

RETURN TO:  
William E. Weller, Esq.  
P.O. Box 321255  
Cocoa Beach, FL. 32931

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AMENDMENT TO  
DECLARATION OF CONDOMINIUM  
OF  
BANANA BAY  
A CONDOMINIUM

We, Donald C. Porteous and Greta G. Jones, as President and Secretary respectively of Banana Bay Condominium Association, Inc., a corporation not for profit, do hereby certify that at a meeting of the Board of Administration held the 13th day of November 1991, the Board of Directors did approve and recommend to the members of the Association a revision of Article IV of the Declaration of Condominium as recorded in Official Records Book 2264, Page 0240 of the Public Records of Brevard County, Florida and at a specially called meeting of the members of the Association held on the 15th day of January 1992 by an affirmative vote of more than sixty-seven percent (67%) of the entire membership of the Association, did approve the following amendment to the Declaration of Condominium of Banana Bay Condominium Association, Inc.

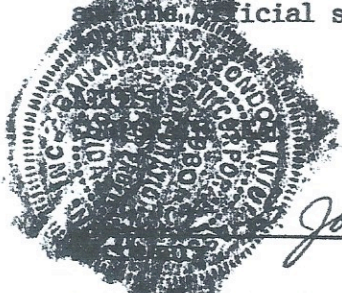
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ARTICLE IV (APARTMENT BOUNDARIES, COMMON ELEMENTS, AND LIMITED COMMON ELEMENTS), third paragraph, to be amended as follows:

The balconies and the fenced area adjacent to the units as shown in Exhibit "A" are limited common elements. ~~(and the expenses of maintaining, repair or replacement relating to these limited common elements shall be borne by and assessed against the individual unit owner.)~~

RECORDED & VERIFIED  
BREVARD COUNTY, FLORIDA  
1992 JAN 21 PM 4:11

IN WITNESS WHEREOF, we have hereunto set our hands and seals as such officers of the official seal of the corporation, this the 17 day of January



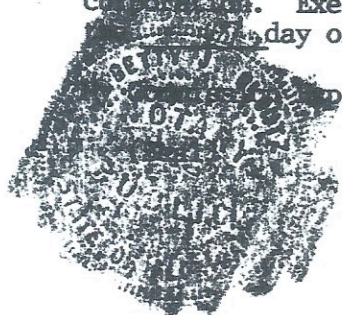
Greta G. Jones  
Secretary

BANANA BAY CONDOMINIUM ASSOCIATION, INC.

Donald C. Porteous  
President

STATE OF FLORIDA  
COUNTY OF BREVARD

I HEREBY CERTIFY that on this date before me personally appeared DONALD C. PORTEOUS and GRETA G. JONES, who are known by me to be the persons described in and who executed the foregoing instrument as President and secretary, respectively, of Banana Bay Condominium Association, Inc., a Florida corporation not for profit. They acknowledged before me that they executed the foregoing instrument as such officers in the name and on behalf of the corporation, and that they also affixed thereto the official seal of the corporation. Executed and sealed by me at Cocoa Beach, Florida, on the 17 day of January, 1992.



STATE OF FLORIDA  
MY COMMISSION EXPIRES: Sep. 13, 1995.  
BONDED THROUGHOTARY PUBLIC UNDERWRITERS

Betty J. Clontz  
Notary Public

BK3174PG0173

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DECLARATION OF CONDOMINIUM  
OF  
BANANA BAY  
A CONDOMINIUM

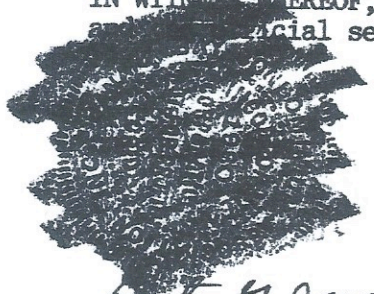
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We, Donald C. Porteous and Greta G. Jones, as President and Secretary respectively of Banana Bay Condominium Association, Inc., a corporation not for profit, do hereby certify that at a meeting of the Board of Administration held the 13th day of November 1991, the Board of Directors did approve and recommend to the members of the Association a revision of Article IX of the Declaration of Condominium as recorded in Official Records Book 2264, Page 0240 of the Public Records of Brevard County, Florida and at a specially called meeting of the members of the Association held on the 15th day of January, 1992, by an affirmative vote of more than sixty-seven percent (67%) of the entire membership of the Association, did approve the following amendment to the Declaration of Condominium of Banana Bay Condominium Association, Inc.

ARTICLE IX (RESPONSIBILITY FOR MAINTENANCE AND REPAIRS), Paragraph b to be amended as follows:

The Association, at its expense, shall be responsible for the maintenance, repair and replacement of all the common elements and limited common elements, including those portions thereof which contribute to the support of the building, and all conduits, ducts, plumbing, wiring and other utility services to the apartments and including artesian wells, pumps, piping, and fixtures serving individual air conditioning units. Painting and cleaning of all exterior portions of the building, including all exterior doors opening into walkways, but excluding sliding glass doors and screen windows and screens, shall be the Association's responsibility. The Association's responsibility for maintenance of limited common elements inside fenced areas at townhouses (reference Article IV) shall not include the grounds, i.e., the concrete slab, shrubbery, plantings, etc. Should any damage be caused to any apartment by reason of any work which may be done by the Association in the maintenance, repair or replacement of the common elements, the corporation shall bear the expense of repairing such damage.

IN WITNESS WHEREOF, we have hereunto set our hands and seals as such officers and the official seal of the corporation, this the 17 day of January,



Greta G. Jones  
Secretary

BANANA BAY CONDOMINIUM ASSOCIATION, INC.

Donald C. Porteous  
President

116103  
RECORDED & VERIFIED  
BREVARD COUNTY FL  
1992 JAN 21 10:11

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