

This instrument prepared by:
Christopher J. Shields, Esq.
PAVESE LAW FIRM
1833 Hendry Street
Fort Myers, Florida 33901

INSTR # 2013000024264, Pages 3
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Linda Doggett, Lee County Clerk of Circuit Court
Rec. Fee \$27.00
Deputy Clerk PSMITH
#1

**CERTIFICATE OF AMENDMENT
TO THE
AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OF
SANIBEL MOORINGS CONDOMINIUM ASSOCIATION, INC.**

THE UNDERSIGNED, being duly elected and acting President and Secretary, respectively, of the SANIBEL MOORINGS CONDOMINIUM ASSOCIATION, INC., a non-profit Florida corporation, do hereby certify that the resolutions set forth below were approved, evidenced by a written statement or ballot manifesting their intention that such amendments be adopted. The resolutions were approved and adopted by the votes indicated for the purposes of amending the Amended and Restated Declaration of Condominium of Sanibel Moorings Condominium Association, Inc., a Condominium, as originally recorded in Official Records Book 772, Page 452, *et seq.* and as later amended and restated in Official Records Book 4438, Page 2119, *et seq.* in the Public Records of Lee County, Florida.

1. The following resolution was approved by at least sixty-seven percent (67%) of the voting interests of the Association present in person or by proxy at a duly noticed Annual Meeting:

RESOLVED: That Section 9.6 of the Amended and Restated Declaration for Sanibel Moorings entitled "Unit Floor Coverings" is hereby amended as shown on **Exhibit "A"**, and made a part hereof.

RESOLVED: That the officers and directors are hereby instructed and authorized to execute the aforementioned documents and cause them to be filed of Public Record, together with a Certificate of Amendment.

Dated this 25th day of January, 2013.

**SANIBEL MOORINGS
CONDOMINIUM ASSOCIATION, INC.**

Laura J. Monroed
Signature
LAURA J. MONROED
Printed Name of Witness

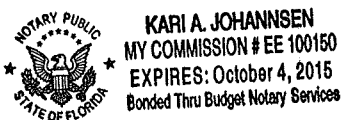
Mark J. Lopez
Signature
MARK LOPEZ
Printed Name of Witness

By: James E. Fox
Print Name: JAMES E. FOX
Title: _____, President

Attest: William C. Hallberg
Print Name: WILLIAM C. HALLBERG
Title: _____, Secretary

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 25th day of January, 2013, by James Fox, President of the Sanibel Moorings Condominium Association, Inc., a non-profit Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced personally know, as identification and did not take an oath.



Kari A. Johannsen
Notary Public Signature
(Printed Name)
My Commission Expires: 10/4/15

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 25th day of January, 2013, by William Hallberg, Secretary of the Sanibel Moorings Condominium Association, Inc., a non-profit Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced personally know as identification and did not take an oath.



Kari A. Johannsen
Notary Public Signature
(Printed Name)
My Commission Expires: 10/4/15

Exhibit "A"

**PROPOSED
AMENDMENT TO THE
AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM OF
SANIBEL MOORINGS CONDOMINIUM**

The Amended and Restated Declaration of Condominium of Sanibel Moorings Condominium ("Declaration") shall be amended as follows (otherwise, all other provisions shall remain the same):

(NOTE: Underlined language is added and ~~cross-through~~ language is deleted).

1. Section 9.6 of the Amended and Restated Declaration shall be amended as follows:

9.6 **Unit Floor Coverings.** In conformance with Article 14.2, 14.2.1 and 14.2.2 which is intended, among other things to guarantee the occupants of all units the right to peaceful possession, reasonable comfort and convenience and freedom from unreasonable noise intrusion, including but not limited to that transmitted through the concrete slab which serves as the ceiling of first floor units and the floor of second floor units, the flooring of all second floor bedrooms and the living room of all second floor units shall must be carpeted with professionally installed wall to wall carpeting with pad, except the bathrooms, kitchen, utility closet and a 4 foot by 4 foot area immediately inside the entry door. All carpeting must be medium to heavy carpet pad, of at least sixteen (16) ounce yarn per square yard of carpet and fifty (50) ounce of rubber padding per square yard. Living room shall be defined as a line between the front door and the hallway entrance with latitude for offset for aesthetic reasons. Floor covering materials installed in areas other than the living room and all bedrooms must be installed with a sound-proofing material approved by the Board of Directors. Second floor units that currently have substitute flooring where not allowed by this section, regardless of the circumstances surrounding the substitution, will be grandfathered until such time that the substitute flooring requires major repair and/or replacement. During the grandfathered period, the owner shall install approved felt (or equivalent) pads to all furniture or other items that might be expected to be on any substitute flooring, either temporarily or permanently, as well as any other remedies needed to be in conformance with Articles 14.2, 14.2.1 and 14.2.2. Casters on any such furniture are not allowed on any hard surfaced floors. All flooring and any new floors must be approved by the Board in advance by the owner applying for and submitting an application to the Board. Inspections will be required by management to ensure that the proper sound-proofing materials are used. Only those changes as shown on the application and which have been approved by the Board may be made, performed or installed.



LINDA DOGGETT : CLERK OF COURT
 2115 Second Street
 P.O. Box 2278
 Fort Myers, FL 33902
 (239) 533-5007

Lee County - DBLive Transaction
 #: **101671298**
 Receipt #: **1638192**
 Cashier Date: **1/31/2013 9:44:31 AM**
 (PSMITH)



Print Date:
 1/31/2013 9:44:46 AM

Customer Information	Transaction Information	Payment Summary
(PLF) PAVESE LAW FIRM FM PICK-UP BOX # 58 P.O. BOX 1507 FORT MYERS, FL 33902	Date Received: 01/31/2013 Source Code: Ft. Myers Office Q Code: Over the Counter Return Code: Over the Counter Trans Type: Recording Agent Ref Num:	Total Fees \$27.00 Total Payments \$27.00

1 Payments	
CHECK 120551	\$27.00

1 Recorded Items		
(DOC) Declaration of Condominium	<i>CFN: 2013000024264 Date: 1/31/2013 9:44:20 AM From: SANIBEL MOORINGS CONDOMINIUM ASSOCIATION INC To:</i>	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	3	\$27.00
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	1	\$0.00

0 Search Items

0 Miscellaneous Items
