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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL



CERTIFICATE OF AMENDMENT

**DECLARATION OF COVENANTS AND RESTRICTIONS
OF
GLEN OAKS MANOR HOMES**

**ARTICLES OF INCORPORATION
BYLAWS
GLEN OAKS MANOR HOME OWNERS ASSOCIATION, INC.**

We hereby certify that the attached amendments to the Declaration of Covenants and Restrictions of **GLEN OAKS MANOR HOMES**, and the attached amendments to the Articles of Incorporation and Bylaws (which Articles of Incorporation and Bylaws are recorded as Exhibits to the originally recorded Declaration of Covenants and Restrictions) of **GLEN OAKS MANOR HOME OWNERS ASSOCIATION, INC.** (herein, the "Association") were duly adopted by the affirmative vote of not less than a majority of the membership of the Board of Directors at its February 2, 2019 Board of Directors' meeting and by the affirmative vote of not less than two-thirds (2/3) of the voting interests present (in person or by proxy) at the membership meeting held on February 2, 2019, which is sufficient pursuant to Article X of the Declaration as to the Declaration amendments. The amendments to the Articles of Incorporation were approved by resolution of not less than two-thirds (2/3) of the members of the Association present (in person or by proxy) at the membership meeting which is sufficient pursuant to Article IX of the Articles of Incorporation. The amendments to the Bylaws were approved by not less than a majority of the Board of Directors and by not less than two-thirds (2/3) of the voting interests present (in person or by proxy) at the membership meeting which is sufficient pursuant to Article 14 of the Bylaws. The Association further certifies that the amendments were proposed and adopted as required by the governing documents and applicable law.

The original Declaration of Covenants and Restrictions for Glen Oaks Manor was originally recorded at Official Records Book 1301, Page 179 *et seq.* of the Public Records of Sarasota County, Florida.

DATED this 25 day of February, 2019.

Signed, sealed and delivered
in the presence of:

sign *Patricia Richmond*

print Patricia Richmond

sign *Taylor Anderson*

print Taylor Anderson

**GLEN OAKS MANOR HOME OWNERS
ASSOCIATION, INC.**

By: *Janet Stockwell*
Janet Stockwell, President

Signed, sealed and delivered
in the presence of:

sign [Signature]

print Patricia Richmond

sign [Signature]

print Taylor Anderson

Attest: [Signature]
TRICIA BURCHETT, Secretary

[Corporate Seal]

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 25th day of February, 2019, by Janet Stockwell as the President of Glen Oaks Manor Home Owners Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ as identification.

My commission expires:

NOTARY PUBLIC



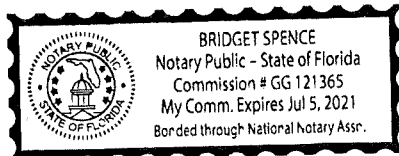
sign [Signature]
print Bridget Spence
State of Florida at Large (Seal)

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 25th day of February, 2019, by Tricia Burchett as the Secretary of Glen Oaks Manor Home Owners Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ as identification.

My commission expires:

NOTARY PUBLIC



sign [Signature]
print Bridget Spence
State of Florida at Large (Seal)

AMENDMENT

**DECLARATION OF COVENANTS AND RESTRICTIONS
OF
GLEN OAKS MANOR HOMES**

[Additions are indicated by underline; deletions by ~~strike-through~~]

**ARTICLE VIII
USE RESTRICTIONS**

Section 11. Leasing. No villa shall be leased for a term of less than thirty (30) days. Villas may be leased without approval of the Association, provided the occupancy and use of the leased villa by the lessee and other occupants must be in compliance with the terms of this Declaration, and rules and regulations adopted by the Association. The Lot Owner ~~will~~ shall provide copies of the Declaration and all rules and regulations to the tenant prior to occupancy and shall require the tenant to agree to comply with the Declaration and rules as a condition of the rental. The name of the tenant must be provided to the Association ~~within~~ ten days prior to the of occupancy of the villa. This Declaration amendment shall apply to all lots; however, any lease executed prior to the recording of this Declaration amendment in the public records shall be permitted if the lease complies with the existing terms of the Declaration of Covenants and Rules and Regulations of the Association.

AMENDMENT

DECLARATION OF COVENANTS AND RESTRICTIONS OF GLEN OAKS MANOR HOMES

[Additions are indicated by underline; deletions by ~~strike-through~~]

ARTICLE X GENERAL PROVISIONS

...
Section 3. Amendment. The covenants and restrictions of this Declaration shall run with and bind the land for a term of twenty (20) years from the date this Amended and Restated Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years, unless cancelled within ninety (90) days after expiration of said twenty (20) year term or within ninety (90) days after expiration of any successive ten (10) year term by an instrument in writing signed by not less than 51% of the Lot Owners and recorded in the Public Records of Sarasota County, Florida. This Declaration may be amended in the following manner:

(a) **Notice.** Notice of the subject matter of a proposed amendment shall be included in the notice of a meeting at which a proposed amendment is to be considered.

(b) **Resolution.** A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by not less than 20% of the voting interests of the Association.

(c) **Approval.** Except as otherwise required herein or by law, a proposed amendment to this Declaration shall be adopted if it is approved by a majority of the membership of the Board of Directors and by not less than a two-thirds of the voting interests, present in person or by proxy, at any annual or special meeting, provided that notice of any proposed amendment has been given to the Members of the Association, and that the notice contains the text of the proposed amendment, or by approval in writing by a majority of the total voting interests without a meeting. Notwithstanding anything to the contrary herein, a majority of the Board of Directors will propose and adopt an amendment to the Declaration, without any membership approval, when necessary to bring the Declaration into compliance with Florida or Federal laws, administrative rules or regulations.

(d) **Certificate of Amendment.** A copy of each amendment shall be attached to a certificate certifying that the amendment was duly adopted, which certificate shall be executed by the President or Vice-President and attested by the Secretary or Assistant Secretary of the Association with the formalities of a deed. The amendment shall be effective when the certificate and a copy of the amendment is recorded in the Public Records of Sarasota County.

AMENDMENT

ARTICLES OF INCORPORATION OF GLEN OAKS MANOR HOME OWNERS ASSOCIATION, INC.

[Additions are indicated by underline; deletions by ~~strike through~~]

ARTICLE IX AMENDMENT TO ARTICLES OF INCORPORATION

These Articles of Incorporation may be altered, amended, or repealed in the following manner. Notice of the subject matter of a proposed amendment, and a copy of the proposed amendment, shall be included in the notice of any meeting at which a proposed amendment will be considered.

A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by not less than twenty percent (20%) of the voting interests of the members of the Association. Members not present in person or by proxy at the meeting considering an amendment may express their approval in writing, provided that such approval is delivered to the secretary at or prior to the meeting. Except as elsewhere provided,

1. To be adopted, a resolution must be approved by not less than a two-thirds of the members of the Association present in person or by proxy at a duly noticed and convened membership meeting, or by approval in writing by a majority of the total voting interests without a meeting. In addition, a majority of the Board of Directors will propose and adopt an amendment to these Articles, without any membership approval, when necessary to bring the Articles into compliance with Florida or Federal laws, administrative rules or regulations.
2. Provided, however, that no amendment shall make any changes in the qualifications for membership nor the substantive voting rights of members without approval in writing of all members of the Association.
3. An amendment shall become effective upon filing with the Secretary of State and recording a copy in the Public Records of Sarasota County, Florida.

AMENDMENTS

BYLAWS OF GLEN OAKS MANOR HOME OWNERS ASSOCIATION, INC.

[Additions are indicated by underline; deletions by ~~strike-through~~]

6. **Powers and Duties.** The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the subdivision and may take all acts, through the proper officers of the Association, in executing such powers, except such acts which by law, the Declaration, the Articles or these Bylaws may not be delegated to the Board of Directors by the Lot Owners. Such powers and duties of the Board of Directors shall include the following:

- (i) **Levying Reasonable Fines.** A fine may not exceed \$100 per violation against any Lot Owner or any Lot Owner's tenant, guest, or invitee for the failure of the Owner of the Lot or its occupant, licensee, or invitee to comply with any provision of the Declaration, the Association Bylaws, or reasonable rules of the Association unless otherwise provided in the governing documents. A fine may be levied by the Board for each day of a continuing violation, with a single notice and opportunity for hearing, except that the fine may not exceed \$1,000 in the aggregate unless otherwise provided in the governing documents. A fine of less than \$1,000 may not become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to reasonable attorney fees and costs from the nonprevailing party as determined by the court.

A fine levied by the Board may not be imposed unless the Board first provides at least 14 days' notice to the Lot Owner and, if applicable, any occupant, licensee, or invitee of the Lot Owner, sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the Board who are not officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. In no event shall more than one person from the same Lot be appointed to the compliance panel, and no person from a Lot may be appointed if another representative of that Lot is then serving on the Board of Directors.

If the committee, by majority vote, does not approve a proposed fine, the proposed fine may not be imposed. The role of the committee is limited to determining whether to confirm or reject the fine or suspension levied by the Board. If the proposed fine or suspension levied by the Board is approved by the committee, the fine payment is due five (5) days after the date of the committee meeting at which the fine is approved. The Association must provide written notice of such fine or suspension by mail or hand delivery to the Lot Owner and, if applicable, to any tenant, licensee, or invitee of the Lot Owner.

- ~~(j) — Levying fines against Lot Owners for violations of the rules, regulations and restrictions established by the Association to govern the conduct of occupants at the subdivision. The Board of Directors may levy a fine against a Lot Owner, not to exceed the maximum amount permitted by law, for each violation by the Owner, or his or her tenants, guests or visitors, of~~

~~the Declaration, Articles, Bylaws, or rules or regulations, and a separate fine for each repeat or continued violation, provided, however, written notice of the nature of the violation and an opportunity to attend a hearing shall be given prior to the levy of the initial fine. No written notice or hearing shall be necessary for the levy of a separate fine for repeat or continued violations if substantially similar to the initial violation for which notice and a hearing was provided. The Board of Directors shall have the authority to adopt rules, regulations, and policies to fully implement its fining authority.~~

~~The party against whom the fine is sought to be levied shall be afforded an opportunity for hearing after reasonable notice of not less than fourteen (14) days and said notice shall include:~~

- ~~1. A statement of the date, time and place of the hearing;~~
- ~~2. A statement of the provisions of the Declaration, Bylaws, or Rules which have allegedly been violated; and~~
- ~~3. A short and plain statement of the matters asserted by the Association.~~

~~The party against whom the fine may be levied shall have an opportunity to respond, to present evidence, and to provide written and oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge, and respond to any material considered by the Association. The hearing shall be conducted before a panel of three (3) Lot Owners appointed by the Board (sometimes referred to as the compliance committee or panel), none of whom may then be serving as a director, officer, member of a standing committee, or employee of the Association, or be a spouse, parent, child, brother, or sister of an officer, member of a standing committee, director, or employee. In no event shall more than one person from the same Lot be appointed to the compliance panel, and no person from a Lot may be appointed if another representative of that Lot is then serving on the Board of Directors or any standing committee. If the panel, by majority vote, which may be taken by secret ballot, does not agree with the fine, it may not be levied.~~

~~The Lot Owner shall be liable for all attorney fees and costs incurred by the Association incident to the levy or collection of the fine, including but not limited to attendance at the hearing. Any partial payments received by the Association shall be first applied against attorney fees, then costs, then the unpaid fines.~~

AMENDMENT

BYLAWS OF GLEN OAKS MANOR HOME OWNERS ASSOCIATION, INC.

[Additions are indicated by underline; deletions by ~~strike-through~~]

14. **Amendments.** The Bylaws may be amended in the following manner:
- 14.1 **Notice.** Notice of the subject matter of a proposed amendment shall be included in the notice of a meeting at which a proposed amendment is to be considered.
- 14.2 **Resolution.** A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors, or by not less than 20% of the voting interests of the Association.
- 14.3 **Approval.** Except as otherwise required by law, a proposed amendment to these Bylaws shall be adopted if it is approved by a majority of the membership of the Board of Directors and by not less than a two-thirds of the voting interests, present in person or by proxy, at any annual or special meeting, provided that notice of any proposed amendment has been given to the Members of the Association, and that the notice contains the text of the proposed amendment, or by approval in writing by a majority of the total voting interests without a meeting. Notwithstanding anything to the contrary herein, a majority of the Board of Directors will propose and adopt an amendment to these Bylaws, without any membership approval, when necessary to bring the Bylaws into compliance with Florida or Federal laws, administrative rules or regulations.
- 14.4 **Certificate of Amendment.** A copy of each amendment shall be attached to a certificate certifying that the amendment was duly adopted, which certificate shall be executed by the President or Vice-President and attested by the Secretary or Assistant Secretary of the Association with the formalities of a deed. The amendment shall be effective when the certificate and a copy of the amendment is recorded in the Public Records of Sarasota County.