

AMENDMENT TO DECLARATION
OF
MARINA CLUB VILLAGE, A CONDOMINIUM

WHEREAS, the Declaration of Marina Club Village, a Condominium, dated April 30, 1986, and exhibits and attachments thereto, were recorded on April 30, 1986, at Book 1075, Page 894, in the Official Records of Bay County, Florida ("Original Declaration");

WHEREAS, the Original Declaration was amended pursuant to that certain Amendment to Declaration of Condominium dated as of June 9, 1987, and recorded on June 9, 1987, at Book 1135, Page 1963, in the Official Records of Bay County, Florida;

WHEREAS, the Original Declaration was amended pursuant to that certain Amendment of Declaration of Condominium dated as of February 15, 1997, and recorded on March 28, 1997, at Book 1697, Page 1222, in the Official Records of Bay County, Florida;

WHEREAS, the Original Declaration was amended pursuant to that certain Amendment to Declaration of Condominium dated as of July 2, 1994, and recorded on July 8, 1997, at Book 1720, Page 221, in the Official Records of Bay County, Florida;

WHEREAS, any and all of the aforementioned instruments, legally adopted and validly imposed are collectively referred to as the "Declaration";

WHEREAS, the membership of the Marina Club Village Condominium Association, Inc., a Florida not-for-profit corporation

("Association"), desires to further amend the Declaration, and to supersede any provisions of the Declaration inconsistent herewith; and

WHEREAS, this instrument was adopted pursuant to the Declaration, Articles of Incorporation, By-Laws and Chapter 718 of the Florida Statutes by the Association at duly called meetings of the members and of the Board of Directors held on December 14, 2001.

NOW, THEREFORE, pursuant to Chapter 718 of the Florida Statutes, the Declaration, the Articles of Incorporation and the By-Laws, the Association hereby amends the Declaration as follows:

1. Section 20.2 is hereby amended as follows:

20.2 In order to ensure a community of congenial residents and thus protect the value of each Condominium Parcel, the rental or lease of Condominium Parcels by a Unit Owner shall be subject to the following provisions:

- (a) Rental or Lease. No lease for a period of more or less than one (1) year shall be valid, unless approved by the Association and all lessees shall acknowledge, in writing, their agreement to be bound by the terms of the Declaration during their tenancy. The Association shall have the right to require that a substantially uniform form of lease be used. Such lease or rental shall not release the Unit Owner from any obligation under this Declaration.
- (b) Occupants. The Association shall have the right to prohibit occupancy of any Unit by any person other than a Unit Owner or lessee who has acquired his interest after compliance with 20.2(a) hereof.
- (c) Voidability. Any purported rental or lease of a Unit where the Unit Owner has failed to comply with the provisions of this Section, shall be voidable at the option of the Association, provided, however, that such voidability shall exist for a

period of no longer than ninety (90) days from the consummation of such transaction, such consummation to be evidenced by occupancy of the Unit or by furnishing the Association with a true copy of the Rental or Lease Agreement thereof, and provided, further, that the Association commence an action within such ninety (90) day period to have the same declared void.

2. Except as set forth in this instrument, the Declaration, as may have previously amended, shall remain unmodified and unaltered and in full force and effect.

WITNESSES:

MARINA CLUB VILLAGE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation

Pete Walker
Printed Name: PETE WALKER
Linda Wilson
Printed Name: LINDA WILSON

By: Jim Appleman (SEAL)
Printed Name: Jim Appleman
Its President

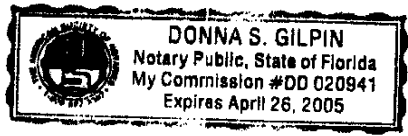
Jerome W Burg
Printed Name: Jerome W Burg
PATRICIA A. Moon
Printed Name: Patricia A. Moon

By: Carol Selph
Printed Name: Carol Selph
Its Secretary

STATE OF FLORIDA
COUNTY OF BAY

The foregoing instrument was acknowledged before me this 14 day of May, 2002, by Jim Appleman, as President of MARINA CLUB VILLAGE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, who is personally known to me or who produced personally known as identification, on behalf of said corporation.

Donna S. Gilpin (SEAL)
NOTARY PUBLIC
Donna S. Gilpin
Printed Name of Notary
DD 020941
Commission Number and
Expiration Date April 26, 2005



STATE OF FLORIDA
COUNTY OF BAY

The foregoing instrument was acknowledged before me this 14 day of May, 2002, by Carl Selph, as Secretary of MARINA CLUB VILLAGE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, who is personally known to me or who produced personally known as identification, on behalf of said corporation.

Donna Gilpin (SEAL)

NOTARY PUBLIC

Donna S. Gilpin

Printed Name of Notary

DD 020941

Commission Number and

Expiration Date April 26, 2005



Language added to an existing section is printed in underscored type, and language deleted is printed in ~~struck through type~~.

THIS INSTRUMENT PREPARED BY: TIMOTHY J. SLOAN, ESQ., HARMON & SLOAN, P.A., 427 MCKENZIE AVENUE, PANAMA CITY, FLORIDA 32401.

**CERTIFICATE ACKNOWLEDGING
AMENDMENT TO
DECLARATION OF CONDOMINIUM OF
MARINA CLUB VILLAGE, A CONDOMINIUM**

THIS CERTIFICATE ACKNOWLEDGING AMENDMENT TO DECLARATION OF MARINA CLUB VILLAGE ("Certificate"), is made and entered into as of this 14 day of May, 2002.

WHEREAS, the Declaration of Marina Club Village, a Condominium, dated April 30, 1986, and exhibits and attachments thereto, were recorded on April 30, 1986, at Book 1075, Page 894, in the Official Records of Bay County, Florida ("Original Declaration");

WHEREAS, the Original Declaration was amended pursuant to that certain Amendment to Declaration of Condominium dated as of June 9, 1987, and recorded on June 9, 1987, at Book 1135, Page 1963, in the Official Records of Bay County, Florida;

WHEREAS, the Original Declaration was amended pursuant to that certain Amendment of Declaration of Condominium dated as of February 15, 1997, and recorded on March 28, 1997, at Book 1697, Page 1222, in the Official Records of Bay County, Florida;

WHEREAS, the Original Declaration was amended pursuant to that certain Amendment to Declaration of Condominium dated as of July 2, 1994, and recorded on July 8, 1997, at Book 1720, Page 221, in the Official Records of Bay County, Florida;

WHEREAS, any and all of the aforementioned instruments, legally adopted and validly imposed are collectively referred to as the "Declaration";

WHEREAS, the Marina Club Village Condominium Association, Inc., a Florida not-for-profit corporation ("Association"), desires to further amend the Declaration, and to supersede any provisions of the Declaration inconsistent herewith; and

WHEREAS, this Certificate and the Amendment to the Declaration have been adopted pursuant to the Declaration, Articles of Incorporation, By-Laws and Chapter 718 of the Florida Statutes.

NOW, THEREFORE, the Declaration is amended as follows:

1. The Declaration is amended in accordance with that certain Amendment to Declaration of Marina Club Village, all as is more particularly described in the instrument to which this Certificate is attached.

IN WITNESS WHEREOF the Association has set its hand and seal the date and year first above written.

WITNESSES:

MARINA CLUB VILLAGE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation

Pete Walker
Printed Name: Pete Walker

By: [Signature] (SEAL)
Printed Name: Jim [Signature]
Its President

Linda Wilson
Printed Name: LINDA WILSON

MARINA CLUB VILLAGE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation

Jerome W. Burgess
Printed Name: Jerome W Burgess

By: [Signature]
Printed Name: Carol Selah
Its Secretary

Patricia A. Moon
Printed Name: Patricia A. Moon

STATE OF FLORIDA
COUNTY OF BAY

The foregoing instrument was acknowledged before me this 14 day of May, 2002, by Jim Appleman, as President of MARINA CLUB VILLAGE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, who is personally known to me or who produced personally known as identification, on behalf of said corporation.

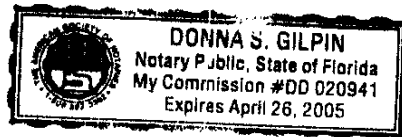
Donna Gilpin (SEAL)
NOTARY PUBLIC
Donna S. Gilpin
Printed Name of Notary
DD 020941
Commission Number and
Expiration Date April 26, 2005



STATE OF FLORIDA
COUNTY OF BAY

The foregoing instrument was acknowledged before me this 14 day of May, 2002, by Carl Selph, as Secretary of MARINA CLUB VILLAGE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, who is personally known to me or who produced personally known as identification, on behalf of said corporation.

Donna S. Gilpin (SEAL)
NOTARY PUBLIC
Donna S. Gilpin
Printed Name of Notary
DD 020941
Commission Number and
Expiration Date April 26, 2005



THIS INSTRUMENT PREPARED BY: TIMOTHY J. SLOAN, ESQ., HARMON & SLOAN, P.A., 427 MCKENZIE AVENUE, PANAMA CITY, FLORIDA 32401.

RCD 05M 20 2002 08:01am
HAROLD BAZZEL, CLERK