

Prepared By and Return to:
Christine B. Conradis, Esq.
Law Offices of Wells | Olah, P.A.
1800 Second Street, Suite 808
Sarasota, FL 34236
Telephone: (941) 366-9191
Facsimile: (941) 366-9292



CERTIFICATE OF AMENDMENT

**DECLARATION OF CONDOMINIUM OF
ASHTON LAKES NO. 5, A CONDOMINIUM.**

We hereby certify that the attached amendments to the Declaration of Condominium of **ASHTON LAKES NO. 5**, (originally recorded at Official Records Book 2346, Page 2715, et. seq., Public Records of Sarasota County, Florida), were duly adopted at the Annual Membership Meeting of the Association held on February 11, 2016, by the affirmative vote of at least fifty percent (50%) of the votes of the entire membership as required by Article 15 of the Declaration as to the Declaration amendments. The Association further certifies that the amendment was proposed and adopted as required by the governing documents and applicable law.

DATED this 20th day of April, 2016.

Signed, sealed and delivered:
in the presence of:

**ASHTON LAKES NO. 5 CONDOMINIUM
ASSOCIATION, INC.**

sign *[Signature]*
print PAT PEAGA

By: *[Signature]*
Nick Torra, President

sign *[Signature]*
print BRENDA BARHAM

sign *[Signature]*
print ~~ANITA HAMILTON~~ Anna VanderSpeker -
de Man

Attest: *[Signature]*
Anita Hamilton, Secretary

sign *[Signature]*
print Patricia J. Nebostkic

[Corporate Seal]

Province of Ontario (CANADA)

~~STATE OF FLORIDA~~

~~COUNTY OF SARASOTA~~ County of Bruce

The foregoing instrument was acknowledged before me this 20th day of April, 2016 by Nick Torra as President of Ashton Lakes No. 5 Condominium Association, Inc., a Florida not for profit corporation, on behalf of the corporation. ~~She is~~ He is personally known to me or has produced Canadian Passengers as identification.

and

NOTARY PUBLIC

sign

print

[Signature]
see seal

~~State of Florida at Large (Seal)~~

My Commission Expires: at Her

Majesty's pleasure.

STATE OF FLORIDA New York
~~COUNTY OF SARASOTA~~ Saratoga

The foregoing instrument was acknowledged before me this 2 day of May, 2016 by Anita Hamilton as Secretary of Ashton Lakes No. 5 Condominium Association, Inc., a Florida not for profit corporation, on behalf of the corporation. S/He is personally known to me or has produced Anita Hamilton as identification.

NOTARY PUBLIC

sign

print

[Signature]
Patricia Jane Netoskie

~~State of Florida at Large (Seal)~~

My Commission Expires:

State of New York

PATRICIA JANE NETOSKIE
Notary Public - State of New York
No. 01NE6330983
Qualified in Saratoga County
My Commission Exp. 09/28/2019

AMENDMENT

DECLARATION OF CONDOMINIUM OF ASHTON LAKES NO. 5, A CONDOMINIUM

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

1. Amending Declaration to Allow Certain Hard Flooring in Certain Areas with Proper Board Approval.

Article 10. Use Restrictions

10.2 Prohibitions. No Owner, Tenant or other Occupant of a Unit shall:

(u) Install hard surface floor covering, including, but not limited to, ceramic, quarry, slate tile, laminate, or composite wood flooring in second or third floor units unless written approval is provided by the Board pursuant to the terms herein. All second and third floor units must install and use only carpeting or soft vinyl floor covering. No hard surfaced floor covering such as, but not limited to, ceramic, quarry, slate tile, laminate, or composite wood flooring shall be permitted in the living room, dining room, halls, bedrooms or closets of any second or third floor unit but the developer may install and the Association may permit such hard surface floor covering in the foyer, kitchen and baths provided appropriate sound deadening or absorbing material is laid under the hard surface. A second or third floor condo unit owner wishing to install any hard surface flooring material, in lieu of carpeting and padding inside his or her unit in the living room, dining room, bedrooms, halls or closets, must first obtain the approval of the Board of Directors of the Association. The condo owner must provide a description of the proposed installation along with any other reasonable information requested by the Board of Directors of the Association. The Condo owner is required to install a Sound Control Underlayment System which will provide a combined minimum Impact Insulation Class (IIC) rating of 70. The condo owner must provide to the Board of Directors of the Association, prior to installation and at the time of requesting the Association's approval, the manufacturer's Independent Laboratory Test data which shows that the proposed underlayment and flooring materials to be used has been tested and achieved a combined IIC rating of 70 or greater based on ASTM standards. Any Owner installing a hard surface flooring material must make an appointment to have the Ashton Lakes Community Association Manager, a member of the Board of Directors, or another person directed by the Association to inspect the underlayment after it has been installed and before installing the top layer of flooring over the underlayment. If the Owner fails to have the underlayment inspected by the Association, he or she will be required to remove the top layer of flooring so that the Association can inspect the underlayment. If the Owner installs underlayment that does not meet the required specifications, or otherwise violates this restriction, the Association may compel the Owner to remove the underlayment at the Owner's expense.
