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KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 2355428

Prepared by and returned to:

Becker & Poliakoff, P.A.
Kevin L. Edwards, Esquire
1819 Main Street, Suite 905
Sarasota, FL 34236

CERTIFICATE OF AMENDMENT

DECLARATION OF COVENANTS AND RESTRICTIONS

ASHTON LAKES COMMUNITY

WE HEREBY CERTIFY that the following amendment to the Declaration of Covenants and Restrictions of Ashton Lakes Community was duly adopted by the Association membership at the duly noticed Annual Members' Meeting of the Association on the 16th day of February, 2019. Said amendment was approved by a proper percentage of voting interests of the Association. The original Declaration of Covenants and Restrictions is recorded at Official Records Book 2137, Page 1299 *et seq.* of the Public Records of Sarasota County, Florida.

Additions indicated by underlining.

Deletions indicated by ~~striking through~~.

Amendment: Article 8.1 of the Declaration of Covenants and Restrictions entitled, "Maintenance, Alteration, Repair and Improvement" to read as follows:

8.1 The Association. The Association shall maintain, repair, improve and replace at the Association's expense all of the Common Facilities including, but not limited to, the entryway, roads, streets, parking not assigned, lawns, gardens, shrubs, trees, water and sewer mains and related facilities, utility services not owned by others, ditches, lakes and all other drainage facilities, the administration building, clubhouse, pool, tennis courts and picnic area, and any other utilities which are not metered to the individual Units, including the personal property included

within each of the foregoing as shall be necessary to provide the owners and residents of ASHTON LAKES Community the reasonable use and enjoyment of such facilities.

8.1.1 Alterations, Additions and Improvements to Common Facilities. The Association, through its Board of Directors, shall have the right to make or cause to be made substantial and material alterations, improvements, and additions (collectively referred to as "material alterations") to the Common Facilities, subject to the following conditions:

a) If the estimated cost of the material alteration is 5% or less of the Association's annual budget (including the line item for reserves), the Board may proceed to manage the funding and performance of the work. However, the Board cannot spend more than 5% in total of the Association's annual budget (including the line item for reserves) on Board-only approved material alterations during a given budget year.

b) If the estimated cost of the material alteration is more than 5% of the Association's annual budget (including the line item for reserves), the Board may not proceed with the work unless and until it is approved by the affirmative vote of 67% (sixty seven percent) of the qualified Unit Owners present in person or by proxy at a duly noticed membership meeting that has attained a quorum of total qualified Unit Owners.

A material alteration is something that significantly alters the function, use or appearance of a Common Facility. Necessary maintenance of a Common Facility, regardless of the cost, is not a material alteration and must be performed by the Board of Directors. Necessary maintenance includes instances where the Common Facility must be totally replaced because it is at the end of its useful life, or where it must be changed to increase owner safety, or where the law requires an alteration or improvement, or where the Board wishes to take advantage of better materials or technology that will reduce the cost or future maintenance.

The cost of any material alteration shall be a common expense.

ASHTON LAKES COMMUNITY
ASSOCIATION, INC.

By: Donald Bridgman
DONALD BRIDGMAN, President

Attest: Paulette Padanyi
PAULETTE PADANYI, Secretary

William Walsh

Witness Signature

William Walsh

Printed Name

Philip Lane

Witness Signature

Philip Arkham

Printed Name

STATE OF FLORIDA

COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 21st day of MARCH 2019, by DONALD BRIDGEMAN as President and PAULETTE FADANVI, as Secretary of Ashton Lakes Community Association, Inc., a Florida Corporation, on behalf of the corporation. They are personally known to me or have produced (type of identification) _____ as identification.

Notary Public Linda K. Halderman

Printed Name LINDA K. HALDERMAN

My Commission Expires NOV. 03, 2019

ACTIVE: 12090662_1

