

**AMENDMENT TO THE DECLARATION
OF CONDOMINIUM AND BY-LAWS OF
BERKSHIRE A CONDOMINIUM**

As Recorded in Official Records Book _____, Page _____,
Public Records of Palm Beach County, Florida:

- As used herein (unless substantially reworded) the following shall apply:
- A. Words in the text which are ~~lined-through~~ with hyphens indicate deletions from the present text.
 - B. Words in the text which are underlined indicate additions to the present text.
 - C. Whenever an ellipsis (. . .) appears in the text this indicates that this portion of the present text remains intact to the point where the next typewritten material appears.

ARTICLE IV. DIRECTORS, of the Bylaws is amended as follows:

Section 1. ~~Election, Number, Term and Qualifications.~~ The affairs of the Association shall be governed by a Board of Directors composed of such ~~number of persons as equal the condominium units in the Condominium created by virtue of the Declaration of Condominium to which these By-Laws are attached.~~ It is the general intention of the Association to have as a Director a unit owner from each unit. All Directors shall be members of the Association; provided, however, that until one of the events in Article III., Section 6 of these By-Laws first occurs, all Directors shall be designated by the Developer and need not be members. All Officers of a Corporate unit owner shall be deemed to be members of the Association so as to qualify as a Director herein: not less than five (5) and not more than seven (7) persons as provided in the Articles of Incorporation if applicable. The term of each Director's service shall extend until the next annual meeting of the members and, thereafter, until his successor is duly elected and qualified, or until he is removed in the manner provided in Section 3 below. The first Board of Directors may be three (3) in number, not withstanding the proviso hereinbefore set forth: The Board members shall be elected by the unit owners at the annual meeting

under alternate election procedures of Section 718.112 of the Condominium Act as follows:

a. All unit owners wishing to run for the Board must submit a written request to the Secretary at least 30 days prior to the annual meeting;

b. At least 14 days prior to the annual meeting the Secretary shall deliver to each unit owner the Notice of annual meeting and list the declared candidates for the board. Said notice shall include a general proxy form which will allow unit owners to vote by general proxy for the Board candidates and all other issues on the agenda. All proxies shall comply with Article II, Section 4 of these Bylaws.

c. At the annual meeting further nominations for the Board may be made from the floor. The candidates receiving the highest number of votes for the Board vacancies shall be elected to the Board for one year. As an example, if seven persons run for the Board with five vacancies then unit owners shall vote for only five persons. Those five persons out of the seven candidates receiving the most votes shall be elected.

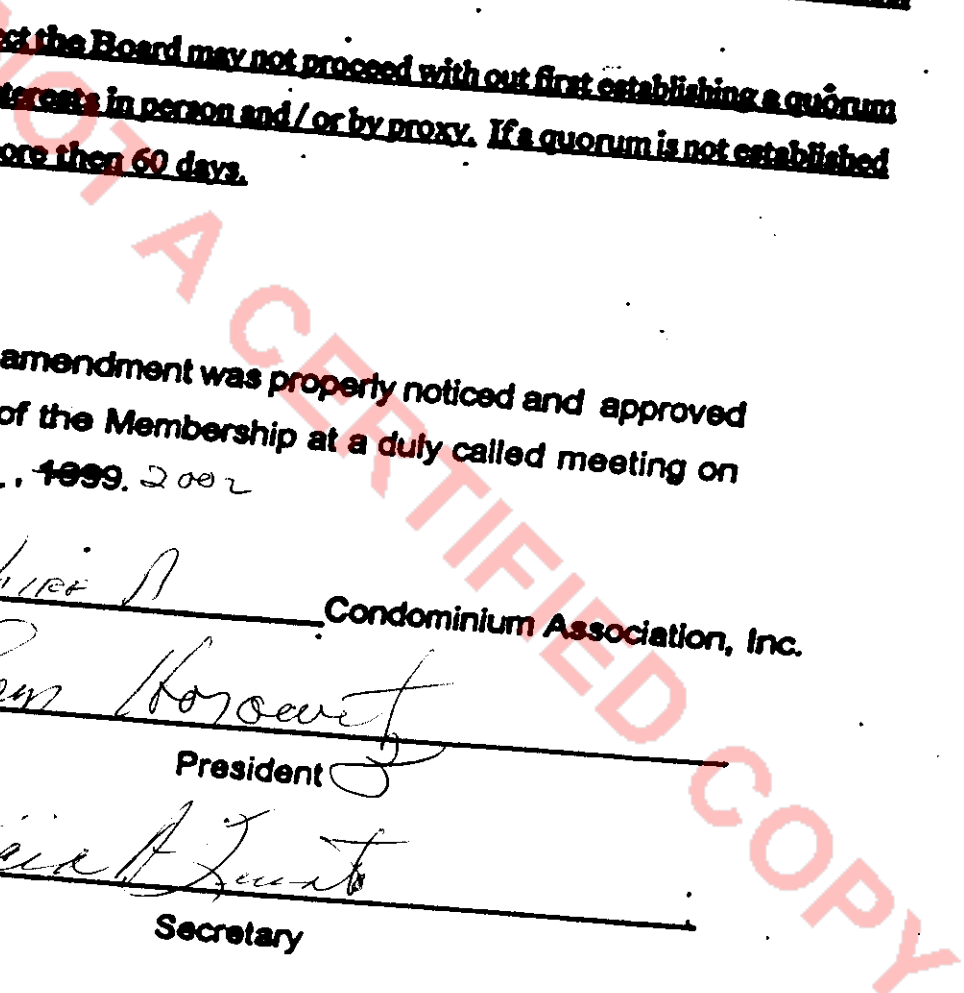
d. An annual meeting to elect the Board may not proceed without first establishing a quorum of at least 51% of the total voting interests in person and / or by proxy. If a quorum is not established the meeting may be adjourned not more than 60 days.

We hereby certify that this amendment was properly noticed and approved by in excess of 51 % vote of the Membership at a duly called meeting on 2-17-02, 1999, 2002

Berkshire II Condominium Association, Inc.

Sam Horowitz By: Sam Horowitz
President

Attest: Fatima A. Zouari
Secretary



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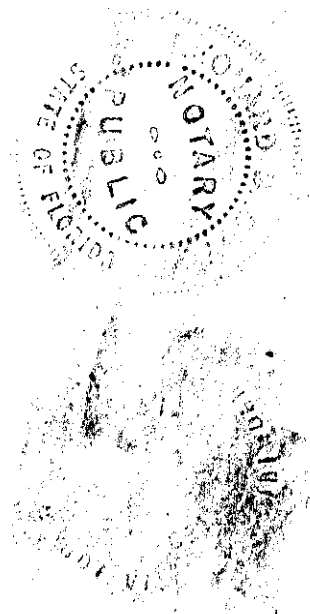
The foregoing instrument was acknowledged before me this 13 day of Feb, 1999, by SAM HOROWITZ, President, and PATRICIA QUINTE Secretary. Both are personally know to me and did or did not take an oath. The President (please check one of the following) is personally known to me or has produced ID CARD (type of identification) as identification and (please check one of the following) did or did not take an oath; the Secretary (please check one of the following) is personally known to me or has produced ID CARD (type of identification) as identification and (please check one of the following) did or did not take an oath.

Leonard Brody
Notary Public

LEONARD BRODY
Printed Notary Name

My Commission Expires:
9/2/05

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Leonard Brody
My Commission DD050274
Expires September 02, 2005

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