notice the fine is not paid

and the violation is not corrected, the Board may refer the matter to its Attorney for legal action. The violater will be liable for all Attorney's fees and all costs pertaining to the violation.

ARTICLES OF INCORPORATION  
ARTICLE XI

(1.) That the occupants and owners of each unit shall keep, and obey all laws, ordinances, regulations, requirements and rules of all governmental bodies, divisions, sub-divisions, in so far as the same pertain to the control or use of such unit. Any exceptions to the rules must be determined by the Board.

(2) 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, the Associations By-Laws, or reasonable rules fo the Association. No fine will become a lien against a unit. No fine may exceed \$100.00 per violation. However, a fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, provided that no such fine shall in the aggregate exceed \$1,000.00. No fine may be levied except after giving reasonable notice and opportunity for hearing to the unit owner and, if applicable, its licensee or invitee. The hearing must be held before a committee of other unit owners. If the committee does not agree with the fine, the fine may not be levied. If after 30 days from the date of the Board's notice the fine is not paid and the violation is not corrected, the Board may refer the matter to its Attorney for legal action. The violater will be liable for all Attorney's fees and all costs pertaining to the violation.

PLEASE INDICATE WHETHER YOU AGREE WITH THE FORM OF THE PROPOSED AMENDMENT TO THE BY-LAWS, ARTICLES OF INCORPORATION AND DECLARATION OF CONDOMINIUM AS SPECIFIED ABOVE.

94 YES

37 NO



BK 1746 PG 144  
FILED AND RECORDED 5/5/2002 12:19:52 PM 8 of 8  
R.R. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL.