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 Palm Beach County, Florida  
 Sharon R. Bock, CLERK & COMPTROLLER  
 Pgs 0076 - 77; (2pgs)

Mail to:  
 Marilyn Pomerantz  
 70 Chatham C  
 West Palm Beach, Florida  
 33417

AMENDEMENT TO THE  
 DECLARATION OF CONDOMINIUM OF  
 CHATHAM C CONDOMINIUM ASSOCIATION INC.

WHEREAS, THE Declaration of Condominium and Bylaws for Chatham C Condominium has been duly recorded in the Public Records of the Palm Beach County, Florida, in Official Records Book 2191, Page 445; and..

WHEREAS, at a duly called and noticed meeting of the membership of Chatham C Condominium Association, Inc, A Florida not-for-profit corporation, held on February 8<sup>th</sup>, 2015, the aforementioned Declaration of Condominium and Bylaws were amended pursuant to the provisions of said Declaration and Bylaws.

NOW, THEREFORE, the undersigned hereby certify that the following amendment to the Declaration and Bylaws are a true and correct copy of the amendment by the membership.

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 indicates 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 typewritten material appears.

Article X, of the Declaration of Condominium entitled: Amendments to the By-Laws is amended to add the following new paragraph.

The Association has been advised that secondhand smoke and third hand smoke may drift through common element walls and ventilation systems and that second hand smoke and third hand smoke may contaminate air in the common elements and the dwelling units. Effective upon the recording of this amendment, smoking shall be prohibited everywhere on the property of the Condominium, including, but not limited to, the dwelling units, balconies, indoor and outdoor exclusive use areas, and indoor and outdoor common elements (collectively the "Premises").

No unit owner shall smoke, or permit smoking any occupant, visitor, agent, tenant, invitee, guest, friend, or family member anywhere on the property. Smoking shall include the inhaling, exhaling, burning, breathing, carrying, or possession of any lighted cigarette, cigar, pipe, any product containing any amount of tobacco, or other similar heated, smoldering or lit product which includes but is not limited to e-cigarettes and any similar device. Notwithstanding the said prohibition against smoking, the Board may designate (or remove from designation) an outdoor area for smoking, provided the smoking area(s) shall not cause secondhand smoke to drift into indoor common elements, indoor exclusive use areas or the dwelling units.

Notwithstanding the said prohibition against smoking, smoking shall be allowed in units (collectively the "Grandfathered Units") but only until such time as the unit is conveyed, leased or transferred. Grandfathered

units occupied by tenants shall become no smoking upon the expiration of the current lease term, but in no event longer than one (1) year from the effective date hereof.

The Board of Directors shall have the authority and power to enact rules and regulation which it deems necessary to enforce this prohibition against smoking on the Premises. The Board may also enact rules and regulations to address alleged second hand smoke intrusion from Grandfathered Units. Such rules and restrictions enacted for Grandfathered Units may include, among other things, requiring an air filtration system installed in Grandfathered Units that is sufficient to prevent second hand smoke infiltration between Units and/or sufficient to prevent a disturbance to other occupants of the building. Smoking in violation of this shall constitute a nuisance pursuant to the terms and provisions of this Article X. Nothing in the Amendment shall be construed to create liability or responsibility for the Association for any claim that may arise in the event there is a violation of this prohibition against smoking on the Premises.

I hereby certify that the above Amendment was duly presented and approved by the Board of Directors and approved by vote in excess of 51% of the membership of the Chatham C Association.

WITNESS my signature hereto this 17 day of March, 2016, in Palm Beach County, Florida.

**Chatham C Condominium Association, Inc.**

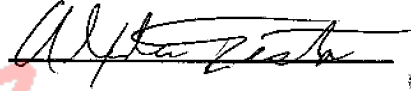
**By: Marilyn Pomerantz, President**



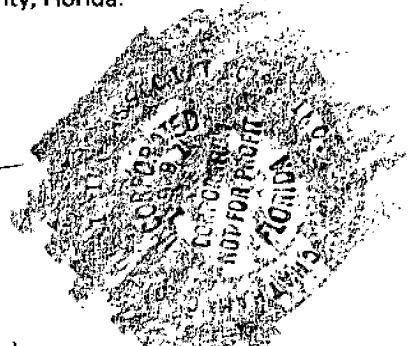
STATE OF FLORIDA

COUNTY OF PALM BEACH

**Attest: Alex Testa, Vice President**



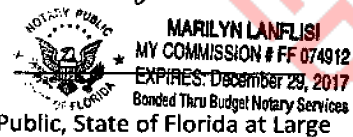
(Corporation Seal)



The foregoing instrument was acknowledge before me this 17th day of March, 2016, by Marilyn Pomerantz, President, and Alex Testa, Vice President, of Chatham C Condominium Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. They are Personally Known    or have Produced Identification .

Type of Identification Produced: Century Village Id.

(Signature): 

(Print): 

My Commission Expires: 12/29/2017