

LAW OFFICE OF  
GARY D. FIELDS

(561) 625-1200

ADMIRALTY TOWER • SUITE 900  
4400 PGA BOULEVARD  
PALM BEACH GARDENS, FL 33410  
FACSIMILE (561) 625-1259  
E-MAIL: gflaw@adelphia.net

June 5, 2006

Chris Blunden, Property Manager  
Bristol Management Services, Inc.  
1930 Commerce Lane, Suite # 1  
Jupiter, FL 33458

Dear Chris:

Per your request, I have searched the Clerk's records to confirm all amendments filed to the Via Del Mar documents. Other than amendments which were solely to add a building for a phase, the amendments are as follows (copies enclosed):

<u>Book/Page</u>	<u>Date</u>	<u>Document</u>
3289/978	5/12/80 ✓	Amend to VDM Dec - Changed Unit 43 from "C-REV" to "B"
3312/153	6/19/80 ✓	Amend to VDM Dec - Changed Unit 31 from "C-REV" to "B"
3332/325	7/24/80	Amend to VDM Dec - Changed Unit 56 from "A" to "B"
3338/1642	8/5/80	Amend to VDM Dec - Changed Unit 52 from "C" to "B"
3338/1705	8/5/80	Amend to VDM Dec - Changed Unit 54 from "A" to "B"
3356/1770	9/3/80	Amend to VDM Dec - Changed Unit 48 from "A" to "B"
3365/1908	9/17/80	Amend to VDM Dec - Changed Unit 46 from "A" to "B"
3373/1143	9/29/80	Amend to VDM Dec - Changed Unit 42 from "C" to "B"
3614/1445	10/20/81	Amend to Bylaws VDM - Fiscal Year to end on Jan 31 <sup>st</sup>
4084/421	11/10/83	Amend to Dec VDM II - Number and Size of Units
4102/1659	12/6/83	Corp Resolution VDM - Pool added to Unit 82
4257/702	6/4/84	Corp Resolution VDM - Pool added to Unit 86
5236/1480	6/23/87	Amend to Articles VDM - Procedures to Amend Bylaws
5243/1068	4/14/87	Amend to Articles VDM - # of Bd Mems, etc.
5797/185	9/2/88	Amend to Dec VDM - Foundation Plans for Units
6847/1531	6/5/91	Amend to Dec VDM I & II - Various items
6871/541	6/27/91	Amend to Dec VDM II - Ratify adding Phases
6866/507	6/21/91	WARRANTY DEED - 1477 Via Miguel - Pool

GARY D. FIELDS

GDF:hs

AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR VIA DEL MAR

80 084873

REC'D MAY 12 PM 3:15

WHEREAS, J. RICHARD HARRIS, as Trustee, hereinafter referred to as "Developer", has executed and filed for record the Declaration of Condominium for VIA DEL MAR, recorded in Official Record Book 3175, Page 725, of the Public Records of Palm Beach County, Florida; and,

WHEREAS, the Developer is desirous of amending the Declaration of Condominium in accordance with the provisions of Paragraph 3.4 of the Declaration of Condominium,

NOW, THEREFORE, Paragraph 5.6 of the Declaration of Condominium for VIA DEL MAR is hereby amended in part to change Unit Number 43 from a "C-REV" Type Unit, to a "B" Type Unit.

EXECUTED in accordance with Paragraph 3.4 of the Declaration of Condominium of VIA DEL MAR, this 12<sup>th</sup> day of MAY, 1980.

Signed, sealed and delivered in the presence of:

Willis J. Hyland, Jr.  
June M. Chandler

J. Richard Harris, as Trustee  
J. RICHARD HARRIS, as Trustee

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

I HEREBY CERTIFY, that on this day, personally appeared before me, an officer duly authorized in the County and State aforesaid to take acknowledgments, J. RICHARD HARRIS, as Trustee, to me known to be the person who executed the foregoing instrument.

WITNESS my hand and official seal in the State and County last aforesaid this 12<sup>th</sup> day of MAY, 1980.

B3289 P0978

Willis J. Hyland, Jr.  
Notary Public

My commission expires:

Notary Public, State of Florida at Large  
My Commission Expires July 16, 1982  
Bonded by American Ind. & Casualty Company.



Prepared by and return to:  
William J. Hyland, Jr., Esq.  
SCOTT, BURK, ROYCE & HARRIS, P.A.  
450 Royal Palm Way  
Palm Beach, Florida 33480

RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR VIA DEL MAR

90 107895

REC-19 61319

WHEREAS, J. RICHARD HARRIS, as Trustee, hereinafter referred to as "Developer", has executed and filed for record the Declaration of Condominium for VIA DEL MAR, recorded in Official Record Book 3175, Page 725, of the Public Records of Palm Beach County, Florida; and,

WHEREAS, the Developer is desirous of amending the Declaration of Condominium in accordance with the provisions of Paragraph 3.4 of the Declaration of Condominium.

NOW, THEREFORE, Paragraph 5.6 of the Declaration of Condominium for VIA DEL MAR is hereby amended in part to change Unit Number 31 from a "C-Rev" Type Unit, to a "B" Type Unit.

EXECUTED in accordance with Paragraph 3.4 of the Declaration of Condominium of VIA DEL MAR, this 17th day of June, 1980.

400

Signed, sealed and delivered in the presence of:

June M. Chandler  
Esquire B. Wheeler

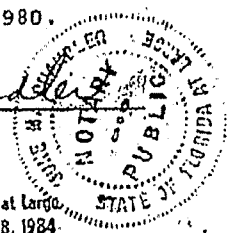
J. Richard Harris, as Trustee  
J. RICHARD HARRIS, as Trustee

STATE OF FLORIDA )  
COUNTY OF PALM BEACH)

I HEREBY CERTIFY, that on this day, personally appeared before, an officer duly authorized in the County and State aforesaid to take acknowledgments, J. RICHARD HARRIS, as Trustee, to me known to be the person who executed the foregoing instrument.

WITNESS my hand and official seal in the State and County last aforesaid this 17th day of June, 1980.

June M. Chandler  
Notary Public



My commission expires:  
Notary Public, State of Florida at Large,  
My Commission Expires April 18, 1984.  
Bonded They Don't Pay Insurance Fees

PREPARED BY AND RETURN TO:  
William J. Hyland, Jr., Esquire  
SCOTT, BURK, ROYCE & HARRIS, P.A.  
450 Royal Palm Way  
Palm Beach, FL 33480

RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

83312 P0153

AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR VIA DEL MAR

80 127940

REC JUL 24 PM 3:36

WHEREAS, J. RICHARD HARRIS, as Trustee, hereinafter referred to as "Developer", has executed and filed for record the Declaration of Condominium for VIA DEL MAR, recorded in Official Record Book 3175, Page 725, of the Public Records of Palm Beach County, Florida; and,

WHEREAS, the Developer is desirous of amending the Declaration of Condominium in accordance with the provisions of Paragraph 3.4 of the Declaration of Condominium

NOW, THEREFORE, Paragraph 5.6 of the Declaration of Condominium for VIA DEL MAR is hereby amended in part to change Unit Number 56 from a "A" Type Unit to a "B" Type Unit.

EXECUTED in accordance with Paragraph 3.4 of the Declaration of Condominium of VIA DEL MAR, this 24<sup>th</sup> day of July, 1980.

Signed, sealed and delivered in the presence of:

460

James P. Allen  
Caril Berry

J. Richard Harris, as Trustee  
J. RICHARD HARRIS, as Trustee

STATE OF FLORIDA )  
COUNTY OF PALM BEACH)

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized in the County and State aforesaid to take acknowledgments, J. RICHARD HARRIS, as Trustee, to me known to be the person who executed the foregoing instrument.

WITNESS my hand and official seal in the State and County last aforesaid this 24<sup>th</sup> day of July, 1980.

B3332 P0325

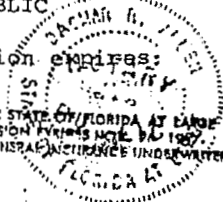
Prepared by and return to:  
William J. Hyland, Jr.  
SCOTT, BURK, ROYCE & HARRIS, P.A.  
P. O. Box 2664  
Palm Beach, Fl 33480

James P. Allen  
NOTARY PUBLIC

My commission expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES NOV. 14, 1987  
BONDED THIRD GENERAL INSURANCE UNDERWRITERS

RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT



80 134855

1980 AUG -5 PM 3:29

AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR VIA DEL MAR

WHEREAS, J. RICHARD HARRIS, as Trustee, hereinafter referred to as "Developer", has executed and filed for record the Declaration of Condominium for VIA DEL MAR recorded in Official Record Book 3175, Page 725, of the Public Records of Palm Beach County, Florida.

WHEREAS, the Developer is desirous of amending the Declaration of Condominium in accordance with the provisions of Paragraph 3.4 of the Declaration of Condominium.

NOW, THEREFORE, Paragraph 5.6 of the Declaration of Condominium for VIA DEL MAR is hereby amended in part to change Unit Number 52 from a "C" Type Unit to a "B" Type Unit.

EXECUTED in accordance with Paragraph 3.4 of the Declaration of Condominium of VIA DEL MAR, this 4th day of August, 1980.

Signed, sealed and delivered in the presence of:

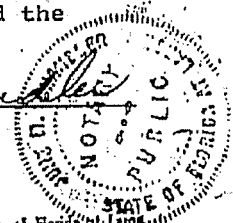
Raymond R. Allen  
June M. Chandler RICHARD HARRIS, as Trustee

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, personally appeared before, an officer duly authorized in the County and State aforesaid to take acknowledgments, J. RICHARD HARRIS, as Trustee, to me known to be the person who executed the foregoing instrument.

June M. Chandler  
NOTARY PUBLIC

My commission expires:



PREPARED BY AND RETURN TO:  
William J. Hyland, Jr., Esq.  
SCOTT, BURK, ROYCE & HARRIS, P.A.  
450 Royal Palm Way  
Palm Beach, FL 33480

Notary Public, State of Florida at Large  
My Commission Expires April 18, 1984  
Bonded thru State Farm Insurance Co.

B3338 P1642

RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR VIA DEL MAR

1980 AUG -5 PM 3:37 90 134878

WHEREAS, J. RICHARD HARRIS, as Trustee, hereinafter referred to as "Developer", has executed and filed for record the Declaration of Condominium for VIA DEL MAR recorded in Official Record Book 3175, Page 725, of the Public Records of Palm Beach County, Florida.

WHEREAS, the Developer is desirous of amending the Declaration of Condominium in accordance with the provisions of Paragraph 3.4 of the Declaration of Condominium.

NOW, THEREFORE, Paragraph 5.6 of the Declaration of Condominium for VIA DEL MAR is hereby amended in part to change Unit Number 54 from a "A" Type Unit to a "B" Type Unit.

EXECUTED in accordance with Paragraph 3.4 of the Declaration of Condominium of VIA DEL MAR, this 5th day of August, 1980.

Signed, sealed and delivered in the presence:

Daguar R. Allen  
June M. Chandler  
J. RICHARD HARRIS, as Trustee

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, personally appeared before, an officer duly authorized in the County and State aforesaid to take acknowledgments, J. RICHARD HARRIS, as Trustee, to me known to be the person who executed the foregoing instrument.

June M. Chandler  
NOTARY PUBLIC

My commission expires:

Notary Public, State of Florida  
My Commission Expires April 18, 1984  
Dodd's Trust Insurance Co.

PREPARED BY AND RETURN TO:

William J. Hyland, Jr.  
SCOTT, BURK, ROYCE & HARRIS, P.A.  
450 Royal Palm Way  
Palm Beach, FL 33480

RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

83338 P1705

32

AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR VIA DEL MAR

WHEREAS, J. RICHARD HARRIS, as Trustee, hereinafter referred to as "Developer", has executed and filed for record the Declaration of Condominium for VIA DEL MAR recorded in Official Record Book 3175, page 725, of the Public Records of Palm Beach County, Florida.

WHEREAS, the Developer is desirous of amending the Declaration of Condominium in accordance with the provisions of Paragraph 3.4 of the Declaration of Condominium.

NOW, THEREFORE, Paragraph 5.6 of the Declaration of Condominium for VIA DEL MAR is hereby amended in part to change Unit Number 48 from a "A" Type Unit to a "B" Type Unit.

EXECUTED in accordance with Paragraph 3.4 of the Declaration of Condominium of VIA DEL MAR, this 3rd day of September, 1980.

Signed, sealed and delivered in the presence of:

Jaguar P. Allen  
Jane M. Chandler

J. Richard Harris, Trustee  
J. RICHARD HARRIS, as Trustee

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, personally appeared before, an officer duly authorized in the County and State aforesaid to take acknowledgments, J. RICHARD HARRIS, as Trustee, to me known to be the person who executed the foregoing instrument.

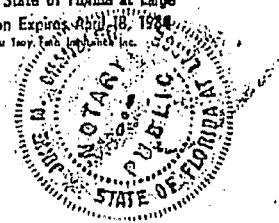
Jane M. Chandler  
NOTARY PUBLIC

My commission expires:

PREPARED BY AND RETURN TO:  
William J. Hyland, Jr.  
SCOTT, BURK, ROYCE & HARRIS, P.A.  
450 Royal Palm Way  
Palm Beach, FL 33480  
(305) 655-8433

Notary Public, State of Florida at Large  
My Commission Expires April 18, 1984  
Headed Thus Top Two Letters Inc.

Record Verified  
Palm Beach County, Fla  
John B. Dunkie  
Clerk Circuit Court



80 158720

1980 SEP 13 PM 3:32

4.60

B3356 P1770

AMENDMENT TO DECLARATION OF CONDOMINIUM FOR VIA DEL MAR

WHEREAS, J. RICHARD HARRIS, as Trustee, hereinafter referred to as "Developer" has executed and filed for record the Declaration of Condominium for VIA DEL MAR recorded in Official Record Book 3175, page 725, of the Public Records of Palm Beach County, Florida.

WHEREAS, the Developer is desirous of amending the Declaration of Condominium in accordance with the provisions of Paragraph 3.4 of the Declaration of Condominium.

NOW, THEREFORE, Paragraph 5.6 of the Declaration of Condominium for VIA DEL MAR is hereby amended in part to change Unit Number 46 from a "A" Type Unit to a "B" Type Unit.

EXECUTED in accordance with Paragraph 3.4 of the Declaration of Condominium for VIA DEL MAR, this 16th day of September, 1980.

Signed, sealed and delivered in the presence of:

Dagnie P. Allen  
June M. Chandler

J. Richard Harris  
J. RICHARD HARRIS, as Trustee

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, personally appeared before, an officer duly authorized in the County and State aforesaid to take acknowledgments, J. RICHARD HARRIS, as Trustee, to me known to be the person who executed the foregoing instrument.

June M. Chandler  
NOTARY PUBLIC

My commission expires

Notary Public, State of Florida  
My Commission Expires April 18, 1984  
Bonded This Day For Full Incumbency

Prepared by and return to:  
William J. Hyland, Jr.  
SCOTT, BURK, ROYCE & HARRIS, P.A.  
450 Royal Palm Way 32  
Palm Beach, FL 33480

Record Verified  
Palm Beach County, Fla  
John B. Dunkle  
Clerk Circuit Court

90 162967

SEP 17 PM 2:51

B3365 P1908



AMENDMENT TO DECLARATION OF CONDOMINIUM FOR VIA DEL MAR

WHEREAS, J. RICHARD HARRIS, as Trustee, hereinafter referred to as "Developer" has executed and filed for record the Declaration of Condominium for VIA DEL MAR recorded in Official Record Book 3175, page 725, of the Public Records of Palm Beach County, Florida.

WHEREAS, the Developer is desirous of amending the Declaration of Condominium in accordance with the provisions of Paragraph 3.4 of the Declaration of Condominium.

NOW, THEREFORE, Paragraph 5.6 of the Declaration of Condominium for VIA DEL MAR is hereby amended in part to change Unit Number 42 from a "C" Type Unit to a "B" Type Unit.

EXECUTED in accordance with Paragraph 3.4 of the Declaration of Condominium for VIA DEL MAR, this 25th day of September 1980.

Signed, sealed and delivered in the presence of:

Dorcas P. Allen  
June M. Chandler

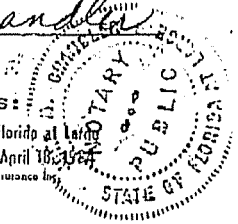
J. Richard Harris, Trustee  
J. RICHARD HARRIS, as Trustee

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, personally appeared before, an officer duly authorized in the County and State aforesaid to take acknowledgments, J. RICHARD HARRIS, as Trustee, to me known to be the person who executed the foregoing instrument.

June M. Chandler  
NOTARY PUBLIC

My commission expires:  
Notary Public, State of Florida at Large  
My Commission Expires April 18, 1984  
Bonded Through Fidelity Insurance



PREPARED BY AND RETURN TO:  
William J. Hyland, Jr. #38  
SCOTT, BURK, ROYCE & HARRIS, P.A.  
450 Royal Palm Way  
Palm Beach, FL 33480

RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

80 170867

1980 SEP 29 PM 3:05

B3373 P1143

CERTIFICATE OF AMENDMENT OF BY-LAWS

THIS IS TO CERTIFY, that:

1. The attached writing is a true copy of of a Resolution amending the By-Laws of Via Del Mar Condominium Association, Inc., a Florida corporation not for profit, which is the Condominium Association designated in the Declaration of Condominium for Via Del Mar, according to the Declaration of Condominium recorded in Official Record Book 3175, page 725, Public Records of Palm Beach County, Florida, which Resolution was duly adopted by all of the members of the Board of Administration of Via Del Mar Condominium Association, Inc., by unanimous consent taken on July 10, 1981, all done in accordance with the requirements of the By-Laws of the Condominium Association for their amendment.

2. The adoption of the Resolution appears in the Minutes of the Via Del Mar Condominium Association, Inc., and is unrevoked.

EXECUTED at Jupiter, Florida, this 10th day of July, 1981.

Signed, sealed and delivered in the presence of:

Clarence B. Evans  
Richard Harris

VIA DEL MAR CONDOMINIUM ASSOCIATION, INC.

By: [Signature]  
 President

Attest: [Signature]  
 Secretary

(Corporate Seal)

STATE OF FLORIDA )  
 COUNTY OF PALM BEACH )

THIS INSTRUMENT was acknowledged before me this 10th day of July, 1981, by T. H. EVANS, JR., and CLARENCE RAUTENSTRAUCH, respectively as President and Secretary of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida corporation not for profit, for and on behalf of said corporation.

[Signature]  
 Notary Public  
 My commission expires: 28 JULY 1985  
 NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
 MY COMMISSION EXPIRES 28 JULY 1985  
 BONDED THRU GENERAL INS. UNDERWRITERS

81 181756  
 1981 OCT 20 PM 4:20

B3614 P1445

Prepared by and Return to:  
 J. Richard Harris  
 Scott, Burk, Royce & Harris, P.A.  
 450 Royal Palm Way  
 Palm Beach, Florida 33480

RESOLVED, that paragraph 1.2 of the By-Laws of VIA DEL MAR  
CONDOMINIUM ASSOCIATION, INC., be amended and altered to  
provide therein that the fiscal year of VIA DEL MAR CON-  
DOMINIUM ASSOCIATION, INC., shall end on January 31st of  
each year.

This is not a certified copy

B3614 P1446

RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

11/7/83  
JRH:sc  
#18225  
#116

PREPARED BY & RETURN TO: J. RICHARD HARRIS, ESQ.  
Scott, Royce, Harris & Bryan, P.A.  
450 Royal Palm Way  
Palm Beach, Fla. 33480

32

AMENDMENT TO  
DECLARATION OF CONDOMINIUM  
OF  
VIA DEL MAR II, A CONDOMINIUM

83 224295  
1983 NOV 10 PM 4:38

The Declaration of Condominium of VIA DEL MAR II, a Condominium, as recorded in Official Record Book 3637, Page 1538, Public Records of Palm Beach County, Florida, regarding §5.6 concerning the "Total Number and General Size of Each Unit" is hereby amended to state as follows. All other provisions of the current Declaration of Condominium shall remain in full force and effect and changed only by the following addition:

5.6 The Total Number and General Size of Each Unit.

Unit Number 79 shall not be a Type C Unit consisting of two (2) bedrooms and two (2) baths. Instead, Unit Number 79 shall consist of a single dwelling containing three (3) bedrooms and two (2) baths, as more particularly described in the Floor Plan attached hereto as Exhibit "A" and made a part hereof.

WITNESSES:

DECLARANT

2960

*Cynthia J. Duncan*

By *J. Richard Harris Trustee*  
J. RICHARD HARRIS, TRUSTEE

*George J. Osgood*

STATE OF FLORIDA )  
                          ) :ss  
COUNTY OF PALM BEACH )

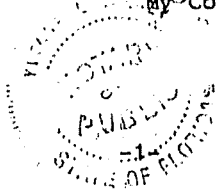
I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, J. RICHARD HARRIS, TRUSTEE, to me known to be the individual described in and who executed the foregoing instrument; and he acknowledged the execution thereof to be his free act and deed.

WITNESS my hand and official seal this 10<sup>th</sup> day of *Nov.*, 1983.

*George J. Osgood*  
Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES 7-23-1985



84084 P0421

WITNESSES:

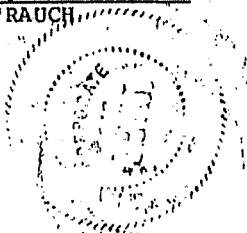
VIA DEL MAR CONDOMINIUM  
ASSOCIATION, INC.

*Sammy Johnson*

By *Clarence Rautenstrauch*  
CLARENCE RAUTENSTRAUCH

*Sammy Johnson*

STATE OF FLORIDA )  
 ) :SS  
COUNTY OF PALM BEACH )



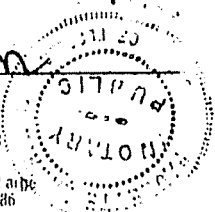
I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, CLARENCE RAUTENSTRAUCH as PRESIDENT of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida Corporation, to me known to be the individual described in and who executed the foregoing instrument; and he acknowledged the execution thereof to be his free act and deed.

WITNESS my hand and official seal this 9th day of November 1983.

*Sammy Johnson*  
Notary Public

My Commission Expires:

Notary Public, State of Florida at Large  
My Commission Expires Apr 1 1986  
BONDED TO THE CREDITORS ONLY  
& HARVEY INSURANCE & BONDS, INC.



Not a certified copy

B4084 P0422

11/7/83  
JRH:sc  
#1B225  
#116

CERTIFICATE OF CORPORATE RESOLUTION  
ADOPTED BY  
THE VIA DEL MAR  
CONDOMINIUM ASSOCIATION, INC.,  
ON THE 7th DAY OF NOVEMBER, 1983

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THIS IS TO CERTIFY THAT:

1. The attached writing is a true copy of a Resolution amending the Declaration of Condominium of VIA DEL MAR II, a Condominium, as recorded in Official Record Book 3637, Page 1538, Public Records of Palm Beach County, Florida, which Resolution was duly adopted by all of the Members of the Board of Administration of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Corporation not-for-profit under the laws of the State of Florida, at a meeting duly held on the 7th day of November, 1983, and in accordance with the requirements of the By-Laws for their amendment.

2. The adoption of the Resolution appears upon the Minutes of the above-mentioned Meeting and is unrevoked.

EXECUTED at Jupiter, Florida, on the 9th day of November, 1983.

Signed, sealed and delivered  
in the presence of:

VIA DEL MAR CONDOMINIUM  
ASSOCIATION, INC.

*[Handwritten signature]*  
\_\_\_\_\_  
*[Handwritten signature]*  
\_\_\_\_\_

By *[Handwritten signature]*  
\_\_\_\_\_  
President  
CLARENCE RAUTENSTRAUCH

(CORPORATE SEAL)

Attest:  
  
*[Handwritten signature]*  
\_\_\_\_\_  
Secretary

STATE OF FLORIDA            )  
  :SS  
COUNTY OF PALM BEACH    )

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, CLARENCE RAUTENSTRAUCH and J. RICHARD HARRIS, as President and Secretary, respectively of VIA DEL MAR CONDOMINIUM

B4084 P0423

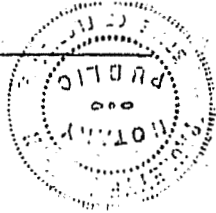
ASSOCIATION, INC., a Florida Corporation, to me known to be the individuals described in and who executed the foregoing instrument; and they acknowledged the execution thereof to be their free act and deed as such officers and that the official seal of the said Corporation is duly affixed thereto; and that said instrument is the act and deed of said Corporation.

WITNESS my hand and official seal this 9<sup>th</sup> day of November, 1983.

*Paulette Johnson*  
Notary Public

My Commission Expires:

April 1, 1986  
DONALD L. HAYES - LEWIS & CLAY  
A HAYES INSURANCE & BONDING INC.



This is not a certified copy

B4004 P0424

RESOLUTION

WHEREAS, the Declaration of Condominium of VIA DEL MAR II, a Condominium, as recorded in Official Record Book 3637, Page 1538, Public Records of Palm Beach County, Florida, located at 1605 U.S. Highway #1, Jupiter, Florida 33458, provides under §14.1 that until the first election of the Board of Administration, the Board of Administration by unanimous vote may adopt proposed Amendments to the Declaration of Condominium;

IT IS THEREFORE

RESOLVED, by unanimous vote of the Board of Administration, that §5.6 entitled "The Total Number and General Size of Each Unit" is hereby amended to state that Unit Number 79 shall not be a Type C Unit consisting of two (2) bedrooms and two (2) baths. Instead, Unit Number 79 shall consist of a single dwelling containing three (3) bedrooms and two (2) baths, as more particularly described in the Floor Plan attached hereto as Exhibit "A" and made a part hereof.

84004 P0425



RESOLUTION

WHEREAS, the Declaration of Condominium of VIA DEL MAR II, a Condominium, as recorded in Official Record Book 3637, Page 1538, Public Records of Palm Beach County, Florida, located at 1605 U.S. Highway #1, Jupiter, Florida 33458, provides under §14.1 that until the first election of the Board of Administration, the Board of Administration by unanimous vote may adopt proposed Amendments to the Declaration of Condominium;

IT IS THEREFORE

RESOLVED, by unanimous vote of the Board of Administration, that §5.6 entitled "The Total Number and General Size of Each Unit" is hereby amended to state that Unit Number 79 shall not be a Type C Unit consisting of two (2) bedrooms and two (2) baths. Instead, Unit Number 79 shall consist of a single dwelling containing three (3) bedrooms and two (2) baths, as more particularly described in the Floor Plan attached hereto as Exhibit "A" and made a part hereof.

B4004 P0426



32  
Prepared by and Return to:  
J. Richard Harris, Esquire  
Scott, Royce, Harris & Bryan, P.A.  
450 Royal Palm Way  
Palm Beach, Florida 33480

R E S O L U T I O N

WHEREAS, the Declaration of Condominium of VIA DEL MAR II, a Condominium recorded in Official Record Book 3785, Page 979, Public Records of Palm Beach County, Florida, provides under Paragraph 14 that prior to the first election of the Board of Administration, the Declaration of Condominium may be amended by the adoption of a Resolution by unanimous vote by the Board of Administration; and

WHEREAS, "Limited Common Elements" as defined under Paragraph 2.13 of said Declaration mean and include those Common Elements which are reserved for the use of a certain unit or units to the exclusion of other units; and

WHEREAS, Paragraph 3.8 of said Declaration provides that the Limited Common Elements appurtenant to each unit is the shaded area designated on the Survey; and

WHEREAS, Paragraph 3.8 of said Declaration also provides that the responsibility for maintenance and repair of Limited Common Elements shall be that of the unit owner owning the unit assigned the exclusive right of use of such Limited Common Elements; and

WHEREAS, Mr. Paul Kenwood, as owner of Unit No. 82 has expressed to the Board of Administration his desire to construct a swimming pool appurtenant to said unit and has expressed his willingness to accept responsibility for the maintenance and repair of said appurtenance.

IT IS THEREFORE:

RESOLVED, by unanimous vote of the Board of Administration that Paragraph 3.8 of the Declaration of Condominium is hereby amended to include as a Limited Common Element appurtenant to Unit No. 82 that area which is shaded on Exhibit "A" entitled "Sketch of Survey" which is attached hereto and made a part hereof. Said area shall be for the exclusive use of the record unit owner of Unit No. 82 for the purposes of construction, enjoyment and maintenance of a swimming pool thereon. The unit owner shall be responsible for the maintenance and repair of said appurtenance.

83 241559

1983 DEC -6 PM 4 20

84102 P1659

2/160

CERTIFICATE OF CORPORATE RESOLUTION  
ADOPTED BY VIA DEL MAR  
CONDOMINIUM ASSOCIATION, INC.  
ON THE 5th DAY OF November, 1983

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THIS IS TO CERTIFY THAT:

The attached writing is a true copy of a Resolution amending the Declaration of Condominium of VIA DEL MAR II, which Resolution was duly adopted by all of the Members of the Board of Administration of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., by Written Action in lieu of holding a meeting regarding same, all pursuant to the terms of §607.134 and §607.394 inclusive, of the Florida Statutes and in accordance with the requirements of the Declaration of Condominium.

2. The adoption of the Resolution appears upon the Corporate Minute Books of the Association and is unrevoked. All other provisions of the Declaration of Condominium shall remain in full force and effect and changed only by the attached Resolution.

EXECUTED at Jupiter, Florida, on the 5<sup>th</sup> day of November 1983.

Signed, sealed and delivered  
in the presence of:

VIA DEL MAR CONDOMINIUM  
ASSOCIATION, INC.

Karen Sue Daugherty

[Signature]  
President

[Signature]

Attest:

[Signature]  
Secretary

STATE OF FLORIDA            )  
  : SS  
COUNTY OF PALM BEACH    )

The foregoing Certificate of Corporate Resolution was acknowledged before me this 5<sup>th</sup> day of November 1983, by Clarence Buitendijk as President of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida Corporation.

[Signature]  
Notary Public

My Commission Expires:

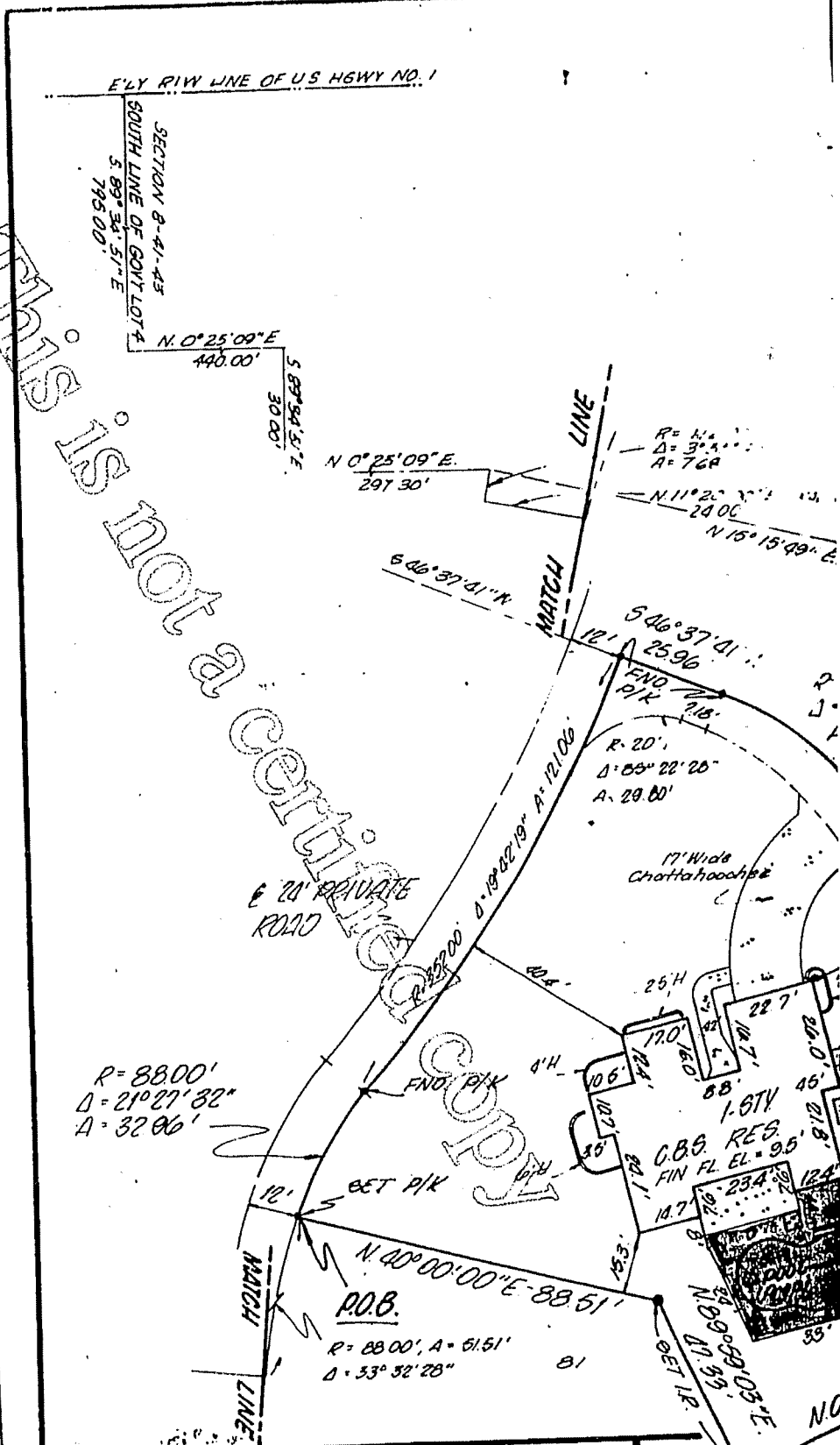
NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES SEPT 12 1985  
BONDED THRU GENERAL INS. UNDERWRITERS

B4102 P1660

RECORDERS MEMO: Legibility of Writing, Typing or Printing unsatisfactory in this document when received.

B4102 P1661

This is not a certified copy



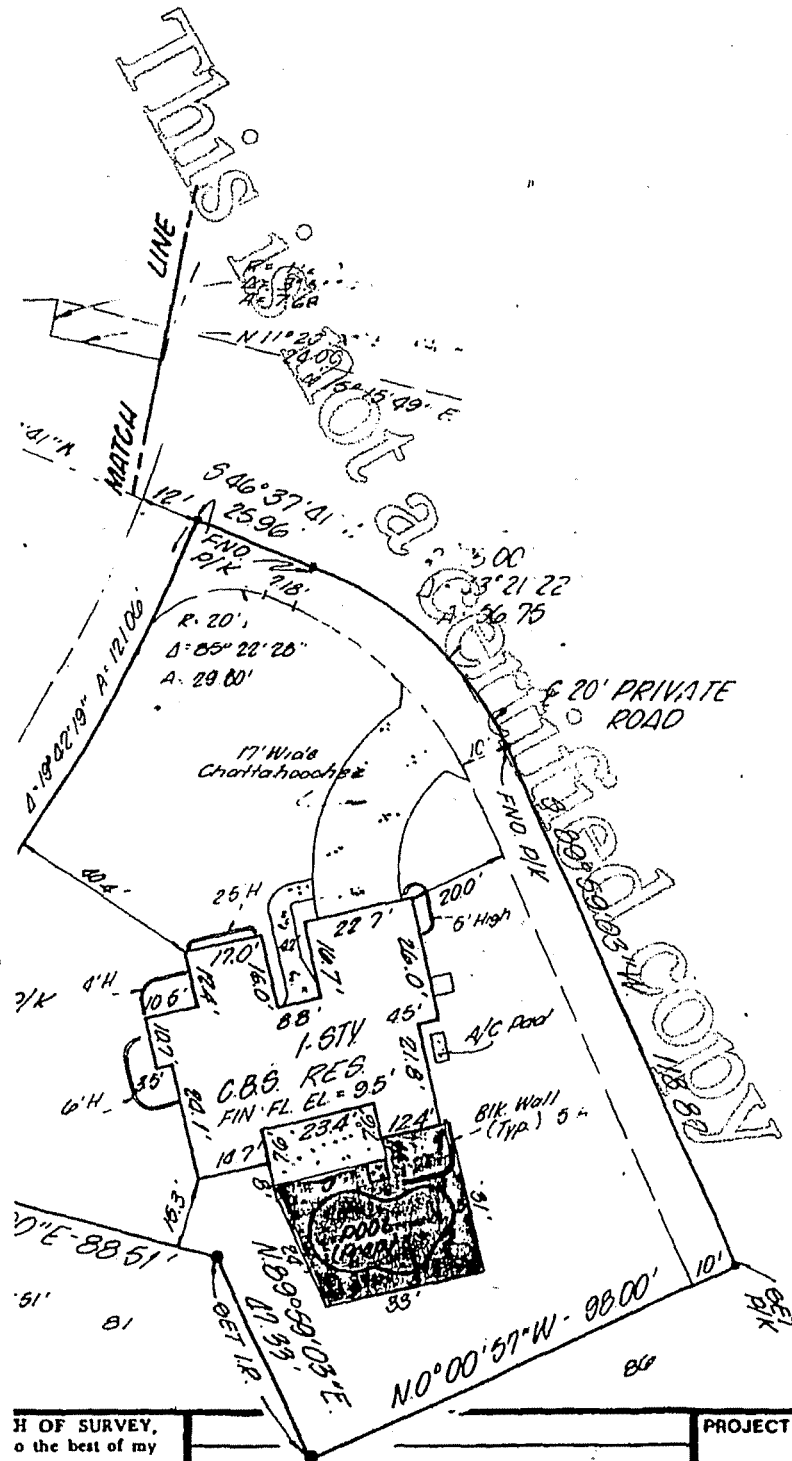
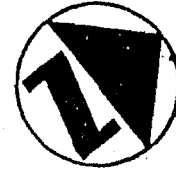
CERTIFICATE: I, Edith, do Certify that this SKETCH OF SURVEY, of the Tract of Land property, is true and correct to the best of my knowledge and belief.

AUG 3 1988  
 Edith  
 PROFESSIONAL LAND SURVEYOR  
 STATE OF MISSISSIPPI  
 REGISTRATION NO. 2633

NOTE: NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.  
 This SURVEY prepared from legal description supplied by client.

NO	REVISIONS

RECORDER'S MEMO: Legibility of Writing, Typing or Printing unsatisfactory in this document when received.



UNIT 82, VIA DEL MI

parcel of land in Unit 82, Palm Beach County, Florida, described as follows:

From the intersection of U.S. Highway No. 1 and the line of a monument along the South li 795.00 feet; thence S 89°34'51" N 0°25'09" E, a distance concave to the North center bears N 15° of said curve thro 7.68 feet; thence feet to a point on of 88.00 feet and thence Northwester angle of 33°32'28" BEGINNING.

Proceed thence N 4 N 89°59'03" E, a distance of 98.00 118.87 feet to the Southeast having a along the arc of a distance of 56.7 S 46°37'41" W, a distance concave to the South whose center bears arc of said curve distance of 121.00 a curve concave to thence Southeast central angle of 21° BEGINNING.

Subject to Reserve

B4102 P1662

TO THE BEST OF MY KNOWLEDGE AND BELIEF, I HAVE ACCURATELY AND TRULY SET FORTH THE ABOVE DESCRIBED PARCEL OF LAND.

UNLESS SEALED BY THE SURVEYORS

Prepared from legal description by client.

REVISIONS

PROJECT NAME:

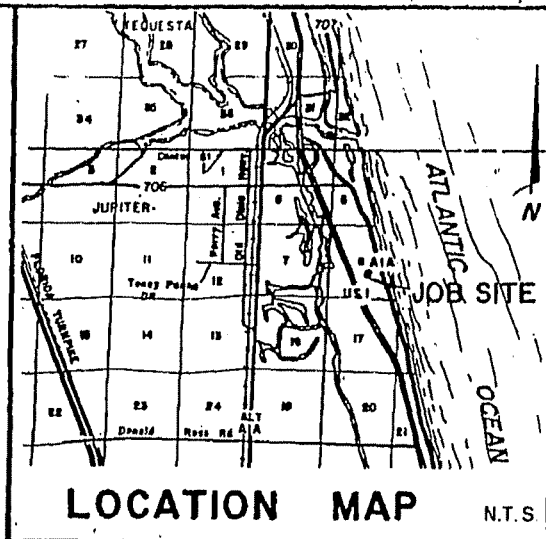
**PAUL "A"**

LINDA H. BROWNING & FERRARI, INC.  
Consulting Engineers, Planners & Surveyors

426 INDIANTOWN ROAD 931 COLLETT AVENUE  
JUPITER FLORIDA 33458 ST. LARK FLORIDA 33494

**RECORDER'S MEMO: Legibility of Writing, Typing or Printing unsatisfactory in this document when received.**

This is a Plat



UNIT 82, VIA DEL MAR II - A CONDOMINIUM

parcel of land in Section 8, Township 41 South, Range 41 East, Palm Beach County, Florida being more particularly described as follows:

From the intersection of the easterly right-of-way line of U.S. Highway No. 1, as shown on Road Plat Book 2, Page 110, Palm Beach County, Florida Public Records, with the South line of Government Lot 4 of said Section 8, run S 89°34'51" E, a distance of 745.00 feet; thence N 00°25'00" E, a distance of 440.00 feet; thence S 89°34'51" E, a distance of 30.00 feet; thence N 0°25'09" E, a distance of 497.30 feet to a point on a curve concave to the North having a radius of 112.00 feet and whose center bears N 15°15'49" E; thence Southeasterly along the arc of said curve through a central angle of 3°55'49" a distance of 7.68 feet; thence N 11°20'00" E, radially, a distance of 24.00 feet to a point on a curve concave to the North having a radius of 88.00 feet and concentric with the previously described curve; thence Northwesterly along the arc of said curve through a central angle of 33°32'28" a distance of 51.51 feet to the POINT OF BEGINNING.

Proceed thence N 40°00'00" E, a distance of 88.51 feet; thence N 89°59'03" E, a distance of 47.33 feet; thence N 0°00'57" W, a distance of 98.00 feet; thence S 89°59'03" W, a distance of 118.87 feet to the point of curvature of a curve concave to the Southeast having a radius of 75.00 feet; thence Southwesterly along the arc of said curve through a central angle of 43°21'22" a distance of 56.75 feet to the point of tangency; thence S 46°37'41" W, a distance of 25.96 feet to a point on a curve concave to the Southwest having a radius of 352.00 feet and whose center bears S 46°37'41" W; thence Southeasterly along the arc of said curve through a central angle of 19°42'19" a distance of 121.06 feet to the point of reverse curvature of a curve concave to the Northeast having a radius of 88.00 feet; thence Southeasterly, along the arc of said curve through a central angle of 21°27'32" a distance of 32.96 feet to the POINT OF BEGINNING.

Subject to Reservations, Easements and Restrictions of record.

BA102 P1663



PROJECT NAME: <b>PAUL KENWOOD</b>					
LINDA H. BROWNING & FERRARI, INC. Consulting Engineers, Planners, & Surveyors 476 INDIANTOWN ROAD 451 COLORADO AVENUE JUPITER FLORIDA 33408 STUART FLORIDA 33494	Scale 1" = 30'	Field —	Sheet 1 Of 1	Field Book — Pg. —	File No.
	Date 8/19/83	Design —	Drawing No. 1	Work Order No. 83-176	
	Checked G.R.				

RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

CERTIFICATE OF CORPORATE RESOLUTION  
ADOPTED BY VIA DEL MAR  
CONDOMINIUM ASSOCIATION, INC.  
ON THE 29th DAY OF MAY, 1984

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THIS IS TO CERTIFY THAT:

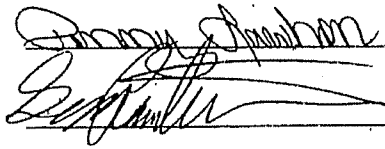
1. The attached writing is a true copy of a Resolution amending the Declaration of Condominium of VIA DEL MAR II, which Resolution was duly adopted by all of the Members of the Board of Administration of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., by Written Action in lieu of holding a meeting regarding same, all pursuant to the terms of Section 607.134 and Section 607.394 inclusive, of the Florida Statutes and in accordance with the requirements of the Declaration of Condominium.

2. The adoption of the Resolution appears upon the Corporate Minute Books of the Association and is unrevoked. All other provisions of the Declaration of Condominium shall remain in full force and effect and changed only by the attached Resolution.

EXECUTED at Jupiter, Florida on the 29<sup>th</sup> day of May, 1984.

Signed, sealed and delivered in the presence of:

VIA DEL MAR CONDOMINIUM ASSOCIATION, INC.



BY Carl Obama  
President

Attest:

  
Secretary

STATE OF FLORIDA  
COUNTY OF PALM BEACH

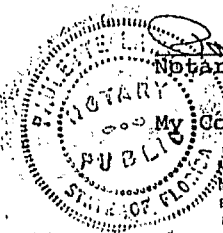
The foregoing Certificate of Corporation Resolution was acknowledged before me this 29<sup>th</sup> day of May, 1984, by Carl Obama, as President of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida Corporation.

84 122387

1984 JAN -4 PM 1:33

B4297 P0702

5360

  
Pamela Jackson  
Notary Public  
My Commission Expires:  
Notary Public, State of Florida at Large  
My Commission Expires Apr. 1, 1986  
BONDED THRU HUCKLEBERRY, SIBLEY  
& HARVEY INSURANCE & BONDS, INC.

Prepared by and return to:  
Stephen S. Mathison, Esq.  
SCOTT, ROYCE, HARRIS & BRYAN, PA  
450 Royal Palm Way, PO Bx2664  
Palm Beach, Florida 33480

Certified Copy



RESOLUTION

WHEREAS, the Declaration of Condominium of VIA DEL MAR II, a Condominium, recorded in Official Record Book 3785, page 979, Public Records of Palm Beach County, Florida, provides under Paragraph 14 that prior to the first election of the Board of Administration, the Declaration of Condominium may be amended by the adoption of a Resolution by unanimous vote of the Board of Administration; and

WHEREAS, "Limited Common Elements", as defined under Paragraph 2.13 of said Declaration means and includes those common elements which are reserved for the use of a certain unit or units to the exclusion of other units; and

WHEREAS, Paragraph 3.8 of said Declaration provides that the Limited Common Elements appurtenant to each unit is the shaded area designated on the survey; and

WHEREAS, Paragraph 3.8 of said Declaration also provides that the responsibility for maintenance and repair of Limited Common Elements shall be that of the unit owner owning the unit assigned the exclusive right of use of such Limited Common Elements; and

WHEREAS, MRS. BERNICE REGER, as owner of Unit No. 86, has expressed to the Board of Administration her desire to construct a swimming pool appurtenant to said unit and has expressed her willingness to accept responsibility for the maintenance and repair of said appurtenance.

IT IS THEREFORE:

RESOLVED by unanimous vote of the Board of Administration that Paragraph 3.8 of the Declaration of Condominium is hereby amended to include as a Limited Common Element appurtenant to Unit No. 86 that area which is shaded on Exhibit "A" entitled "Sketch of Survey" which is attached hereto and made a part hereof. Said area shall be for the exclusive use of the record unit owner of Unit No. 86 for the purposes of construction, enjoyment, and maintenance of a swimming pool thereon. The unit owner shall be responsible for the maintenance and repair of said appurtenance.

84257 P0703

THIS IS A COPY OF THE ORIGINAL DOCUMENT

DEVELOPER'S CONSENT

WHEREAS, the Board of Administration of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC. has, on the 30th day of May, 1984, resolved by unanimous vote that Paragraph 3.8 of the Declaration of Condominium be amended to include as a Limited Common Element appurtenant to Unit No. 86, that area which is shaded on Exhibit "A" attached to the Resolution; and

WHEREAS, said Resolution states that such shaded area shall be used for the exclusive use of the record unit owner of Unit No. 86 for the purposes of construction, enjoyment, and maintenance of a swimming pool thereon and that unit owner shall be responsible for the maintenance and repair of said appurtenance; and

WHEREAS, the adoption of said Resolution is evidenced by the execution of the Certificate of Corporate Resolution dated the 30th day of May, 1984.

WHEREAS, the Board of Administration of the Condominium Association deems it advisable to obtain the written consent of Developer with regard to said Resolution.

WHEREFORE, the Developer hereby consents in writing to the above-referenced Resolution and does hereby consent to those matters contained therein.

*J. Richard Warris, as Trustee*  
J. RICHARD WARRIS, as Trustee

Sworn to and subscribed before me  
this 29 day of May, 1984.

*[Signature]*  
Notary Public  
My Commission Expires  
NOTARY PUBLIC  
BY CONNECTION  
BORDER THROUGH

Prepared by and return to:  
Stephen S. Mathison, Esq.  
SCOTT, ROYCE, HARRIS & BRYAN, PA  
450 Royal Palm Way, PO Box 2664  
Palm Beach, Florida 33480

84257 P0704

U.S. HWY. NO. 1

EAST R.O.W LINE  
U.S. HWY. NO. 1

This is not a certified copy

60'

79500'  
E LINE, GOVT. LOT 4

N.0°25'09"E. 440.00'

P.O.B.

30.00'  
S.69°34'51"E.

100.00'

69

N.0°25'09"E.

68

N.0°25'09"E.

67

N.0°25'09"E.

66

N.0°25'09"E.

454.99'

MAP SOUTH



B4257 P0705

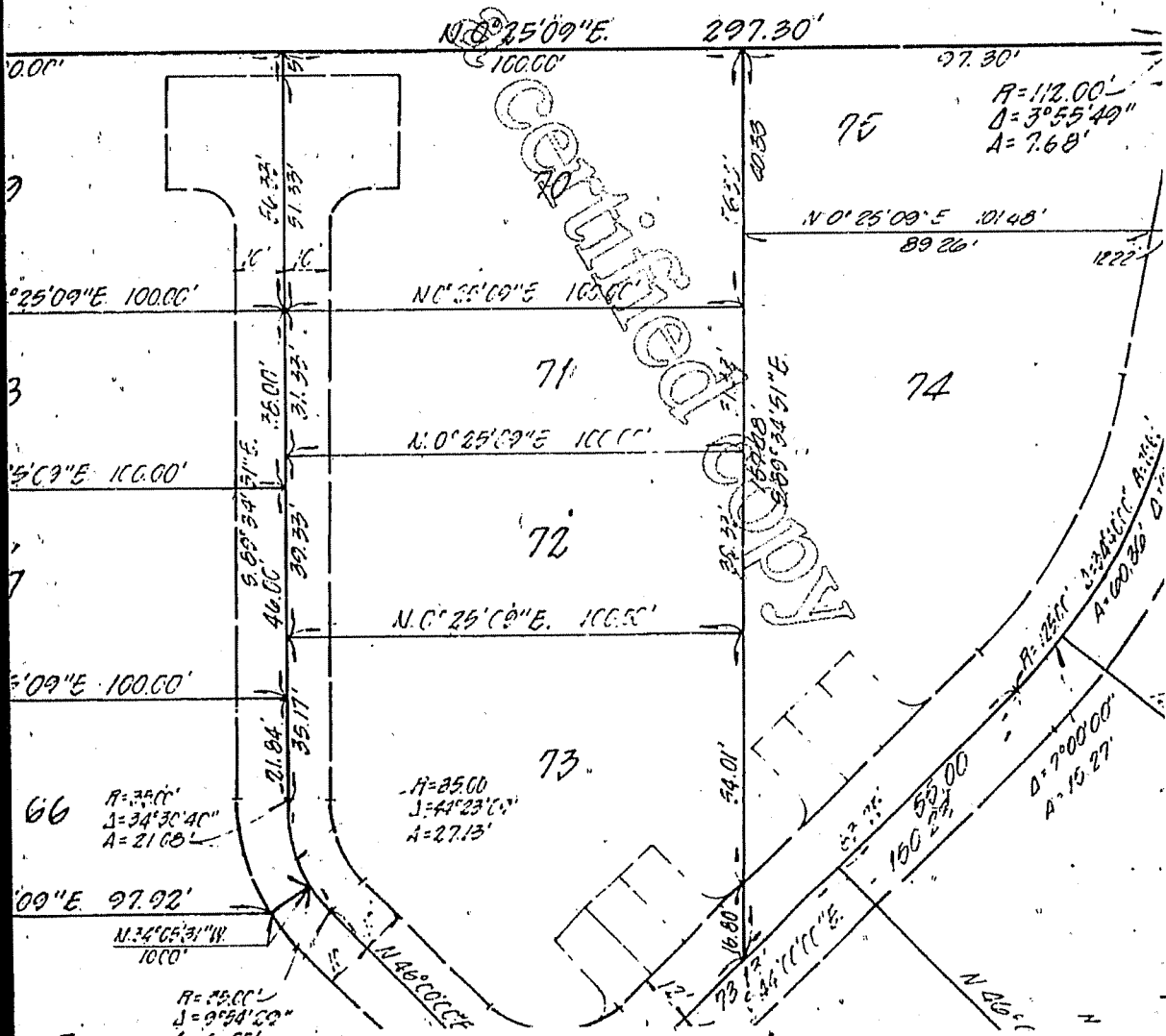


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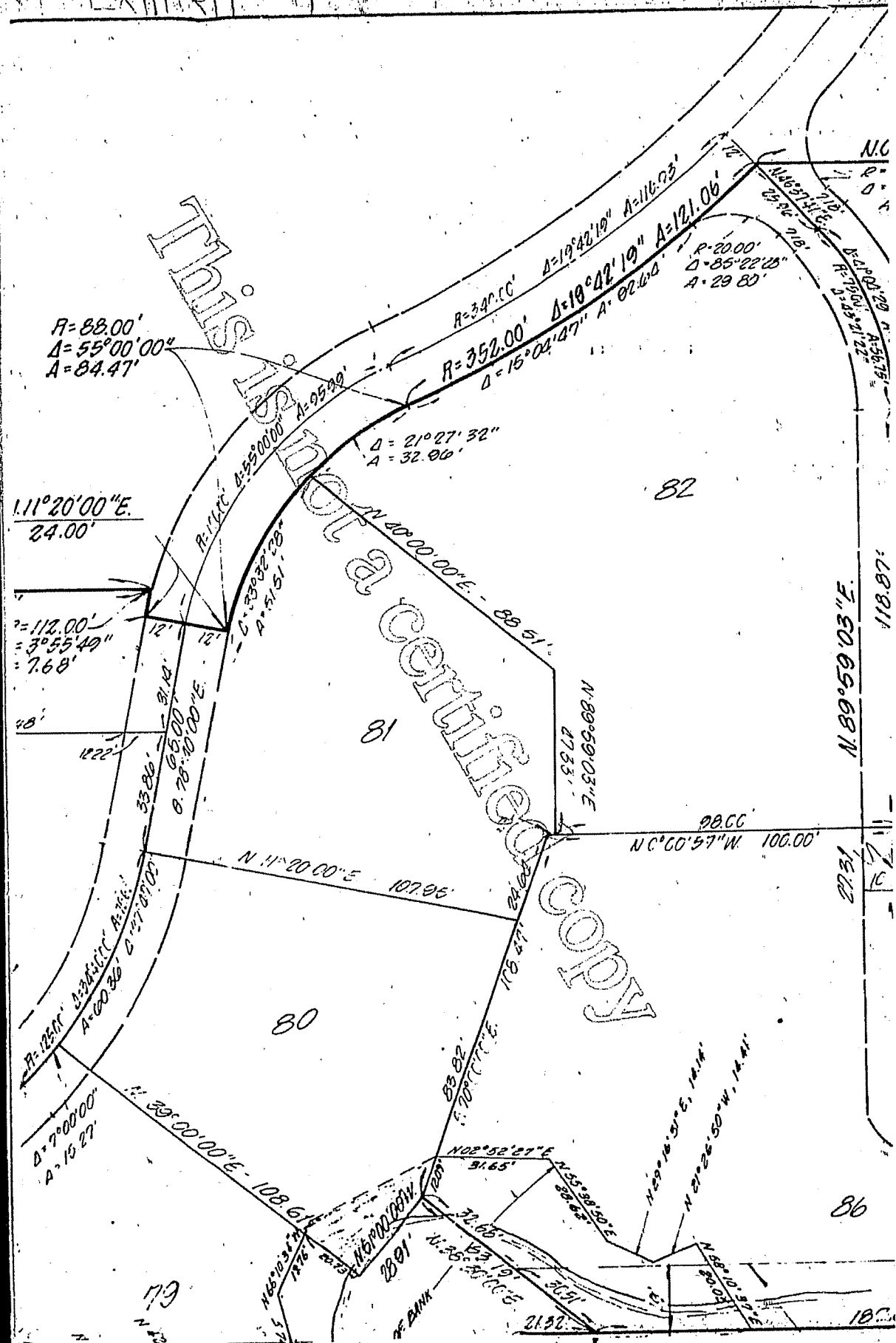


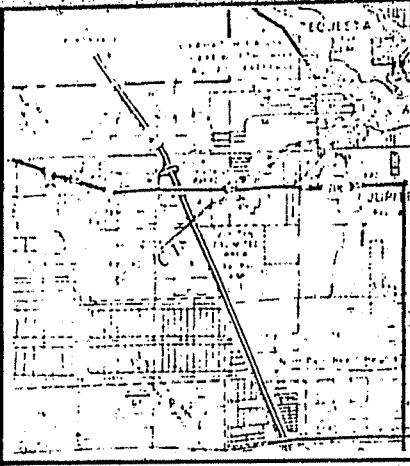
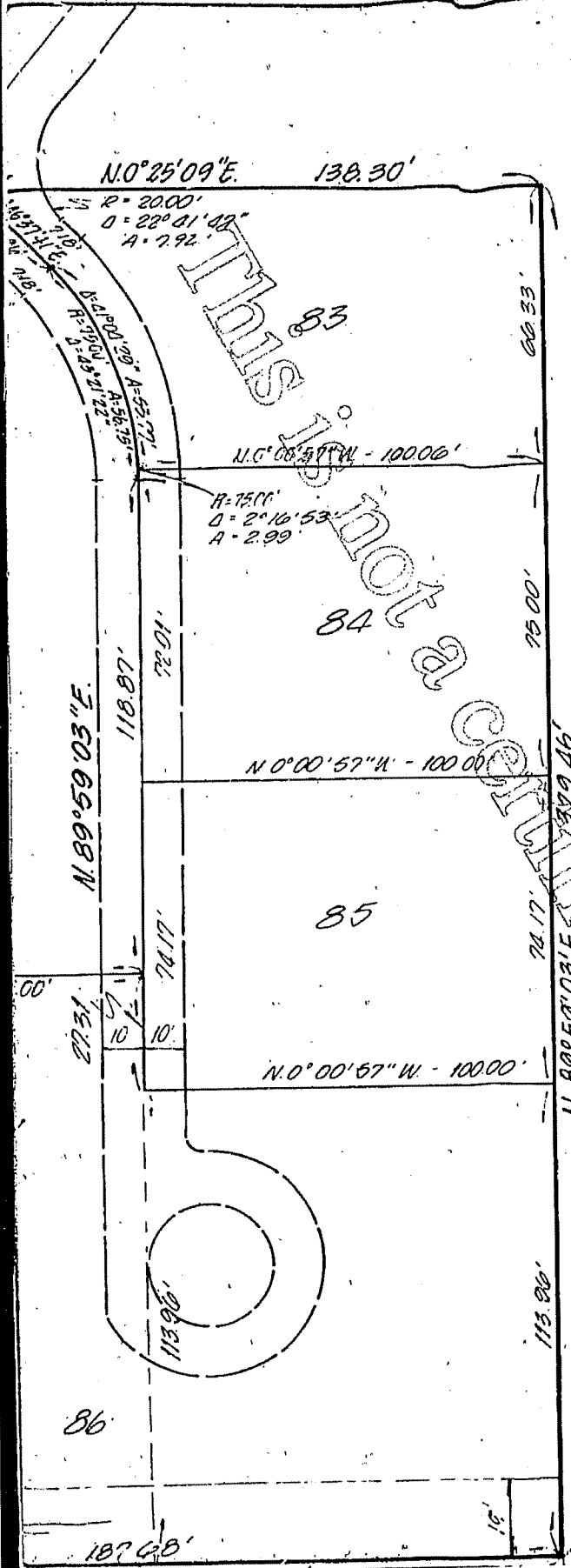
R=88.06  
A=55°06'  
A=84.47

N.11°20'00"E.  
24.00'



84257 P0706





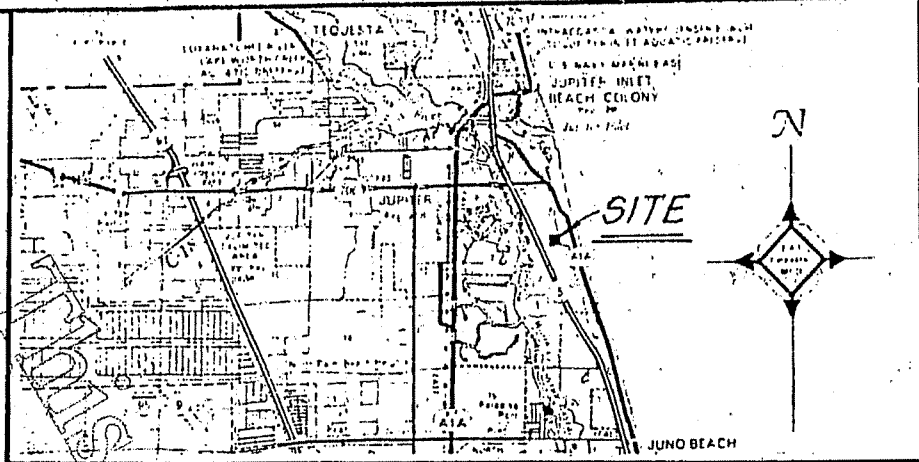
LOCATION

This is not a legal copy

3000 WOODBINE PLACE

B4257 P0708





LOCATION MAP n.t.s.

115.20' 75.00' 00.33' 24.17' 329.46' N. 89° 59' 03" E.

OCEAN WALK PLACE

This is not a certified copy

B4257 P0709



This is not a certified copy

VIA DEL MAR SOUTH

454.99'

5.89° 34' 51" E

66

N 73° 35' 00" E

65

N 6° 25' 00" E

N 6° 25' 09" E

63

N 6° 25' 00" E

93.40'

62

N 6° 25' 00" E

86.13'

61

N 6° 25' 00" E

60

N 2° 42' 33" E  
25.05'

East Line of Gov't Lot 4

5.89° 39' 57" E

36.73'

N 2° 42' 33" E

62.07'

N 2° 42' 33" E

91.59'

35' CANAL EASEMENT

N 0° 20' 03" E

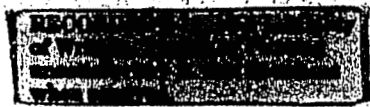
87.95'

N 2° 42' 33" E 97.10'

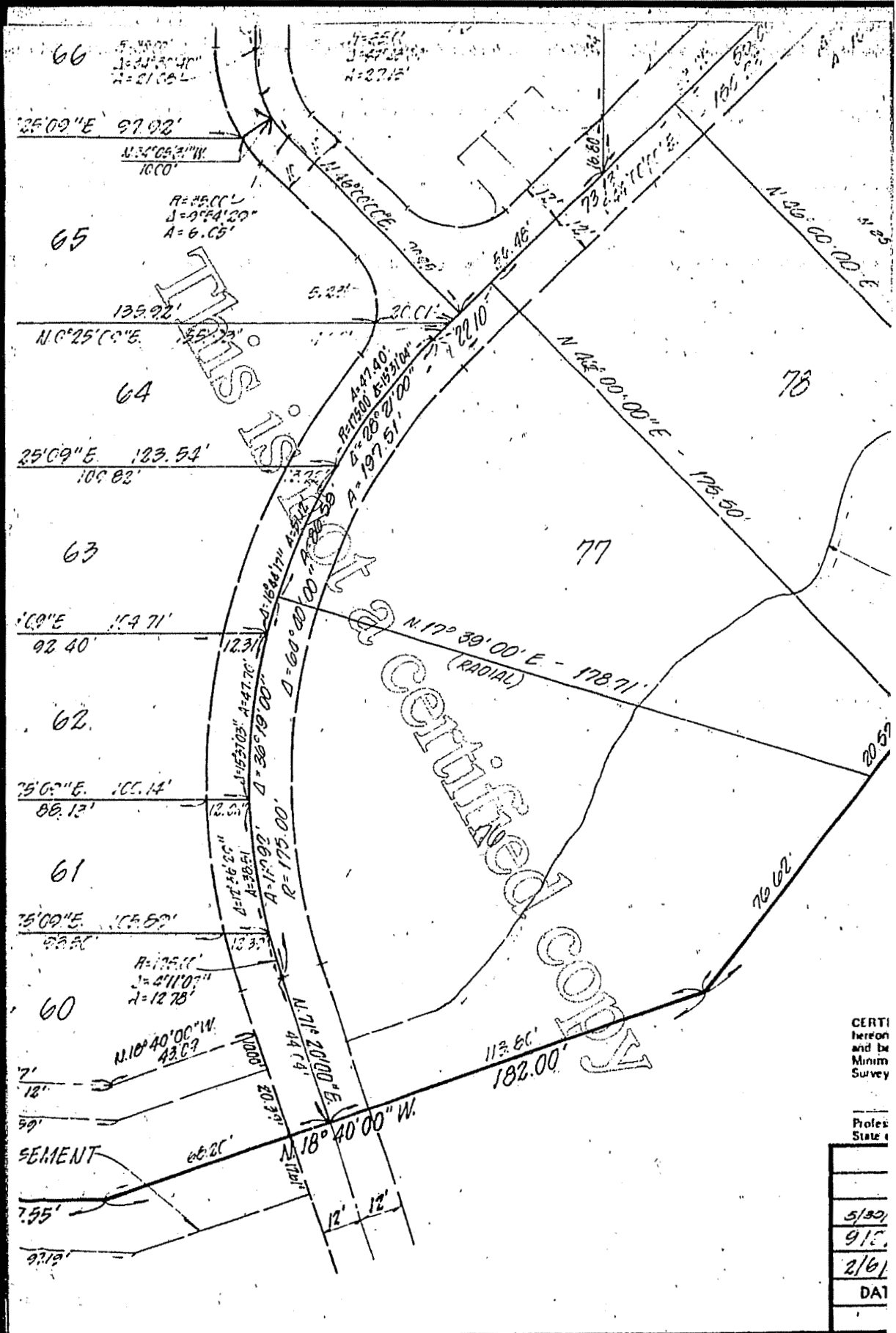
BRUNING 35047-1

BRUNING 35047-1

B4257 P0710





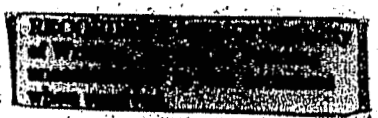


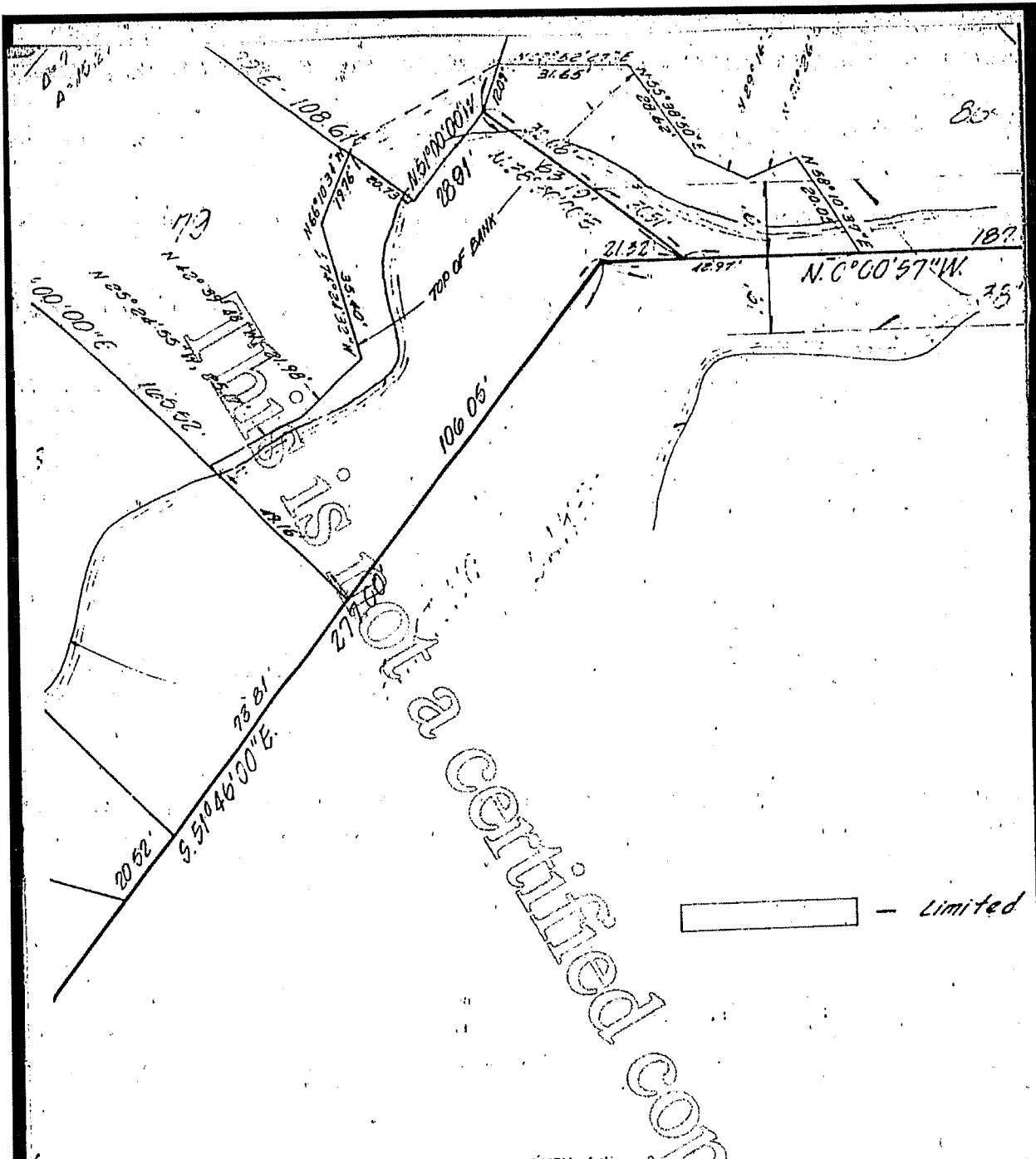
CERTIFIED  
hereon  
and be  
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5/30/
9/15/
2/6/
DAI

B4257 P0711





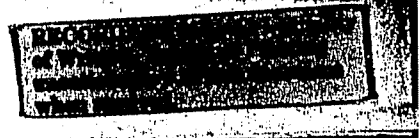
**CERTIFICATE:** This is to Certify that this SKETCH OF SURVEY of the hereon described property is true and correct to the best of my knowledge and belief, contains no visible encroachments unless shown, and meets the Minimum Technical Standards set forth by the Florida Board of Land Surveyors pursuant to Section 472.027, Florida Statutes.

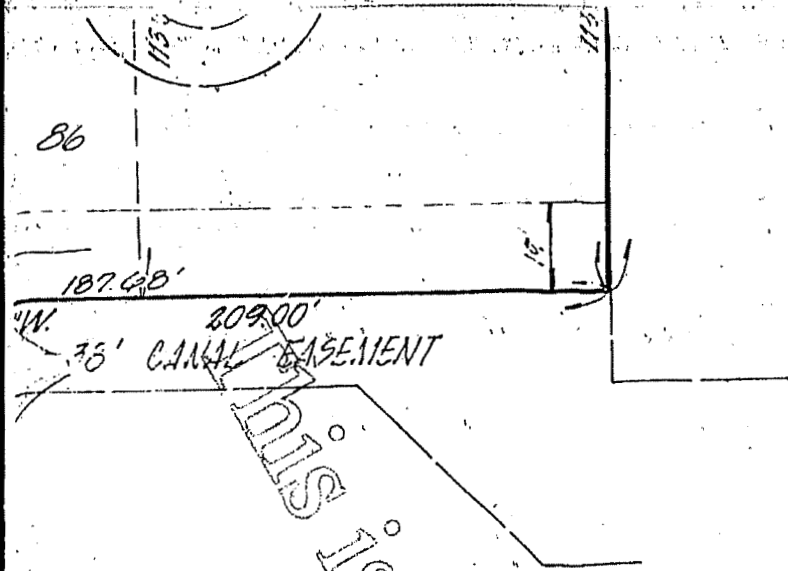
**NOTE:** NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL. This SURVEY prepared from legal description supplied by client.

Professional Land Surveyor  
State of Florida Registration No. 3956

DATE	BY	DESCRIPTION	FIELD:
5/20/84	rc	Revised water line, add Limited common ale.	DRAWN BY: S.C.M.
9/12/81	BCN	Revised & Redrawn	CHECKED BY: D.I.
2/6/81	rc	Revised And Redrawn.	DATE:
		REVISION	JOB NO. 99-189

B4257 P0712





united common element (containing 0.177 acres)

This is not a certified copy

**LEGAL**

A parcel of land in Section 6 East, Palm Beach County, Florida described as follows:

From the intersection of the U.S. Highway No. 1 as shown on the map of Palm Beach County, Florida Public Line of Government Lot 4, Section 6 East, Range 43 East, proceed S 89°34'51" E, a distance of 297.30 feet to a point on a concave curve of a radius of 112.00 feet, whose thence Easterly along the arc of a circle of a radius of 112.00 feet, whose angle of 3°55'49", a distance of 121.06 feet; thence N 11°20'00" E, a distance of 329.46 feet; thence S 00°00'00" E, a distance of 329.46 feet; thence S 18°40'00" E, a distance of 28.05 feet; thence S 00°20'03" W, a distance of 28.05 feet; thence N 89°39'57" W, along said North line of the Plat of Via Del Mar - a condominium, a distance of 28.05 feet, to the East line of said Plat of Via Del Mar - a condominium, a distance of 28.05 feet; thence N 2°42'33" E, along said North line of the Plat of Via Del Mar - a condominium, a distance of 28.05 feet; thence N 89°34'51" E, a distance of 297.30 feet to the POINT OF BEGINNING. Said herein described parcel

SEAL	PLOT PLAN FOR VIA DEL MAR II A CONDOMINIUM	<b>LINDAHL, BROWN</b> CONSULTING ENGINEER	
	426 INDIANTOWN ROAD P. 951 COLORADO AVENUE S.		SCALE: 1" = 30' DR. NO.:

84257 P0713



RECORDED IN THE OFFICE OF THE COUNTY CLERK OF PALM BEACH COUNTY, FLORIDA, ON 11/11/11 AT 10:00 AM.

This

LEGAL DESCRIPTION

A parcel of land in Section 8, Township 41 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the intersection of the Easterly right-of-way line of U.S. Highway No. 1 as shown on Road Plat Book 2, page 110, Palm Beach County, Florida Public Records, with the South line of Government Lot 4, Section 8, Township 41 South, Range 43 East, proceed S 89°34'51" E, along the South line of Government Lot 4, a distance of 795.00 feet; thence N 0°25'09" E, a distance of 447.00 feet; thence S 89°34'51" E, a distance of 30.00 feet to the POINT OF BEGINNING. Proceed thence N 0°25'09" E, a distance of 297.30 feet to a point on a curve concave to the North having a radius of 112.00 feet, whose center bears N 15°15'49" E, thence Easterly along the arc of said curve through a central angle of 3°55'49" a distance of 7.68 feet; thence radially N 11°20'00" E, a distance of 24.00 feet to a point on a curve concave to the Northeast having a radius of 88.00 feet; thence Northwesterly along the arc of said curve through a central angle of 55°00'00", a distance of 84.47 feet to the Point of Reverse curvature of a curve concave to the Southwest having a radius of 352.00 feet; thence Northwesterly along the arc of said curve through a central angle of 19°42'19", a distance of 121.06 feet; thence N 0°25'09" E, a distance of 138.30 feet, to the South line of the North 330 feet of said Government Lot 4. Thence N 89°59'03" E, along said South line a distance of 329.46 feet; thence S 00°00'57" E, a distance of 209.00 feet; thence S 51°46'00" E, a distance of 277.00 feet; thence S 18°40'00" E, a distance of 182.00 feet; thence S 00°20'03" W, a distance of 87.55 feet, to a point on the North line of the Plat of Olympus recorded in Plat Book 36, page 73, Records of Palm Beach County; thence N 89°39'57" W, along said North line a distance of 36.73 feet, to the East line of said Government Lot 4; thence N 2°42'33" E, along said East line a distance of 28.05 feet; thence N 89°34'51" W, along the North line of Via Del Mar - a condominium, a distance of 454.99 feet, to the POINT OF BEGINNING.

0.177 ACRES)

Said herein described parcel containing 5.372 acres.

PLAN FOR  
VIA DEL MAR II  
CONDOMINIUM

<b>LINDAHL, BROWNING &amp; FERRARI, INC.</b>		
CONSULTING ENGINEERS, PLANNERS & SURVEYORS		
426 INDIANTOWN ROAD 951 COLORADO AVENUE	P. O. BOX 727 SUITE 410	JUPITER, FLORIDA 33458 STUART, FLORIDA 33494
SCALE: 1" = 30'	DR. NO:	SHEET 1 OF 1

84257 P0714

RECORD VERIFIED  
PALM BEACH COUNTY FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

This is

# State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Amendment, filed on March 16, 1987, to Articles of Incorporation for VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida corporation, as shown by the records of this office.

The document number of this corporation is 749439.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 31st day of March, 1987.

George Firestone  
Secretary of State



CR2E022 (10-85)

OT 560 T UB 87 109610

1987 APR 14 PM 4 28

8901 P 4259

certified copy

176

CERTIFICATE OF AMENDMENT TO THE  
DECLARATIONS OF CONDOMINIUM OF VIA DEL MAR  
AND VIA DEL MAR II, BY AMENDING THE  
ARTICLES OF INCORPORATION OF  
VIA DEL MAR CONDOMINIUM ASSOCIATION, INC.

FILED  
1987 MAR 16 PM 2:26  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

WHEREAS, the DECLARATION OF CONDOMINIUM OF VIA DEL MAR, A CONDOMINIUM ("DECLARATION"), together with Exhibits, was recorded on November 15, 1979 in Official Record Book 3175, Page 0725, Public Records of Palm Beach County, Florida, and was amended thereafter;

WHEREAS, the DECLARATION OF CONDOMINIUM OF VIA DEL MAR II, A CONDOMINIUM ("DECLARATION"), together with Exhibits, was recorded on December 4, 1981 in Official Record Book 3637, Page 1538, Public Records of Palm Beach County, Florida, and was amended thereafter;

WHEREAS, Article IX of the Articles of Incorporation, which are attached to the Declaration as an Exhibit thereto, together with Sections 617.017, 617.02 and 607.181, Florida Statutes, provides for amendment to the Articles of Incorporation by an approval of a majority of the Board of Administration, and an affirmative vote of a majority of the voting interests of the entire membership of the Association;

WHEREAS, a meeting of the Board of Directors was duly called and held on Feb 5, 1987, at which a majority of the Board of Administration did vote to amend the Articles of Incorporation in the various particulars set forth in Exhibit "1" attached hereto;

WHEREAS, a meeting of the Unit Owners of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., was held on February 5, 1987, at which a majority of the voting interests of the entire membership of the Association did vote to amend the Articles of Incorporation in the various particulars set forth in Exhibit "1" attached hereto;

WHEREAS, the Amendments to the Articles of Incorporation shall be filed with the Secretary of State; and this Certificate together with the amendments to the Articles of Incorporation certified by the Secretary of State, shall be recorded in the Public Records of Palm Beach County, Florida.

NOW, THEREFORE, the Articles of Incorporation of the Association be and are hereby amended in the particulars as stated in Exhibit "1" attached hereto; said amendments shall run with the real property known as VIA DEL MAR, A CONDOMINIUM and VIA DEL MAR II, A CONDOMINIUM and shall be binding on all parties having any right, title or interest in the said real property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof; and except as otherwise amended hereby, the foregoing documents shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENTS

WE HEREBY CERTIFY that the attached Amendments were duly adopted as Amendments to the Articles of Incorporation of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., and that a majority of the

THIS INSTRUMENT PREPARED BY: ✓ JAY STEVEN LEVINE, P.A.  
824 U.S. Highway One  
Suite 310  
North Palm Beach, FL 33408  
Tel: 305/626-4700

85243 P1069

Board of Administration at a duly scheduled and held meeting of the Board at which a Quorum was present; and that a majority of the voting interests of the entire membership of the Association at a duly scheduled and held meeting of the Owners at which a Quorum was present; did vote and approve same.

DATED this 13 day of March, 1987.

WITNESSES:

[Signature]  
[Signature]

VIA DEL MAR CONDOMINIUM ASSOCIATION, INC.

by: [Signature]  
PRESIDENT:

attest: [Signature]  
SECRETARY:

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

I HEREBY CERTIFY that on this 13 day of March, 1987, before me personally appeared Robert D. Clark and Ray Middleton, President and Secretary respectively, of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida not for profit Corporation, to me known to be the individuals and officers described in and who executed the aforesaid Certification as their free acts and deeds as such duly authorized officers; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal at Jupiter, in the County of Palm Beach, State of Florida, the day and year last aforesaid.

[Signature]  
NOTARY PUBLIC, State of Florida at  
Large

My Commission Expires:

/rvb  
A:VIAD052/.01

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. JAN. 6, 1989  
BONDED THRU GENERAL INS. UND.

85243 P1070

ORIGINAL COPY

EXHIBIT "1"

AMENDMENT TO ARTICLES OF INCORPORATION

1. Article V, Section 5.1 of the Articles of Incorporation shall be amended to provide as follows:

"ARTICLES V  
Board of Administration

5.1 ~~The Board of Administration shall consist of three (3), five (5), seven (7) or nine (9) persons, which number shall be determined by the Board of Directors no later than the date on which the Notice of the Annual Meeting is mailed to the Owners. If at the Annual Meeting, there are fewer candidates running for office than that number selected by the Board of Directors as aforesaid, then the Board shall consist of the following: That number of candidates running for office if the number is an odd number; and if an even number, then the largest odd number which is less than the number of candidates running for office. The first election of the Board of Administration shall not be held until the conditions of Florida Statutes 718.301 have been satisfied. Prior to such time the developer shall be entitled to appoint all members of the Board of Administration. Such members shall need not be members of the Association, or members' spouses."~~

2. Article IX, Section 9.2 of the Articles shall be amended to provide as follows:

"9.2 A resolution for the adoption of a proposed amendment may be proposed by the Board of Administration or by the members of the Association. ~~Directors not present in person and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing, providing such approval is delivered to received by the Secretary at or prior to the meeting of the Owners at which the Amendment is considered. Except as elsewhere provided:~~

(a) ~~such approvals must be by not less than a majority of the full Board of Administration and by the owners of not less than six (6) units, or not less than a majority of the voting interests of all members of the Association.~~

(b) ~~until the first election of the Board of Administration, only by all of the administrators."~~

/rvb

A:VIAD053.02

RECORDER'S MEMO: Legibility  
of Writing, Typing or Printing  
unsatisfactory in this document  
when received.

85243 P1071



JUN-23-1987 04:05pm 87-186704

This is

# State of Florida



## Department of State

I certify that the attached is a true and correct copy of the Articles of Amendment, filed on June 5, 1987, to Articles of Incorporation for VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida corporation, as shown by the records of this office.

The document number of this corporation is 749439.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 16th day of June, 1987.

George Firestone  
Secretary of State



CR2E022 (10-85)

BS326 P1480

Not Certified Copy

FIL  
JUN 5 12 '87  
SECRETARY  
TALLAHASSEE

CERTIFICATE OF AMENDMENT TO THE  
DECLARATIONS OF CONDOMINIUM OF VIA DEL MAR  
AND VIA DEL MAR II, BY AMENDING THE  
ARTICLES OF INCORPORATION OF  
VIA DEL MAR CONDOMINIUM ASSOCIATION, INC.,  
WHICH IS AN EXHIBIT TO EACH OF SAID DECLARATIONS

WHEREAS, the DECLARATION OF CONDOMINIUM OF VIA DEL MAR, A CONDOMINIUM ("DECLARATION"), together with Exhibits, was recorded on November 15, 1979 in Official Record Book 3175, Page 0725, Public Records of Palm Beach County, Florida, and was amended thereafter;

WHEREAS, the DECLARATION OF CONDOMINIUM OF VIA DEL MAR II, A CONDOMINIUM ("DECLARATION"), together with Exhibits, was recorded on December 4, 1981 in Official Record Book 3637, Page 1638, Public Records of Palm Beach County, Florida, and was amended thereafter;

WHEREAS, Article IX of the Articles of Incorporation, which are attached to each Declaration as an Exhibit thereto, together with Sections 617.017, 617.02 and 807.181, Florida Statutes, provides for amendment to the Articles of Incorporation by an approval of a majority of the Board of Administration, and an affirmative vote of a majority of the voting interests of the entire membership of the Association;

WHEREAS, a meeting of the Board of Directors was duly called and held on March 26, 1987, at which a majority of the Board of Administration did vote to amend the Articles of Incorporation in the various particulars set forth in Exhibit "1" attached hereto;

WHEREAS, a meeting of the Unit Owners of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., was held on March 26, 1987, at which a majority of the voting interests of the entire membership of the Association did vote to amend the Articles of Incorporation in the various particulars set forth in Exhibit "1" attached hereto;

WHEREAS, the Amendments to the Articles of Incorporation shall be filed with the Secretary of State; and this Certificate together with the amendments to the Articles of Incorporation certified by the Secretary of State, shall be recorded in the Public Records of Palm Beach County, Florida;

NOW, THEREFORE, the Articles of Incorporation of the Association be and are hereby amended in the particulars as stated in Exhibit "1" attached hereto; said amendments shall run with the real property known as VIA DEL MAR, A CONDOMINIUM and VIA DEL MAR II, A CONDOMINIUM and shall be binding on all parties having any right, title or interest in the said real property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof; and except as otherwise amended hereby, the foregoing documents shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENT

WE HEREBY CERTIFY that the attached Amendment was duly adopted as an Amendment to the Articles of Incorporation of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., and that a majority of the

Members hereof  
THIS INSTRUMENT PREPARED BY: ✓ JAY STEVEN LEVINE, P.A.  
824 U.S. Highway One  
Suite 310  
North Palm Beach, FL 33408  
Tel: 305/626-4700

85326 P1481



EXHIBIT "1"

AMENDMENT TO THE  
ARTICLES OF INCORPORATION OF  
VIA DEL MAR CONDOMINIUM ASSOCIATION, INC.

As used herein 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.

1. Article VIII of the Articles of Incorporation shall be amended to provide as follows:

"ARTICLE VIII

By-Laws

The first By-Laws of the Association shall be adopted by the Board of Administration and may be altered, amended or rescinded in the following manner provided by the By-Laws:

Section 8.1 Notice. Notice of the subject matter of a proposed amendment shall be included in the notice of the Owners' meeting at which the proposed amendment is to be considered by the Unit Owners.

Section 8.2 Resolution of Adoption. An amendment may be proposed either by the Board of Administration or by the Members of the Association. Except as may elsewhere be provided, an Amendment shall be adopted by not less than a majority of the full Board of Administration and by not less than a majority of the voting interests of the entire membership of the Association. Owners not present in person or by proxy at the meeting considering the Amendment may express their approval in writing, providing such approval is delivered to the Secretary within the time required by the By-Laws for the delivery of a Proxy. Directors not present at the Board meeting at which the Amendment is considered may express their approval in writing, providing such approval is delivered to the Secretary within the time required by the By-Laws for the delivery of a Proxy.

Section 8.3 Proviso.

8.3.1. No amendment shall discriminate against any unit owner nor against any unit or class or group of units so as to violate law.

8.3.2. No amendment shall be made that is in conflict with these Articles of Incorporation or the Declarations of Condominium.

8.3.3. This Article VIII shall supersede Article 8 of the By-Laws in all respects.

Section 8.4 Recording. A copy of each amendment shall be filed with the Secretary of State pursuant to the provisions of applicable Florida law, and a copy certified by the Secretary of State shall be recorded in the Public Records of Palm Beach County, Florida. The Association shall follow all other requisites of Section 617.018 and 617.019, Florida Statutes in force as of the date hereof. An Amendment shall be effective when such Certificate and a copy of the Amendment, together with joinder of any consents required in these Articles of Incorporation, are recorded in the Public Records of Palm Beach County, Florida."

B5326 P1483

CERTIFICATE OF AMENDMENT OF THE  
DECLARATION OF CONDOMINIUM OF  
VIA DEL MAR, A CONDOMINIUM

WHEREAS, the DECLARATION OF CONDOMINIUM OF VIA DEL MAR, A CONDOMINIUM was recorded in Official Record Book 3176, Page 0726, Public Records of Palm Beach County, Florida, and was amended thereafter;

WHEREAS, through scrivener's error by the Developer, the exhibits for the foundation plan, floor plan, elevation and wall sections and stairs for the C type units were never attached to the Declaration of Condominium;

WHEREAS, a meeting of the Board of Directors of the Association was held on August 8, 1988, which was duly noticed, at which there was a quorum and at which a majority of the entire Board of Directors did vote to correct the above-mentioned scrivener's error, and did thereby vote to amend the Declaration of Condominium in the various particulars as set forth in Exhibit "1" attached hereto;

WHEREAS, a Certificate of the surveyor attesting to the improvements as to the C type units as being substantially complete is attached to this Certificate;

WHEREAS, the amendments, the Certificate from the surveyor and this Certificate of Amendment shall be filed and recorded in the Public Records of Palm Beach County, Florida.

NOW, THEREFORE, the DECLARATION OF CONDOMINIUM OF VIA DEL MAR, A CONDOMINIUM is hereby amended in the particulars as stated in Exhibit "1" attached hereto; said amendments shall run with the real property known as VIA DEL MAR, A CONDOMINIUM, and shall be binding on all parties having any right, title, or interest in the said real property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof; and except as otherwise amended hereby, the Declaration of Condominium shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENTS

WE HEREBY CERTIFY that the attached Amendments were duly adopted as Amendments to the DECLARATION OF CONDOMINIUM OF VIA DEL MAR, A CONDOMINIUM and that a majority of the entire Board of Directors at a duly scheduled and held meeting at which a quorum was present; did vote and approve same.

DATED THIS 25<sup>th</sup> day of August, 1988.

WITNESSES:

VIA DEL MAR CONDOMINIUM ASSOCIATION  
INC.

Elizabeth Middleton

BY:

Ray F. Middleton  
PRESIDENT: RAY F. MIDDLETON

Donald R. Parker

ATTEST:

Lois E. Graffius  
SECRETARY: LOIS E. GRAFFIUS

THIS INSTRUMENT PREPARED BY:

LEVINE AND FRANK, P.A.  
3300 PGA Boulevard, Suite 800  
Palm Beach Gardens, FL 33410  
Telephone: (407) 626-4700



STATE OF NEW YORK )  
SUFFOLK )ss  
COUNTY OF MASSAU )

I HEREBY CERTIFY that on this 25<sup>th</sup> day of August, 1988, before me personally appeared RAY F. MIDDLETON, President of the VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit Corporation, to me known to be the individual and officer described in and who executed the aforesaid Certification as his free act and deed as such duly authorized officer; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal at Melville  
in the County of Suffolk, State of New York, the day and year last aforesaid.

*Handwritten: 100*  
SHERMAN A. BLOOMGARDEN  
NOTARY PUBLIC, State of New York  
No. 27,595,2100 - Suffolk County  
Com. Expires Nov. 29, 1988

Sheldon A. Bloomgard  
NOTARY PUBLIC, State of New York  
at Large

My Commission Expires:

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

I HEREBY CERTIFY that on this 25<sup>th</sup> day of August, 1988, before me personally appeared LOIS E. GRAFFIUS, Secretary of the VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit Corporation, to me known to be the individual and officer described in and who executed the aforesaid Certification as her free act and deed as such duly authorized officer; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal at Computer  
in the County of Palm Beach, State of Florida, the day and year last aforesaid.

Sheldon A. Bloomgard  
NOTARY PUBLIC, State of Florida  
at Large

My Commission Expires: 6/30/89



A:VIAD400.01-02

*Handwritten: COPY*

EXHIBIT "1"

AMENDMENTS TO THE DECLARATION OF CONDOMINIUM OF  
VIA DEL MAR, A CONDOMINIUM

As used herein 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.

-----  
1. The following provisions shall be added to Article 3.3 of the Declaration of Condominium:

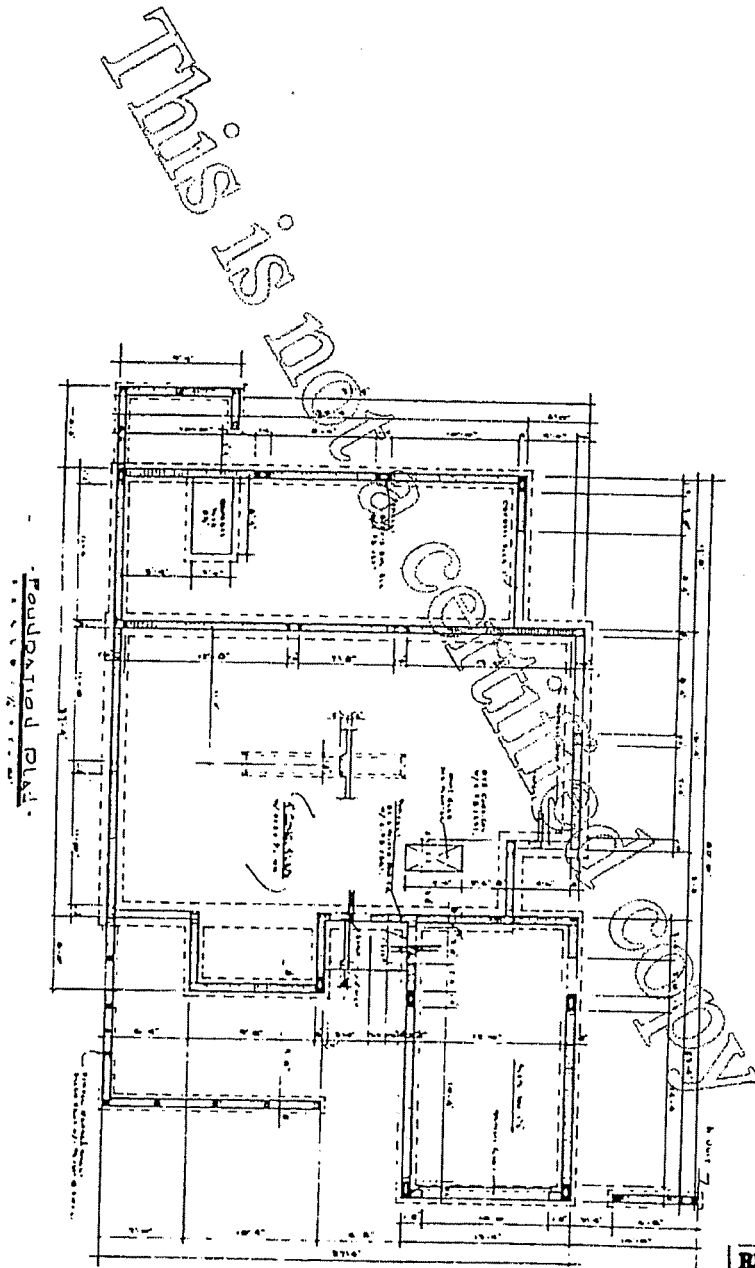
<u>"Foundation Plan for C type units</u>	<u>B-8</u>
<u>Floor Plans for C type units</u>	<u>B-9</u>
<u>Elevations for C type units</u>	<u>B-10</u>
<u>Wall Sections and Stairs for C type units</u>	<u>B-11"</u>

2. Attached hereto and made a part hereof are the exhibits for the foundation plan, floor plan, elevation, wall sections and stairs for the C type units, as to the C type units, numbered Exhibits B-8, B-9, B-10 and B-11; these Exhibits were erroneously omitted as a scrivener's error from the originally recorded Declaration of Condominium.

A:VIAD400.03



*Not Certified copy*

Foundation Plan for C-Type Unit



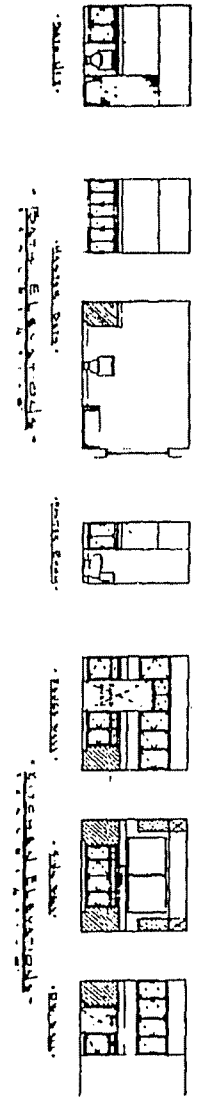
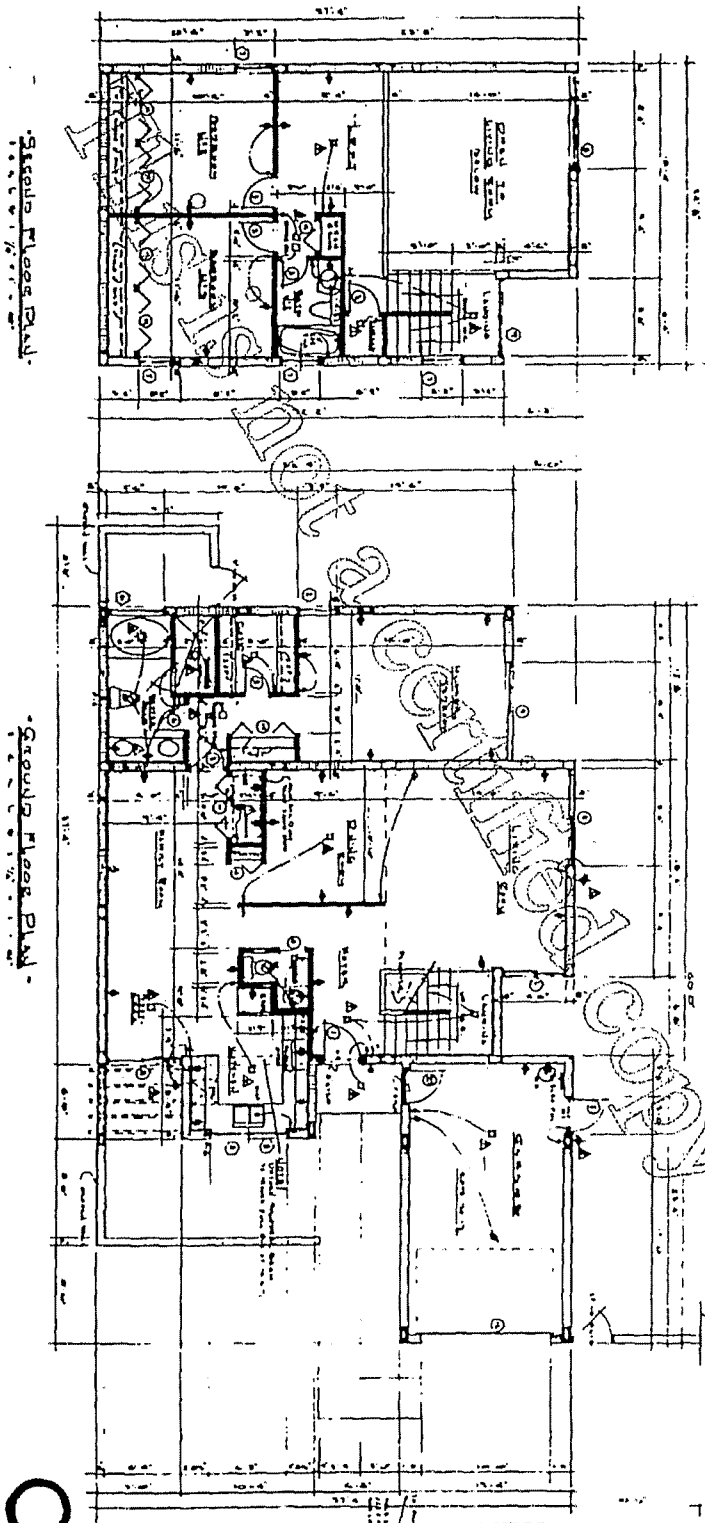
RECORDER'S MEMO: Legibility of Writing, Typing or Printing unsatisfactory in this document when received.

EXHIBIT B-8

<b>A-1</b>	78-03		<b>NORMAN N. ROBSON</b> architect	VIA DEL MAE Condominiums JUNICE FLORIDA		<table border="1"> <tr><td>DATE</td><td>FILED</td></tr> <tr><td> </td><td> </td></tr> </table>	DATE	FILED		
	DATE		FILED							
<small>THESE PLANS WERE FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF DADE COUNTY, FLORIDA, ON 7/24/78.</small>										



Floor Plans for C-Type Unit



**RECORDER'S MEMO: Legibility of Writing, Typing or Printing unsatisfactory in this document when received.**

EXHIBIT B-9

<b>A-2</b> 78-03 11/11/11	NORTAN N. ROBINSON architect		VIA DEL MAR CONDOMINIUMS	
	JUNICE		FLORIDA	

Elevations for C-Type Unit

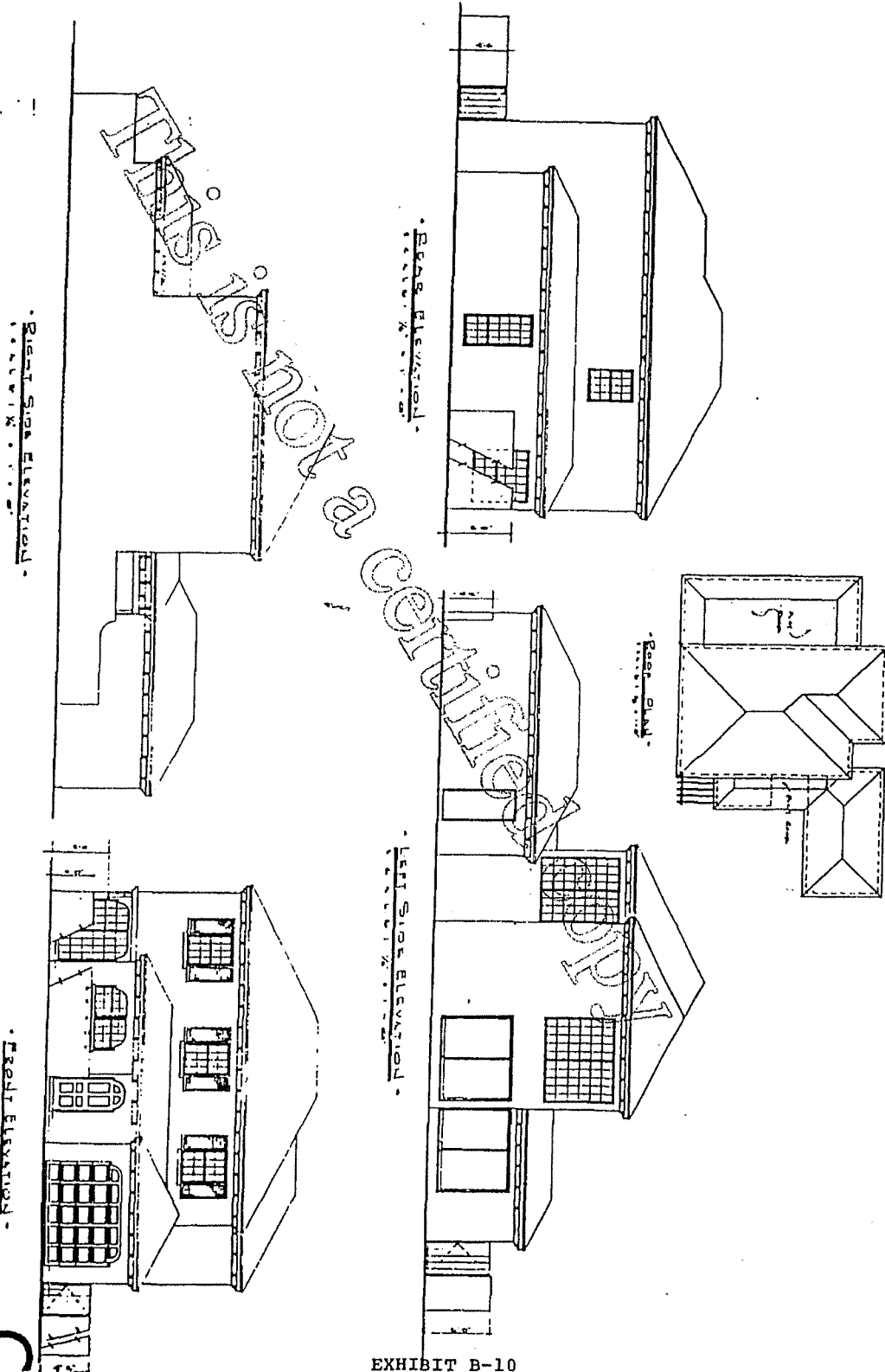




EXHIBIT B-10

<b>A-3</b>	78-03	NOJMAN N. ROHSON architect		VIA DEL MAE CONDOMINIUMS		<table border="1"> <tr> <td>DATE</td> <td>7/8/03</td> </tr> <tr> <td>BY</td> <td>WJR</td> </tr> <tr> <td>CHECKED</td> <td></td> </tr> <tr> <td>APPROVED</td> <td></td> </tr> </table>	DATE	7/8/03	BY	WJR	CHECKED		APPROVED	
	DATE	7/8/03												
BY	WJR													
CHECKED														
APPROVED														
				JULY 03	FLORIDA									

Wall Sections and Stairs for C-Type Unit

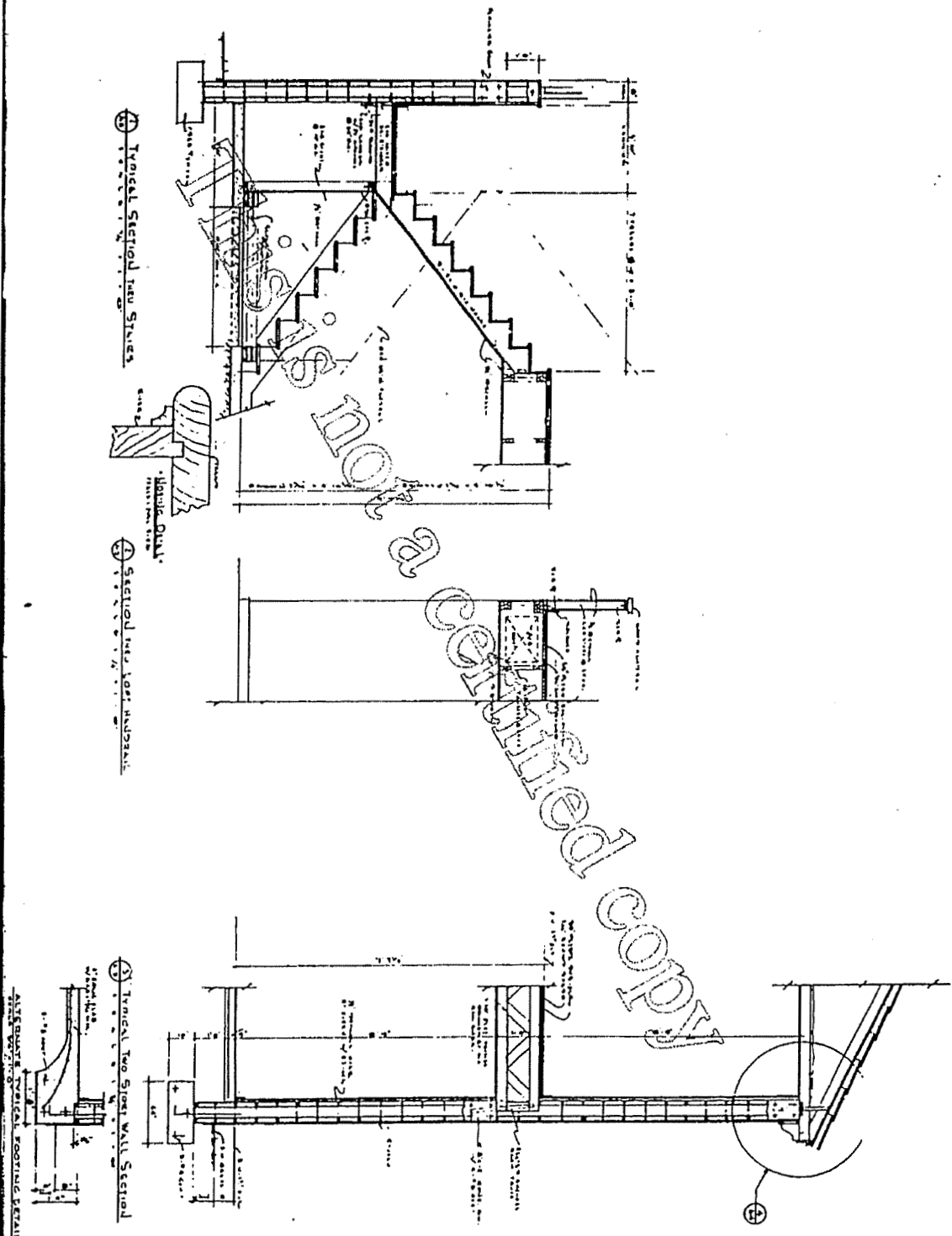


EXHIBIT B-11

<b>A-5</b> 78-03	<b>NORMAN N. ROYSON</b> Architect		VIA DEL MAR COLONY JUNIOR		FLORIDA	
	1000 SOUTH PALM BEACH BLVD., SUITE 100, PALM BEACH, FLORIDA 33480					

A F F I D A V I T

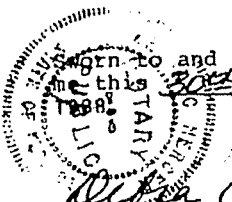
STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

BEFORE ME, the undersigned authority duly authorized to administer oaths and take acknowledgements, personally appeared S. DALE MONROE, who after being first duly cautioned and sworn, deposes and says as follows:

1. That he is a duly registered land surveyors under the laws of the State of Florida, being Surveyor No. 3956.
2. The construction of the improvements to comprise Phase containing Units 26, 35, 37, 38 and 59, of VIA DEL MAR, a condominium, described in Exhibits B-8, B-9, B-10 and B-11, is substantially complete, and the materials attached as Exhibits to the original Declaration of Condominium for VIA DEL MAR, as recorded on November 15, 1979, in Official Record Book 3175, Page 0725, of the Public Records of Palm Beach County, Florida, and the materials attached to the Amendment to said Declaration of Condominium, to which this certificate is affixed, together with the provisions of said Declaration of Condominium and the provisions of the Amendment to which this certificate is attached, are an accurate representation identification, location and dimensions of the common elements within the condominium and each unit within the condominium, can be determined from said materials.
3. Further Affiant Sayeth Naught.

*S. Dale Monroe*  
S. Dale Monroe  
Registered Land Surveyor,  
State of Florida No. 3956

AUG 30 1988



Sworn to and subscribed before me this 30th day of August, 1988.

*Wilton C. Mercer*  
Notary Public

My Commission Expires:  
NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES JULY 17, 1992  
BONDED THRU GENERAL INS. UND.

RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

Return to: (enclose self-addressed stamped envelope)

Name

Address

JUN-05-1991 03:54pm 91-158472

ORB 6847 Pg 1531

Property Appraisers Parcel Identification (Folio) Number(s):

**CERTIFICATE OF AMENDMENT TO THE  
DECLARATIONS OF CONDOMINIUM  
OF VIA DEL MAR AND VIA DEL MAR II**

WHEREAS, the DECLARATION OF CONDOMINIUM OF VIA DEL MAR, A CONDOMINIUM ("DECLARATION"), together with Exhibits, was recorded on November 15, 1979 in Official Record Book 3175, Page 0725, Public Records of Palm Beach County, Florida, and was amended thereafter.

WHEREAS, the DECLARATION OF CONDOMINIUM OF VIA DEL MAR II, A CONDOMINIUM ("DECLARATION"), together with Exhibits, was recorded on December 4, 1981 in Official Record Book 3637, Page 1538, Public Records of Palm Beach County, Florida, and was amended thereafter;

WHEREAS, Section 14.1 of each Declaration of Condominium provides that each Declaration of Condominium may be amended by not less than a majority of the entire membership of the Board of Administration and by the vote of not less than seventy-five (75%) percent of the voting interests of the members owning units in the particular Condominium;

WHEREAS, a meeting of the Board of Directors was held on May 16, 1991, at which there was a quorum and at which not less than a majority of the entire Board of Administration did vote to amend each of the Declarations of Condominium in the various particulars set forth in Exhibit "1" attached hereto;

WHEREAS, a meeting of the Unit Owners of the VIA DEL MAR CONDOMINIUM ASSOCIATION, INC. was held on March 21, 1991, at which there was a quorum and at which not less than seventy-five (75%) percent of the voting interests of the members owning units in each of the Condominiums did vote to amend the Declarations of Condominium in the various particulars set forth in Exhibit "1" attached hereto;

WHEREAS, this Certificate and the amendments shall be recorded in the Public Records of Palm Beach County, Florida.

NOW THEREFORE, the Declarations of Condominium are hereby amended in the particulars as stated in Exhibit "1" attached hereto; said amendments shall run with the real property known as VIA DEL MAR, A CONDOMINIUM and VIA DEL MAR II, A CONDOMINIUM and shall be binding on all parties having any right, title or interest in the said real property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof; and except as

THIS INSTRUMENT PREPARED BY:  
LEVINE AND FRANK, P.A.  
3300 PGA Blvd., Suite 800  
Palm Beach Gardens, FL 33410  
(407) 626-4700

This is a

otherwise amended hereby, the foregoing documents shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENTS

WE HEREBY CERTIFY that the attached Amendments were duly adopted as Amendments to the Declarations of Condominium of VIA DEL MAR and VIA DEL MAR II and that the proper number of Board and owners' votes approved same.

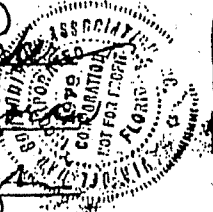
DATED this 16th day of May, 1991.

WITNESSES:

Paul A. Hensley  
Ray Middleton  
Elizabeth Middleton  
Miriam Kozlin

VIA DEL MAR CONDOMINIUM ASSOCIATION, INC.

By: Steven C. Butts President:  
Carole A. Parker Secretary:  
Harriet M. ... Vice President:  
James R. ... Treasurer



STATE OF FLORIDA )  
                          ) ss  
COUNTY OF PALM BEACH)

I HEREBY CERTIFY that on this 16th day of May, 1991, before me personally appeared Steven C. Butts, President, Carole A. Parker, Secretary, Harriet M. ..., Vice President and James R. ..., Treasurer respectively, of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida not for profit Corporation, to me known to be the individuals and officers described in and who executed the aforesaid Certificate as their free acts and deeds as such duly authorized officers; that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal at Jupiter, in the County of Palm Beach, State of Florida, the date and year last aforesaid.

Jacqueline A. Mahler  
NOTARY PUBLIC, State of Florida  
at Large

My Commission Expires Jan. 14, 1992  
Notary Public, State of Florida  
My Commission Expires Jan. 14, 1992

## EXHIBIT "1"

AMENDMENTS TO THE DECLARATIONS  
OF CONDOMINIUM OF VIA DEL MAR AND  
VIA DEL MAR II

1. A new Section 8.5 shall be added to the Declarations, which shall provide as follows:

## "8.5 Association Acquisition of Property.

- (1) The Association is empowered to acquire title to real property, whether by purchase or otherwise, by the approval of a majority of the voting interests of the members of the Association, without the need for a joinder of any mortgage. By the adoption of this amendment, the Association is hereby empowered to acquire title from the Developer to the following described property situated in Palm Beach County, Florida:

A parcel of land in Section 8, Township 41 south, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the intersection of the Easterly right-of-way line of U.S. Highway No. 1, as shown on Road Plat Book 2, page 110, Palm Beach County, Florida Public Records, with the South line of Government Lot 4 of said Section 8, run S 89 degrees 34 minutes 51 seconds E, along the South Line of said Government Lot 4, a distance of 795.00 feet; thence N 00 degrees 25 minutes 09 seconds E, a distance of 440.00 feet; thence S 89 degrees 34 minutes 51 seconds E, a distance of 428.75 feet to the POINT OF BEGINNING; continue S 89 degrees 34 minutes 51 seconds E, a distance of 56.24 feet; thence S 02 degrees 42 minutes 33 seconds W, a distance of 100.08 feet; thence N 89 degrees 34 minutes 51 seconds W, a distance of 52.24 feet; N 00 degrees 25 minutes 09 seconds E, a distance of 100.00 feet to the POINT OF BEGINNING.

- (2) The Association is hereby entitled to acquire title to personal property, whether by purchase or otherwise, by the vote of the Board of Directors alone.
- (3) This Section 8.5 of the Declaration shall not apply to any agreements or acquisition of interests under F.S. 718.114."

This

2. **SUBSTANTIAL REWORDING OF DECLARATION. SEE SECTION 11.3 FOR PRESENT TEXT.** Section 11.3 of the Declaration, entitled "Loud Vehicles or Machines" shall be deleted in its entirety and substituted with the following provisions:

**11.3. Vehicles and Parking.** The following restrictions apply:

- A. **Prohibited Vehicles or Items.** THIS SECTION A CONTAINS VEHICLES OR ITEMS, WHICH ARE PROHIBITED AND SHALL NOT BE ENTITLED TO PARK ON ANY AREA WITHIN THE CONFINES OF THE CONDOMINIUM PROPERTY OR ANY ASSOCIATION PROPERTY, INCLUDING THE GARAGES. HOWEVER, IF A VEHICLE OR ITEM IS LISTED IN SECTION B RIGHT BELOW, THEN IT IS ALLOWED NO MATTER WHAT IS STATED IN THIS SECTION A. THE PROHIBITED VEHICLES AND ITEMS, SUBJECT TO SECTION B BELOW, ARE AS FOLLOWS: Trucks, including pickup trucks; vans; recreation vehicles; mobile homes; motor homes; campers; buses; all terrain vehicles; off-road vehicles; go carts; three-wheel motorized vehicles; commercial vehicles; limousines; motorcycles; mopeds; dirt bikes; and other such motor vehicles; and boats and trailers.
- B. **Exceptions to A above.** The following vehicles shall not be subject to the parking restrictions contained in Section A above, and shall be entitled to park within the designated areas for parking within the Condominium and Association Property, subject to restrictions and provisions contained in Sections C through J below, and contained in the Rules and Regulations.
- (1) Vehicles, regardless of classification, necessary for the maintenance, care or protection of the Properties, during regular business hours, and only for the time period during which the maintenance, care or protection is being provided.
  - (2) Service and delivery vehicles, regardless of classification, during regular business hours and only for that period of time to render the service or delivery in question.
  - (3) Vehicles for the handicapped bearing identification as such by an applicable governmental authority.
  - (4) Certain vans which are permitted but only if they are parked in the garage of the Unit with the garage door closed. Subject to that provided above, a two-axle van as defined below which does not exceed the manufacturers' standard length, height and width of the particular van in a customized converted conditions; used for family or personal transportation



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and which is not a commercial vehicle as defined below; which contains at least two (2) rows of seating and windows(s) on each side of the vehicle adjacent to at least each of the first two (2) rows of seating; and which is or would be registered in the State of Florida as a passenger station wagon or any equivalent; shall be permitted to park on the Properties. The Association is permitted to make a presumption that the foregoing criteria are met, without the receipt of specific information or the vehicle registration, unless upon visual inspection of the vehicle, it is obvious that any of the criteria are not met. The owner or custodian of the vehicle shall submit to the Association, reasonable information and documentation (including title and/or registration) concerning the vehicle upon request.

- (5) A moving van shall be permitted to park on the Condominium Property, but only for the purpose of loading and unloading and at no time shall same park on any Condominium Property during the hours of 9:00 p.m. to 6:00 a.m.

c. Classifications and Definitions.

- (1) The most current edition of the N.A.D.A. Official Used Car Guide ("Guide") shall determine the classification of whether a vehicle is in fact a truck or van, or whether it is a passenger automobile. If the Guide does not contain reference to a particular vehicle, then the manufacturer's classification shall control. If publication of the Guide shall be discontinued, an equivalent publication shall be selected by the Board of Directors to be used to determine vehicle classifications. Except as otherwise provided as to certain vans under Section 11.3(B) above, a State registration or title classification shall have no bearing on determination of the classifications under this Section 11.3.
- (2) A "commercial vehicle" shall mean any motor vehicle which has an outward appearance of being used in connection with business, such as: the vehicle displays work equipment to view and/or is commercially lettered or contains a commercial or business logo.
- (3) A "truck" shall mean any motor vehicle which is classified as a truck in accordance with Section 11.3(C)(1) above.
- (4) A "van" shall mean any motor vehicle which is classified as a truck in accordance with Section

11.3(C)(1) above and which is recognized by the manufacturer to be a type of a van, and which has two (2) axles. Notwithstanding the foregoing to the contrary, a pick-up truck shall not be considered to be a van by the addition of a camper top or similar covering.

- D. All motor vehicles must be maintained as to not create an eyesore in the Community.
- E. No motor vehicle, including moving vans, shall be parked at any time on the grass/swales on the Condominium or Association Property (except for the landscaping equipment at the direction of the Board of Directors).
- F. Except where safety dictates otherwise, horns shall not be used or blown while a vehicle is parked, standing in or driving through parking areas and/or streets. Racing engines and loud exhausts shall be prohibited. No vehicle shall be parked with motor running.
- G. The following restrictions also apply:
- (1) No repair (including changing of oil) of a vehicle shall be made on the Condominium or Association Property except for minor repairs necessary to permit removal of a vehicle. However, washing or waxing of a vehicle is permitted.
  - (2) No motor vehicle which is of the type of vehicle which is unregistrable shall be driven or operated on any of the Condominium or Association Property at any time for any reason.
  - (3) No vehicle may be parked such that it blocks any sidewalk, except where otherwise necessary by moving vans and only for loading and unloading.
- I. Remedy of Towing. If upon the Association's provision of that notice required by Section 715.07, Florida Statutes, as amended from time to time, an offending vehicle owner does not remove a prohibited or improperly parked vehicle from the Condominium or Association Property, the Association shall have the option and right to have the vehicle towed away at the vehicle owner's expense. By this provision, each Owner and vehicle owner provides the Association with the necessary consent to effect the tow. In the event that the Association incurs an expense with the tow, and the vehicle owner fails to pay such costs upon demand, the Association shall have the right to levy a Charge for the costs against the Unit and Owner in question, that is, the Owner for himself/ herself as the owner of the vehicle or

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for his/her family, lessees, guests, employees, visitors, etc. as owner(s) of the vehicle (as such, the Unit Owner is liable for the vehicle violations of his/her family, lessees, guests, visitors, etc.); thereupon, the Charge shall be collected as follows: The Association shall invoice the Owner(s) concern for the costs incurred by the Association, which invoice shall be due and owing within 15 days after the date that the invoice was sent. In the event that the Owner(s) fail(s) to pay the invoice amount, the Association shall be entitled to file an action at law to recover the sums, and shall also be entitled to recover interest on the invoiced amounts at the highest rate which the law then allows on open accounts, as well as all costs and attorneys' and paralegal fees incurred by the Association in connection with collection. At no time shall these Charges be deemed an assessment under this Declaration or under Chapter 718, Florida Statutes.

J. Alternative/Concurrent Remedies. Whether or not the Association exercises its right to have the vehicle so towed, the Association shall nonetheless have the right to seek compliance with this Section 11.3 by injunctive and other relief through the courts; and/or any other remedy conferred upon the Association by law or the Declaration, Articles of Incorporation and By-Laws. The Association's right to tow shall in no way be a condition precedent to any other remedies available to the Association incident to the enforcement of this Section 11.3."

3. SUBSTANTIAL REWORDING OF DECLARATION. SEE SECTION 12.3 FOR PRESENT TEXT. Section 12.3 of the Declaration, entitled "Disapproval by Association" shall be deleted in its entirety and substituted with the following:

"12.3 Disapproval by Association

A. LEASE

1. Grounds for Disapproval. A proposed lease shall be disapproved only if a majority of the whole Board so votes, and in such case the lease shall not be made. Appropriate grounds for disapproval shall include, but not be limited to, any one or more of the following:
  - (a) The Owner is delinquent in the payment of assessments at the time the application is considered;
  - (b) The Owner has a history of leasing his/her Unit to troublesome lessees and/or refusing to control or accept responsibility for the occupancy of his Unit;

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- (c) The real estate company or agent handling the leasing transaction on behalf of the Owner has a history of screening lessee applicants inadequately or recommending undesirable lessees;
- (d) The application on its face appears to indicate that the person seeking approval and/or intended occupants intend(s) to conduct himself/themselves in a manner inconsistent with the covenants and restrictions applicable to the Condominium and/or Rules and Regulations of the Association;
- (e) The prospective lessee or other intended occupants have been convicted of a felony involving violence to persons or property, or a felony demonstrating dishonesty or moral turpitude;
- (f) The prospective lessee or other intended occupants have a history of conduct which evidences disregard for the rights and property of others;
- (g) The lessee or other intended occupants, during previous occupancy, have evidenced an attitude or disregard for the covenants and restrictions applicable to the Condominium and/or Rules and Regulations of the Association;
- (h) The lessee(s) or intended occupants have failed to provide the information or appearances required to process the application in a timely manner, or provided false information during the application process, or the required transfer fee is not paid; or
- (i) The Owner fails to give proper notice of his intention to lease his Unit to the Board of Directors.

2. Notice of Disapproval. Notice of disapproval shall be sent or delivered in writing to the Unit Owner and to the lessee.

B. Sale, Gift, Devise or Inheritance, Other Transfers.

- 1. Grounds for Disapproval - Good Cause. Approval by the Association as to proposed transfers of title by sale, gift, devise, inheritance or other transfers shall be withheld if a majority of the whole Board so

votes. Only the following may be deemed to constitute good cause for disapproval:

- This is Not*
- (a) The person seeking approval or intended occupants have been convicted of a felony involving violence to persons or property, or a felony demonstrating dishonesty or moral turpitude;
  - (b) The person seeking approval has a record of financial irresponsibility, including without limitation prior bankruptcies, foreclosures or bad debts;
  - (c) The application for approval on its face indicates that the persons seeking approval or intended occupants intend(s) to conduct himself/herselves in a manner inconsistent with the covenants and restrictions applicable to the Condominium and/or the Rules and Regulations of the Association;
  - (d) The person seeking approval or intended occupants have a history or disruptive behavior or disregard for the rights or property of others;
  - (e) The person seeking approval or intended occupants have evidenced an attitude of disregard for covenants or restrictions applicable to the Condominium and/or Rules and Regulations of the Association, by his conduct in this Condominium as a tenant, Owner or occupant of a Unit, or such attitude at the personal appearance before the Board or its designee; or
  - (f) The person seeking approval has failed to provide the information, fees or personal appearances required to process the application in a timely manner, or provided false information during the application process.

2. Without Good Cause. If the Board disapproves without good cause, and only if the Owner or transferee has made the demand set forth in Section 12.2(a)(1) above, then within thirty (30) days after the Board meeting at which the disapproval took place, the Board shall deliver in writing to the Owner or transferee (hereafter, "the seller") the name of an approved purchaser who will purchase the Unit upon substantially the same price and terms as in the

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disapproved sales contract. If no sales contract was involved, or if the Association challenges the contract price as not being a good faith purchase price, then the purchase price shall be paid in cash, and the price to be paid shall be determined by agreement, or in the absence of agreement, shall be the fair market value determined by the arithmetic average of appraisals by two MAI appraisers, one selected by the seller and the other by the Association. The cost of the appraisals, and all other closing costs in cases where no sales contract is involved, shall be shared equally by the buyer and seller, except that the purchaser shall pay for his own title insurance, and all costs of mortgage financing, real property taxes and Condominium Assessments and Charges shall be prorated for the year of closing and the parties shall bear their own attorneys' fees, if any. The closing shall take place no longer than sixty (60) days after the date of Board disapproval or thirty (30) days after determination of fair market value by appraisal, whichever occurs last. Failure to close by the seller shall constitute a breach of contract and shall entitle the purchaser to specific performance or damages. If the Board fails to deliver the name of the approved purchaser within thirty (30) days as required above, or if the approved purchaser defaults in his/her purchase, then the original proposed purchaser shall be deemed to be approved, despite the Board's former disapproval, and upon demand a Certificate of Approval shall be issued."

NOTICE REGARDING EFFECTIVE DATE: All Amendments are effective when recorded in the Public Records of Palm Beach County, Florida.

Except as otherwise amended hereby, the Declarations shall remain unchanged and in full force and effect.

DELMAR\proposal

*W. Avenue & Mark*

JUN-21-1991 03:57pm 91-176725

This instrument prepared by:  
Antonia L. Hulme, Esq.  
Scott, Royce, Harris, Bryan & Hyland, P.A.  
4400 PGA Boulevard, Suite 900  
Palm Beach Gardens, FL 33410

ORB 6866 Pg 507

91-176725  
10.00 Doc  
JOHN B DUNKLE, CLERK - PB COUNTY, FL .55

SPECIAL WARRANTY DEED

THIS INDENTURE, Made this 30th day of January, 1991, between J. RICHARD HARRIS, AS TRUSTEE, Grantor, and VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., Grantee, whose mailing address is:

1477 Via Miguel, Jupiter, Florida 33477

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, to him in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, the following described land, situate in the county of Palm Beach, State of Florida, to-wit:

A parcel of land in Section 8, Township 41 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the intersection of the Easterly right-of-way line of U.S. Highway No. 1, as shown on Road Plat Book 2, page 110, Palm Beach County, Florida Public Records, with the South line of Government Lot 4 of said Section 8, run S 89°34'51" E, along the South line of said Government Lot 4, a distance of 795.00 feet; thence N 00°25'09" E, a distance of 440.00 feet; thence S 89°34'51" E, a distance of 428.75 feet to the POINT OF BEGINNING; continue S 89°34'51" E, a distance of 56.24 feet; thence S 02°42'33" W, a distance of 100.08 feet; thence N 89°34'51" W, a distance of 52.24 feet; N 00°25'09" E, a distance of 100.00 feet to the POINT OF BEGINNING.

The above property was originally a proposed phase in VIA DEL MAR, a Condominium, according to that Declaration of Condominium recorded in Official Record Book 3175, page 725, Public Records of Palm Beach County, Florida. The Grantor determined not to add this property as a phase to said Condominium. A pool and recreation facility was constructed instead of a condominium unit and title remained in the Grantor and did not become a part of the Condominium.

Subject property does not now nor has ever constituted the homestead of Grantor.

AND the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons claim by, through or under him.

IN WITNESS WHEREOF, The said Grantor has executed this Special Warranty Deed the day and year first above written.

Signed, sealed and delivered in the presence of:

*Carol B. [Signature]*  
*Antonia L. Hulme*

*J. Richard Harris, as Trustee*  
J. RICHARD HARRIS, AS TRUSTEE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

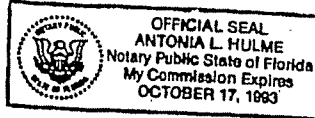
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state aforesaid and in the county aforesaid to take acknowledgments, personally appeared J. RICHARD HARRIS, AS TRUSTEE, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein described.

WITNESS my hand and official seal in the county and state aforesaid, this 30th day of January, 1991.

Antonia L. Hulme  
Notary Public  
My Commission Expires:

(Seal)

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RECORD VERIFIED  
PALM BEACH COUNTY, FLA  
JOHN B. DUNKLE  
CLERK OF DISTRICT COURT



11632

Prepared by and return to:  
ANTONIA L. HULME, ESQ.  
Scott, Royce, Harris, Bryan  
and Hyland, P.A.  
4400 P.G.A. Blvd., Suite 900  
Palm Beach Gardens, FL 33410

JUN-27-1991 08:38am 91-181416

ORB 6871 Pg 541

FILED

AMENDMENT OF DECLARATION OF CONDOMINIUM  
OF VIA DEL MAR II, A CONDOMINIUM

WHEREAS J. RICHARD HARRIS, as Trustee, has executed and filed for recording the Declaration of Condominium of Via Del Mar II (the "Declaration"), a Condominium recorded in Official Records Book 3637, page 1538, Public Records of Palm Beach County, Florida, which Condominium is located at 1605 U.S. Highway One, Jupiter, Florida 33450; and

WHEREAS, Via Del Mar II is a phase condominium as defined by Section 718.403 of the Florida Statutes and Section 5 of the Declaration of Condominium for Via Del Mar II; and

WHEREAS, Paragraph 14 of the Declaration of Condominium provides that the Declaration may be amended by the approval of not less than a majority of the Board of Administration and by the owners of not less than three-fourths (3/4) of the units in the Condominium; and

WHEREAS, the Developer, J. RICHARD HARRIS, as Trustee, has added or will add phases to the Condominium on dates different from the completion dates set forth in Section 5.3 of the Declaration of Condominium; and

WHEREAS, the parties hereto wish to approve and ratify the actions of the Developer in adding the phases to the Declaration of Condominium.

NOW, THEREFORE, the Declaration of Condominium is hereby amended as set forth herein.

Notwithstanding the schedule of completion dates set forth in Paragraph 5.3 of the Declaration of Condominium, the parties hereto hereby ratify, approve and consent to the previous amendments to the Declaration which added phases to the Condominium as follows:

<u>Phase Number</u>	<u>Unit Number</u>	<u>Completion Date</u>	
2	86	<del>December 31, 1991</del>	March 8, 1984
3	60	<del>December 31, 1983</del>	
4	61	<del>December 31, 1983</del>	
5	62	<del>December 31, 1983</del>	
6	63	<del>December 31, 1983</del>	
7	66	<del>December 31, 1983</del>	
8	67	<del>December 31, 1983</del>	January 25, 1984
9	68	<del>December 31, 1983</del>	March 29, 1984
10	69	<del>December 31, 1983</del>	
11	70	<del>December 31, 1983</del>	February 21, 1984
12	73	<del>December 31, 1983</del>	
13	74	<del>December 31, 1983</del>	November 7, 1984
14	75	<del>December 31, 1983</del>	January 25, 1984
15	76	<del>December 31, 1983</del>	
16	77	<del>December 31, 1983</del>	May 5, 1989
17	78	<del>December 31, 1983</del>	January 21, 1986
18	79	<del>December 31, 1983</del>	
19	80	<del>December 31, 1983</del>	
20	81	<del>December 31, 1983</del>	
21	82	<del>December 31, 1983</del>	
22	83	<del>December 31, 1983</del>	August 20, 1986
23	84	<del>December 31, 1983</del>	December 31, 1991
24	85	<del>December 31, 1983</del>	December 31, 1991

IN WITNESS WHEREOF, the undersigned have executed this Amendment, this 16<sup>th</sup> day of May, 1991.

Signed, sealed and delivered in the presence of:

VIA DEL MAR CONDOMINIUM ASSOCIATION, INC.

Elizabeth Middleton  
Ruth A. Hussey

BY: Steven P. Butte  
Its President

ATTESTED: Camela P. Parker  
Its Secretary

(CORPORATE SEAL)

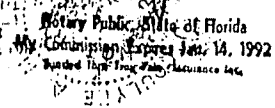


STATE OF FLORIDA  
COUNTY OF PALM BEACH

I HEREBY CERTIFY, that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Steven P. Butte and Camela P. Parker, as President and Secretary, respectively, of VIA DEL MAR CONDOMINIUM ASSOCIATION, INC., a Florida Corporation, and they acknowledged executing this instrument, freely and voluntarily, under authority duly vested in them by said Corporation and that the seal affixed thereto is the true corporate seal of said Corporation.

WITNESS my hand and official seal in the State and County last aforesaid, this 22 day of May, 1991.

Jacqueline A. M. [Signature]  
Notary Public  
My Commission Expires: Jan. 14, 1992



Signed, sealed and delivered in the presence of:

J. A. [Signature]  
Antonia Helma

J. Richard Harris, Trustee  
J. RICHARD HARRIS, as Trustee

STATE OF FLORIDA  
COUNTY OF PALM BEACH

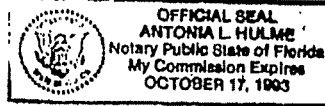
I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, J. RICHARD HARRIS, as Trustee, to me known to be the individual described in and who executed the foregoing instrument; and he acknowledged the execution thereof to be his free act and deed.

WITNESS my hand and official seal this 6<sup>th</sup> day of February, 1997.

Antonia L. Hulme  
Notary Public

My Commission Expires:

ALH/ob  
alh/17682/amend.01



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RECORD VERIFIED  
PALM BEACH COUNTY, FLA.  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT