

AMENDMENT TO DECLARATION OF CONDOMINIUM

WHEREAS, on the 18th day of August, 1970, a Declaration of Condominium was filed in O.R. Book 4282 at Page 682, in the Broward County Records for WINSTON HOUSE ASSOCIATION, INC.; and

WHEREAS, on Monday, the 18th day of March, 1985, a meeting of the members of WINSTON HOUSE ASSOCIATION, INC., a Florida corporation, not for profit, and

WHEREAS, at such meeting the following resolution was adopted in accordance with the provisions for amending the aforesaid Declaration of Condominium:

"BE IT RESOLVED: that Article XXIX pertaining to termination of Declaration of Condominium and the Plan of Condominium Ownership, at Page 20 of said Declaration of Condominium, as recorded in O.R. Book 4282, at Page 702, be and it is hereby amended as per the form attached hereto and marked amended page 20, so as to substitute the attached amended materials for the original page 20 appearing at O.R. Book 4282, at Page 702, to correct the holder of the insurance proceeds in view of the fact that the insurance trust was terminated."

The undersigned as president and secretary of WINSTON HOUSE ASSOCIATION, INC., do hereby certify that the foregoing is a true and correct copy of the resolution adopted at said meeting.

In witness whereof, we have hereunto set our hands and official seal this 18 day of March, 1985.

WINSTON HOUSE ASSOCIATION, INC.

H. Schneider
President

ATTEST:

Cortesi Harding
Secretary

WITNESSES:

Fred Betts
Paul Allen

Affix corporate seal

THIS INSTRUMENT WAS PREPARED BY:
GERALD R. WELLS, ESQ.
1650 N.E. 26th St.
Fort Lauderdale, Florida 33305
561-5880

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Institution of a suit at law to attempt to effect collection of the payment of any delinquent assessment shall not be deemed to be an election by Association which shall prevent its thereafter seeking enforcement of the collection of any sums remaining owing to it by foreclosure, nor shall proceeding by foreclosure to attempt to effect such collection to deemed to be an election precluding the institution of suit at law to attempt to effect collection of any sum then remaining due to it.

AMENDED ARTICLE XXIX
TERMINATION

RECORDED IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
E. T. JOHNSON
COUNTY ADMINISTRATOR

If this Declaration of Condominium and the Plan of Condominium Ownership established herein is to be terminated, then a Certificate of Resolution of the Board of Directors of Association to said effect and notice of the cancellation and termination hereof shall be executed by the President and Secretary of Association in the recordable form, and such instrument shall be recorded in the Public Records of the county in which the condominium property is situated. Upon termination of this Declaration of Condominium and the Plan of Condominium Ownership established herein, all of the owners of Private Dwellings shall be and become tenants in common as to the ownership of the Condominium property herein described, and any then remaining improvements thereon, the undivided interest in such property and remaining improvements held by the owner or owners of each Private Dwelling to be the same as the undivided interest in Common Property which was formerly appurtenant to such Private Dwelling and the lien of any mortgage or other encumbrance upon each Private Dwelling shall attach, in the same order of priority, to the percentage of undivided interest of the owner of a Private Dwelling in the property and then remaining improvements as above provided. Immediately prior to termination of this Declaration of Condominium and the Plan of Condominium Ownership established herein, the Association shall distribute any insurance proceeds which may be due under any policy or policies of casualty insurance to the owners of the Private Dwellings and mortgages, as their respective interests may appear, such distribution to be made to the owner or owners of each Private Dwelling in accordance with their then undivided interest in the condominium property and remaining improvements as hereinbefore provided. The assets of Association, upon termination of the Plan of Condominium Ownership created hereby, shall then be distributed to all of the owner or owners of each Private Dwelling and to his or their mortgagees, as their respective interests may appear, in the same manner as was above provided for the distribution of any final insurance proceeds.

This Declaration of Condominium and the Plan of Condominium Ownership may only be terminated by the unanimous consent of all of the owners of all Private Dwellings and all of the parties holding mortgages, liens, or other encumbrances against any of said Private Dwellings, in which event the termination of the Condominium shall be by such plan as may be then adopted by said owner or parties holding any mortgages, liens or other encumbrances. Such election to terminate this Declaration of Condominium and the Plan of Condominium Ownership established herein shall be by such Plan as may be then adopted by said owners and parties holding any mortgages, liens or other encumbrances. Such election to terminate this Declaration of Condominium and the Plan of Condominium Ownership established herein shall be executed in writing by all of the aforementioned parties, and such instrument or instruments shall be recorded in the Public Records of the County in which the condominium property is situated.

In the event of the termination of the Condominium as above provided, any exclusive right to use Limited Common Property which may be an appurtenance to any Private Dwelling shall be automatically cancelled and terminated, and all Limited Common Property shall be treated in the same manner as though the same constituted a portion of Common Property.