

PREPARED BY AND RETURN TO:
JAY STEVEN LEVINE, P.A.
2500 North Military Trail, Suite 490
Boca Raton, Florida 33431
(561) 999-9925

1837146
THIS DOCUMENT HAS BEEN RECORDED
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INDIAN RIVER COUNTY FL
BK: 2156 PG:1028, Page1 of 5
04/20/2007 at 02:56 PM.

JEFFREY K BARTON, CLERK OF
COURT

**CERTIFICATE OF AMENDMENT TO THE DECLARATION OF
CONDOMINIUM OF SOUTHWINDS A, A CONDOMINIUM**

WHEREAS, the Amended Declaration of Condominium of Southwinds A, a Condominium and exhibits are recorded in Official Record Book 1167, at Page 2286, and amended in its entirety by that Amended and Restated Declaration as recorded in Official Record Book 1431, at Page 0757, Public Records of Indian River County, Florida;

WHEREAS, Section 21.3 of the Amended and Restated Declaration provides that the Amended and Restated Declaration may be amended by the vote of not less than a majority of the entire membership of the Board of Directors and by not less than 75% of the voting interests of the members of the Association owning units in Southwinds A, a Condominium;

WHEREAS, at a Board meeting held March 23, 2006, not less than a majority of the entire membership of the Board of Directors voted to approve of the amendments to the Amended and Restated Declaration of Condominium for Southwinds A, a Condominium as set forth in Exhibit "1" to this certificate;

WHEREAS, at a membership meeting held on March 23, 2006, not less than 75% of the voting interests of the members of the Association owning units in Southwinds A, a condominium did vote to approve of the amendments to the Amended and Restated Declaration in the particulars as set forth in Exhibit "1" to this certificate;

WHEREAS, the certificate of the amendment and Exhibit "1" shall be filed in the Public Records of Indian River County, Florida.

NOW, THEREFORE, the Amended and Restated Declaration of Condominium of Southwinds A, a Condominium shall be amended in the particulars as stated in Exhibit "1" attached hereto; these amendments shall run with the real property known as Southwinds A, a Condominium, and shall be binding on all parties having any right, title, or interest in the said real property or any part thereof, their heirs, successors, assigns, tenants, guests and visitors, and except as otherwise amended hereby, shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENTS

I HEREBY CERTIFY that the amendments attached to this Certificate have been

approved by the votes required by the Amended and Restated Declaration of Condominium.

DATED this 11th day of December, 2006.

WITNESSES:

SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.

Barbara J. Peltier
Print: BARBARA J PELTIER
Susan R. Ivy
Print: SUSAN R. IVY

By: Thomas F. Garvey
President
Print Name: THOMAS F. GARVEY

STATE OF FLORIDA)
) SS:
COUNTY OF INDIAN RIVER)

I HEREBY CERTIFY that on the 11 day of December, 2006 before me personally appeared Thomas F. Garvey as president of **SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.**, who is personally known to me and who did not take an oath and who executed the aforesaid Certification as his/her free act and deed as such duly authorized officer; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal, in the County of Indian River, State of Florida, the day and year last aforesaid.

NOTARY PUBLIC: Barbara J. Peltier

Sign:

My commission expires:

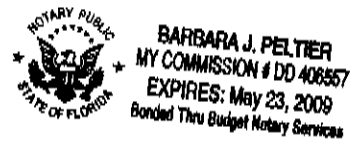


Exhibit "1"

**AMENDMENTS TO THE AMENDED AND RESTATED DECLARATION OF
SOUTHWINDS A, A CONDOMINIUM**

As used herein the following shall apply:

A. Words in the text which are lined through with hyphens (---) indicate deletions from the present text.

B. Words in the text which are underlined indicate additions to the present text.

1. The introductory clause to Section 11.1 of the Amended and Restated Declarations shall be amended to read as follows:

"11.1 Association Maintenance. In addition to other provisions contained elsewhere in this Declaration, the following Properties shall be protected, maintained, repaired and replaced by the Association at the expense of the Association (or the particular Condominium (Southwinds A or B), (as the case may be)), as an item of common expense:"

2. Section 11.4.C.1 of the Amended and Restated Declarations shall be amended to read as follows:

~~"1. Shutters. The only type and color of shutter allowed is a hurricane shutter which is of the two roll-down types prevailing in the Condominiums on the Effective Date of this Declaration. Commencing as soon as possible but in no event later than July 1, 2007, each Owner within Southwinds A shall install, at the Owner's expense, on all exterior windows and glass doors, impact glass or fully operable hurricane shutters thereon, which are rated to meet the 2004 Florida Building Code in effect January 1, 2006, or to meet the then-existing codes, whichever is greater; provided however, (i) if such shutters or impact glass are not installed by July 1, 2007, the Owner shall be deemed to be in compliance with this section if the Owner has as of that date signed a binding contract to install same as soon as they are available and delivered a copy of the contract to the Association; and (ii) with respect to any Unit which on July 1, 2007 has operable roll-down hurricane shutters installed, but which do not meet the foregoing criteria, the requirement imposed by this section shall become applicable when any of the shutters are replaced or become so inoperable as to require major repair or replacement. All shutters must be of a roll-down type and consistent in color and appearance with existing Southwinds A hurricane shutters."~~

3. Section 11.5 of the Amended and Restated Declarations shall be amended to read as follows:

"11.5. Alterations and Improvements by the Association. Subject to the provisions of Sections 16 and 17 below, the following shall apply: The Association shall have the right to make or cause to be made alterations or improvements to the common elements and Association property which are approved by the Board of Directors. However, if the cost of same shall exceed 5% of the annual budget for the particular Condominium (inclusive of its share of the Association budget), cumulatively in a budget year, then the alteration or improvement may not be made unless approved in writing by the Owners of ~~75%~~ 60% of the Units in the Condominium whose common elements are altered or improved, except that as to Association property, the written approval required shall be by the Owners of ~~75%~~ 60% of all Units in both Condominiums if the cost exceeds 5% of the total annual budget for all Condominiums and the Association. In order to bind a Unit under this Section 11.5, only one Owner of a Unit need execute the written consent.

A. Proviso. Notwithstanding the foregoing to the contrary, in the event any alteration or improvement is also necessary or beneficial in the maintenance, repair, replacement or protection of the Properties or Owners or Occupants, then such alteration or improvement shall not require the ratification or approval of the Owners."

4. Section 12.6 of the Amended and Restated Declarations shall be amended to read as follows:

"C. The following applies only to Southwinds A, A Condominium: Upon the issuance of a hurricane, tropical storm watch or the forecast of high winds, (i) all movable objects must be cleared from porches, balconies and terraces; (ii) all porch, balcony and terrace ceiling fans (motors and blades) must be removed; and (iii) all hurricane shutters must be rolled down in a fully deployed position. Furthermore, Owners and Occupants must remove all furniture, and movable objects from porches, balconies and terraces prior to their leaving for any extended period and in all cases, at all times that the Unit is unoccupied between July 1st and November 30th of each year. Any Owner or Occupant who fails to abide by the foregoing shall entitle but not require the Association to enter upon the porch, balcony or terrace and/or the Unit and ~~remove same,~~ take action required by the foregoing whereupon the Association shall levy a Charge against the Owner concerned, which Charge shall be collectible as Charges are collected under this Declaration."

5. Section 15.2 of the Amended and Restated Declarations shall be amended to read as follows:

"15.2 Owners. Each owner ~~may~~ shall obtain insurance at his or her own expense, affording coverage of such scope and amount as is reasonable in the circumstances prevailing upon his or her interests in the Units and

personal property and for his or her personal liability, for owner or mortgagee title insurance, and such insurance coverage as may be required by law.”

PREPARED BY AND RETURN TO:
JAY STEVEN LEVINE, P.A.
2500 North Military Trail, Suite 490
Boca Raton, Florida 33431
(561) 999-9925

1837146
THIS DOCUMENT HAS BEEN RECORDED
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INDIAN RIVER COUNTY FL
BK: 2156 PG:1033, Page1 of 4
04/20/2007 at 02:56 PM,

JEFFREY K BARTON, CLERK OF
COURT

**CERTIFICATE OF AMENDMENT TO THE DECLARATION OF
CONDOMINIUM OF SOUTHWINDS B, A CONDOMINIUM**

WHEREAS, the Amended Declaration of Condominium of Southwinds B, a Condominium and exhibits are recorded in Official Record Book 1167, at Page 2440, and amended in its entirety by that Amended and Restated Declaration as recorded in Official Record Book 1431, at Page 0757, Public Records of Indian River County, Florida;

WHEREAS, Section 21.3 of the Amended and Restated Declaration provides that the Amended and Restated Declaration may be amended by the vote of not less than a majority of the entire membership of the Board of Directors and by not less than 75% of the voting interests of the members of the Association owning units in Southwinds B, a Condominium;

WHEREAS, at a Board meeting held March 23, 2006 2006, not less than a majority of the entire membership of the Board of Directors voted to approve of the amendments to the Amended and Restated Declaration of Condominium for Southwinds B, a Condominium as set forth in Exhibit "1" to this certificate;

WHEREAS, at a membership meeting held on March 23, 2006, 2006, not less than 75% of the voting interests of the members of the Association owning units in Southwinds B, a condominium did vote to approve of the amendments to the Amended and Restated Declaration in the particulars as set forth in Exhibit "1" to this certificate;

WHEREAS, the certificate of the amendment and Exhibit "1" shall be filed in the Public Records of Indian River County, Florida.

NOW, THEREFORE, the Amended and Restated Declaration of Condominium of Southwinds B, a Condominium shall be amended in the particulars as stated in Exhibit "1" attached hereto; these amendments shall run with the real property known as Southwinds B, a Condominium, and shall be binding on all parties having any right, title, or interest in the said real property or any part thereof, their heirs, successors, assigns, tenants, guests and visitors, and except as otherwise amended hereby, shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENTS

I HEREBY CERTIFY that the amendments attached to this Certificate have been

approved by the votes required by the Amended and Restated Declaration of Condominium.

DATED this 11th day of December, 2006.

WITNESSES:

SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.

Barbara J. Peltier
Print: BARBARA PELTIER

By: Thomas F. Garvey
President
Print Name:

Print: _____

THOMAS F. GARVEY

STATE OF FLORIDA)
) SS:
COUNTY OF INDIAN RIVER)

I HEREBY CERTIFY that on the 11 day of December, 2006 before me personally appeared Thomas F. Garvey as president of **SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.**, who is personally known to me and who did not take an oath and who executed the aforesaid Certification as his/her free act and deed as such duly authorized officer; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal, in the County of Indian River, State of Florida, the day and year last aforesaid.

NOTARY PUBLIC: BARBARA PELTIER

Sign: Barbara J. Peltier

My commission expires:



BARBARA J. PELTIER
MY COMMISSION # DD 406557
EXPIRES: May 23, 2009
Bonded Thru Budget Notary Services

Exhibit "1"

**AMENDMENTS TO THE AMENDED AND RESTATED DECLARATION OF
SOUTHWINDS B, A CONDOMINIUM**

As used herein the following shall apply:

A. Words in the text which are lined through with hyphens (---) indicate deletions from the present text.

B. Words in the text which are underlined indicate additions to the present text.

1. Section 8.1.C of the Amended and Restated Declarations shall be amended to read as follows:

"C. Swimming pools and pool decks within the courtyards in Southwinds B: Courtyards/front (loggia), side and back, as well as any Any pools and pool decks situated within the courtyards of units in Southwinds B, which are considered part of the common elements, are a limited common element of the unit served."

The introductory clause to Section 11.1 of the Amended and Restated Declarations shall be amended to read as follows:

"11.1 Association Maintenance. In addition to other provisions contained elsewhere in this Declaration, the following Properties shall be protected, maintained, repaired and replaced by the Association at the expense of the Association (or the particular Condominium (Southwinds A or B), (as the case may be)), as an item of common expense."

Section 11.4.D.1 of the Amended and Restated Declarations shall be amended to read as follows:

"1. Shutters. ~~The only type and color of shutter allowed is a hurricane shutter which is of the two roll down types prevailing in the Condominiums on the Effective Date of this Declaration.~~ Hurricane shutters may be installed on units in Southwinds B provided prior written approval of the type, color and other relevant characteristics is obtained from the Board of Directors."

Section 11.5 of the Amended and Restated Declarations shall be amended to read as follows:

"11.5. Alterations and Improvements by the Association. Subject to the provisions of

Sections 16 and 17 below, the following shall apply: The Association shall have the right to make or cause to be made alterations or improvements to the common elements and Association property which are approved by the Board of Directors. However, if the cost of same shall exceed 5% of the annual budget for the particular Condominium (inclusive of its share of the Association budget), cumulatively in a budget year, then the alteration or improvement may not be made unless approved in writing by the Owners of ~~75%~~ 60% of the Units in the Condominium whose common elements are altered or improved, except that as to Association property, the written approval required shall be by the Owners of ~~75%~~ 60% of all Units in both Condominiums if the cost exceeds 5% of the total annual budget for all Condominiums and the Association. In order to bind a Unit under this Section 11.5, only one Owner of a Unit need execute the written consent.

- A. Proviso. Notwithstanding the foregoing to the contrary, in the event any alteration or improvement is also necessary or beneficial in the maintenance, repair, replacement or protection of the Properties or Owners or Occupants, then such alteration or improvement shall not require the ratification or approval of the Owners."

Section 15.2 of the Amended and Restated Declarations shall be amended to read as follows:

"15.2 Owners. Each owner ~~may~~ shall obtain insurance at his or her own expense, affording coverage of such scope and amount as is reasonable in the circumstances prevailing upon his or her interests in the Units and personal property and for his or her personal liability, for owner or mortgagee title insurance, and such insurance coverage as may be required by law."

State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Amendment, filed on February 20, 2007, for SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC., a corporation organized under the laws of the State of Florida, as shown by the records of this office.

The document number of this corporation is 765944.

1837147

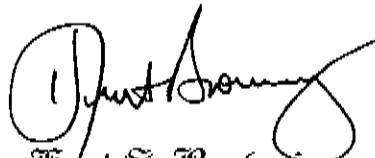
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INDIAN RIVER COUNTY FL
BK: 2156 PG:1037, Page1 of 5
04/29/2007 at 02:56 PM.

JEFFREY K BARTON, CLERK OF
COURT

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Twenty-ninth day of March, 2007



CR2EO22 (01-07)


Kurt S. Browning
Secretary of State

PREPARED BY AND RETURN TO:
JAY STEVEN LEVINE, P.A.
2500 North Military Trail, Suite 490
Boca Raton, Florida 33431
(561) 999-9925

FILED
07 FEB 20 AM 11:24
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

**CERTIFICATE OF AMENDMENT TO THE AMENDED AND RESTATED
DECLARATION CONDOMINIUM OF SOUTHWINDS A, A CONDOMINIUM AND
SOUTHWINDS B, A CONDOMINIUM BY AMENDING THE ARTICLES OF
INCORPORATION OF SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.
WHICH IS AN EXHIBIT TO THE DECLARATION**

WHEREAS, the Amended Declaration of Condominium of Southwinds A, a Condominium and exhibits are recorded in Official Record Book 1167, at Page 2286, and amended in its entirety by that Amended and Restated Declaration as recorded in Official Record Book 1431, at Page 0757, Public Records of Indian River County, Florida;

WHEREAS, the Amended Declaration of Condominium of Southwinds B, a Condominium and exhibits are recorded in Official Record Book 1167, at Page 2440, and amended in its entirety by that Amended and Restated Declaration as recorded in Official Record Book 1431, at Page 0757, Public Records of Indian River County, Florida;

WHEREAS, Section 8.3 of the Articles of Incorporation provides that the Articles may be amended by the vote of not less than a majority of the entire membership of the Board of Directors and by not less than 75% of the voting interests of all members of the Association;

WHEREAS, at a Board meeting held March 23, 2006, not less than a majority of the entire membership of the Board of Directors voted to approve of the amendment to the Articles of Incorporation as set forth in Exhibit "1" to this certificate;

WHEREAS, at a membership meeting held on March 23, 2006, not less than 75% of the voting interests of the members of the Association did vote to approve of the amendment to the Amended and Restated Articles of Incorporation in the particulars as set forth in Exhibit "1".

WHEREAS, the certificate of the amendment to the Amended and Restated Articles of Incorporation shall be filed with the Secretary of State and this certificate and Exhibit "1" shall be filed in the Public Records of Indian River County, Florida.

NOW, THEREFORE, the Amended and Restated Declarations and the Articles of Incorporation shall be amended in the particulars as stated in Exhibit "1" attached hereto; these amendments shall run with the real property known as Southwinds A, a Condominium and Southwinds B, a Condominium, and shall be binding on all parties

having any right, title, or interest in the said real property or any part thereof, their heirs, successors, assigns, tenants, guests and visitors, and except as otherwise amended hereby, shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENT

I HEREBY CERTIFY that the amendment attached to this Certificate has been approved by the votes required by the Amended and Restated Articles of Incorporation.

DATED this 11th day of December, 2006.

WITNESSES:

**SOUTHWINDS AT THE MOORINGS
ASSOCIATION, INC.**

Barbara J. Peltier
Print: BARBARA J PELTIER
Susan L. Ivy
Print: SUSAN L. IVY

By: Thomas F. Garvey
President
Print Name:

THOMAS F. GARVEY

STATE OF FLORIDA)
) SS:
COUNTY OF INDIAN RIVER)

I HEREBY CERTIFY that on the 11 day of December, 2006 before me personally appeared Thomas F. Garvey as president of **SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.**, who is personally known to me and who did not take an oath and who executed the aforesaid Certification as his/her free act and deed as such duly authorized officer; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal, in the County of Indian River, State of Florida, the day and year last aforesaid.

NOTARY PUBLIC: BARBARA J PELTIER

Sign: Barbara J Peltier

My commission expires:



BARBARA J. PELTIER
MY COMMISSION # 00 408567
EXPIRES: May 23, 2009
Contact Your State's Notary Services

Exhibit "1"

CERTIFICATE OF AMENDMENT TO THE AMENDED AND RESTATED ARTICLES OF INCORPORATION OF SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.

As used herein the following shall apply:

A. Words in the text which are lined through with hyphens (—) indicate deletions from the present text.

B. Words in the text which are underlined indicate additions to the present text.

1. **Section 3.2.C.2 of the Amended and Restated Articles of Incorporation shall be amended to read as follows:**

"2. The Association may borrow money with the following limitations: The Association shall have the right to borrow money upon the approval by the Board of Directors alone up to an amount which is 20% of the annual budget, cumulatively in a budget year. However, if the amount of same shall exceed 20% of the annual budget, cumulatively in a budget year, then the loan may not be made unless approved by not less than ~~seventy five (75%)~~ sixty (60%) percent of the voting interests of all Members of the Association. The Association may assign its assessment and lien rights in connection with the loan."

CERTIFICATE OF ADOPTION OF AMENDMENT TO THE ARTICLES OF INCORPORATION

THE UNDERSIGNED, being the duly elected and acting president of SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC. hereby certifies that the foregoing was approved by not less than a majority of the entire membership of the Board of Directors on March 23, 2006, and was approved by not less than 75% of the voting interests of all members of the Association on March 23 2006. The number of votes was sufficient for approval.

EXECUTED this 11th day of December, 2006.

WITNESSES

Print: _____

Print Name: _____

SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.

By: _____

Print Name: _____

Pre

THOMAS F. GARVEY
PRESIDENT

STATE OF FLORIDA)
) SS:
COUNTY OF INDIAN RIVER)

I HEREBY CERTIFY that on the 11 day of December, 2006 before me personally appeared _____ as president of **SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.**, who is personally known to me and who did not take an oath and who executed the aforesaid Certification as his/her free act and deed as such duly authorized officer; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal, in the County of Indian River, State of Florida, the day and year last aforesaid.

NOTARY PUBLIC:

Sign: *Barbara J. Peltier*

My commission expires:



BARBARA J. PELTIER
MY COMMISSION # DD 408657
EXPIRES: May 23, 2009
Graded Through Notary Services