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Stephen L. Seftenberg, Esq.
2765 White Wing Lane
West Palm Beach, FL 33409

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**AMENDMENTS TO THE DECLARATION
OF CONDOMINIUM OF AND BY-LAWS
EASTHAMPTON A CONDOMINIUM
ADOPTED AT A SPECIAL MEETING OF THE
MEMBERS ON MARCH 28, 2012**

As used herein (unless substantially reworded) the following shall apply:

1. Words in text ~~lined through~~ indicate deletions from the present text.
2. Words in text underlined indicate additions to the present text.
3. 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.

1. The Declaration of Condominium and By-Laws of Easthampton A Condominium recorded in Official Records Book 1718, Page 1073 *et seq.*, (a) as amended by The UCO 1999 Model Documents, Master Amendment, recorded in Official Record Book 11019, Page 726 *et seq.*, Public Records of Palm Beach County, Florida (which adopted the Master Declaration and By-Laws as recorded in Official Record Book 11019, Page 755 *et seq.*, Public Records of Palm Beach County, Florida), and (b) as further amended by an Amendment to the Declaration of Condominium, recorded in Official Record Book 15129, Page 0102 *et seq.* Public Records of Palm Beach County, Florida, and (c) as further amended by an Amendment to the Declaration of Condominium, recorded in Official Record Book 22403, Page 1217 *et seq.*, is hereby further amended as follows:

2. Article XIII of the Declaration, "Use and Occupancy," is hereby amended by inserting the following paragraph immediately before the paragraph beginning "No animals or pets of any kind shall be kept in any unit . . .":

"Effective immediately, smoking shall be prohibited everywhere on the property of the Condominium including, without being limited to, individual units, indoor and outdoor limited common elements and indoor and outdoor common elements. No owner shall smoke, or permit smoking by any occupant, agent, tenant, invitee, guest, friend, or family member anywhere on the property. Smoking in violation of this rule shall constitute a nuisance pursuant to the terms and provisions of its constituent documents of the Association. Smoking shall include the inhaling, exhaling, breathing, carrying, or possession of any lighted cigarette, cigar, pipe, other product containing any amount of tobacco, or other similar heated or lit product. Notwithstanding the said prohibition against smoking, the Board of Directors may from to time by resolution designate (or remove from designation) an outdoor area for smoking, provided that no smoking area shall cause second hand smoke to drift into indoor common areas, exclusive use areas or individual units."

3. Article XIX of the Declaration, "Miscellaneous Provisions," is hereby amended by inserting the following paragraph at the end of Paragraph H:

"In addition to all other remedies and to the maximum extent lawful, in the sole discretion of the Board, a fine or fines may be imposed upon an Owner for failure of an Owner, his family, guests, invitees or employees, to comply with the Declaration, By-Laws, or Rules and Board resolutions, provided the following procedures are substantially adhered to:

A. Notice. The Board shall notify the Owner in writing of the alleged infraction or infractions. Included in the notice shall be the date and time of a hearing before the Fines Committee at which the Owner shall present reasons why a fine or fines should not be imposed. Advance notice of such hearing required by law (currently fourteen (14) days is required by Section 718.303, Florida Statutes) shall be given.

B. Hearing. The Owner shall have a right to be represented by counsel and to cross-examine witnesses at the hearing. After hearing such statements by witnesses under oath as the Owner and the Fines Committee may deem necessary(subject to reasonable limitations on the number of witnesses and the length of the hearing), the Fines Committee, shall submit to the Board at a regular meeting of the Board a written report recommend whether a fine or fines should be imposed and, if a fine or fines is recommended, the amount thereof. If the Fine Committee, by majority vote, does not approve a proposed fine, it may not be imposed.

C. Board Review. After reviewing such report, the Board may by resolution accept or reject the recommendation(s) of the Fines Committee, or may return the report to the Fines Committee for further hearing(s) as specified in such resolution.

D. Amounts. The Board may levy such fines as may be permitted by law (currently not more than One Hundred Dollars (\$100.00) per violation and not more than One Thousand Dollars (\$1,000.00) in the aggregate. Fines may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing.

E. Payment, Collection. A fine shall be paid not later than fifteen (15) days after notice of its imposition or assessment. In an action to recover a fine, the prevailing party is entitled to collect its reasonable attorneys' fees and costs from the nonprevailing party as determined by the court.

F. Remedy Not Exclusive. The provision for levying fines shall not be construed to be exclusive, and shall exist in addition to all other rights and remedies to which the Association may be otherwise legally entitled, provided that any amounts paid pursuant to this Section shall be deducted from or offset against any damages which the Association may otherwise be entitled to recover by law from the Owner.

G. The Fines Committee. The Fines Committee shall consist of at least three members who shall serve at the pleasure of the Board. A member must be an Owner, but may not be an officer, director, or employee of the Association, or the spouse, parent, child, brother or sister of an officer, director, or employee of the Association."

END OF AMENDMENTS

The foregoing amendment was adopted by a majority of the unit owners at a Special Meeting of the Members held on March 28, 2013, pursuant to required notice and which a quorum was present in person or by proxy.

Irene Sarro
Its Secretary or Assistant Secretary

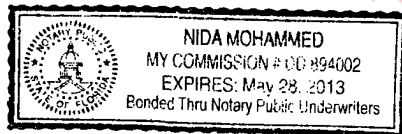
Easthampton A Condominium Association, Inc.

By Stephen L Seftenberg
Its President or Vice President

Attest: Irene Sarro
Its Secretary or Assistant Secretary

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 1st day of April, 2013, by Stephen L. Seftenberg, as President, and Irene Sarro, as Secretary. Both are personally known to me, of produced satisfactory evidence of their identity, and ☒ did or ☐ did not take an oath



[Signature]
Notary Public