

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OF SOMERSET BAY, A CONDOMINIUM

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WESTON REAL ESTATE INVESTMENT CORP., a Florida corporation, hereinafter called "Developer" in accordance with Article XII of the Declaration of Condominium of Somerset Bay, a Condominium (the "Declaration"), dated July 13, 2000, and recorded at Official Records Book 1408, Page 244, et. seq. of the Public Records of Indian River County, Florida, hereby amends the Declaration as follows:

1. Article X, Use Restrictions shall be amended by adding new subparagraph P., which shall read in its entirety as follows:

P. "Fire safety regulations and local fire department officials require a clear, unobstructed passageway between each elevator opening and emergency exit stairway at all times. Furthermore, access passage within each unit to an existing stairway shall not be obstructed by a door with a locking device. No doors within a unit shall have a locking device that locks against the direction of travel to an emergency exit stairway. Each unit owner shall maintain unobstructed access passageway to exit stairways. The doors between the units and the emergency exit stairwells may be locked in one direction of travel to prevent free access to the unit from the stairwell."

2. Article XI, Limitations Upon Right of Owner to Alter or Modify Unit shall be amended in its entirety as follows:

"No owner of a unit (other than the Developer) shall make any structural modifications or alterations of the unit. Further, no owner shall cause any improvements or changes to be made on or to the exterior of the unit buildings, including painting or other decoration, the installation of awnings, shutters, electrical wiring, air conditioning units and other things which might protrude through or to be attached to the walls of the unit building; further, no owner shall in any manner change the appearance of any portion of the unit building not wholly within the boundaries of his unit. The Board of Administration shall adopt specifications for any screens to be installed on any balcony or terrace of any unit. Any screens installed on or around any balcony or terrace shall comply with the specifications approved by the Board of Administration. The Board of Administration shall adopt hurricane shutter specifications for each building within each condominium operated by the Association which shall include color, style, and other factors deemed relevant by the board. All specifications adopted by the Board shall comply with the applicable building code. Notwithstanding any provision to the contrary in the condominium documents, if approval is required by the documents, the Board shall not refuse to approve the installation or replacement of hurricane shutters conforming to the specifications adopted by the Board. The installation, replacement, and maintenance of such shutters in accordance with the procedures set forth herein shall not be deemed a material alteration to the common elements within the meaning of the Condominium Act."

GARY B. FRESE, ESQ.
FRESE, NASH & HANSEN, P.A.
990 S. Harbor City Blvd., Suite 505
Melbourne, Florida 32901

IN WITNESS WHEREOF, the above-stated Developer has caused these presents to be signed and sealed on this 11 day of June, 2001.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Rudolph K. Weaver
Heather M. Yellon

DEVELOPER:

WESTON REAL ESTATE INVESTMENT
CORP., a Florida corporation

By: *John Genoni, Sr.*
John Genoni, Sr., President

(CORPORATE SEAL)

IN THE RECORDS OF
JEFFREY K. BARTON
CLERK CIRCUIT COURT
INDIAN RIVER CO., FLA.

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared JOHN GENONI, SR., President of WESTON REAL ESTATE INVESTMENTS CORP., a Florida corporation, personally known to me, and who executed the foregoing and acknowledged the execution thereof to be his free act and deed for the uses and purposes therein mentioned.

WITNESS my signature and official seal in the State and County last aforesaid on this 11 day of June, 2001.



Rudolph K. Weaver
Notary Public
State of Florida at Large
My Commission Expires:

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JOINDER

JOHN GENONI, TRUSTEE, owns a portion of the lands described in the Declaration of Condominium for Somerset Bay, a Condominium, and hereby consents to the foregoing First Amendment to Declaration in accordance with Section 718.104 of the Condominium Act.

IN WITNESS WHEREOF, JOHN GENONI, TRUSTEE has caused these presents to be signed this 11th day of June, 2001.

Leslie K. Weaver
Witness

John Genoni
JOHN GENONI, TRUSTEE

Heather M. Selton
Witness

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 11th day of June, 2001, by **JOHN GENONI, TRUSTEE**. He is personally known to me.



Leslie K. Weaver
Notary Public
State of Florida
My Commission Expires: