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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL



CERTIFICATE OF AMENDMENT

**DECLARATION OF RESTRICTIONS, LIMITATIONS, CONDITIONS AND
RESTRICTIONS FOR SABAL COVE, A SUBDIVISION**

**BYLAWS
SABAL COVE HOMEOWNERS ASSOCIATION, INC.**

We hereby certify that the attached amendment to the Declaration of Restrictions, Limitations, Conditions and Agreements for **SABAL COVE, A SUBDIVISION** (which Declaration was originally recorded at Official Records 2194, Page 731 *et seq.* of the Public Records of Sarasota County, Florida) and the amendments to the Amended and Restated Bylaws of the **SABAL COVE HOMEOWNERS ASSOCIATION, INC.** were duly adopted at the membership meeting of the Association held on December 9, 2019, by the affirmative approval of two-thirds (2/3) of the of the voting interest of the membership as to the Declaration amendment and by the approval of at least a majority of the members of the Association as to the Bylaws amendments, upon proposal of the Board of Directors, as required by Article XIII, Section 5 of the Declaration and Article XIV(d) of the Bylaws of the Association. The Association further certifies that the amendments were proposed and adopted as required by the governing documents and by Florida law.

DATED this 23RD day of JANUARY, 2019 20

Signed, sealed and delivered:
in the presence of:

**SABAL COVE HOMEOWNERS
ASSOCIATION, INC.**

sign Renee Odell

By: Cynthia M. Craig
Cynthia Craig, President

print Renee Odell

sign Viola Lerato

print Viola Lerato

sign Renee Odell

ATTEST:
By: [Signature]
Larry Linhart, Secretary

print Renee Odell

sign Viola Lerato

[Corporate Seal]

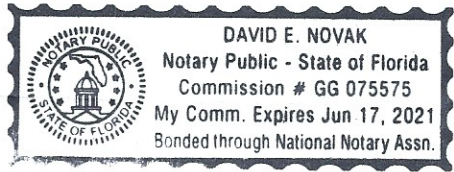
print Viola Levato

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 23rd day of JANUARY, 2019²⁰, by Cynthia Craig as President of Sabal Cove Homeowners Association, Inc., a Florida not for profit corporation, on behalf of the corporation. She is personally known to me or has produced _____ as identification.

My commission expires: 4/17/21

NOTARY PUBLIC



sign [Signature]

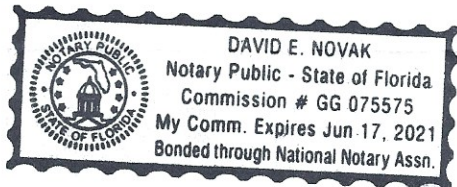
print DAVID E. NOVAK
State of Florida at Large (Seal)

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 23rd day of JANUARY, 2019²⁰, by Larry Linhart as Secretary of Sabal Cove Homeowners Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He is personally known to me or has produced _____ identification.

My commission expires: 6/17/21

NOTARY PUBLIC



sign [Signature]

print DAVID E. NOVAK
State of Florida at Large (Seal)

AMENDMENT

DECLARATION OF RESTRICTIONS, LIMITATIONS, CONDITIONS AND AGREEMENTS
FOR
SABAL COVE

{Additions are indicated by underline; deletions by ~~strike-through~~}

ARTICLE XIII
GENERAL PROVISIONS

...

5. **Amendment.** A majority of the Board of Directors of the Association may propose an amendment to the Declaration. Alternatively, at least ten (10) voting interests may propose an amendment to this Declaration, which Declaration amendment must then be submitted by the Association to the membership for a vote within ninety (90) days. This Declaration may be amended at any time and from time to time upon the approval of execution and recordation of an instrument executed by Owners holding not less than fifty-one percent (51%) two-thirds (2/3) of the eligible voting interest of the total Association membership (that is, at least 20 of the 38 voting interests) by votes cast by written agreement or at a duly-noticed membership meeting; provided, however, that so long as Developer is the owner of any lot or property affected by this Declaration no amendment will be effective without Developer's express written joinder and consent.

AMENDMENT

AMENDED AND RESTATED BYLAWS
SABAL COVE HOMEOWNERS ASSOCIATION, INC.

[Additions are indicated by underline; deletions by ~~strike-through~~]

ARTICLE VII – OFFICERS

7.06 Signing Authority. Only the President and the Treasurer, jointly or individually, are authorized to open bank accounts, make investments, make deposits and/or write checks on behalf of the Association. This authority extends to paper and electronic transactions. Transactions initiated by any Association Manager that the Association may employ from time to time may be approved by the President or the Treasurer. If an instance arises where under Florida State law a bank transaction may require two signatures, then both the President and the Treasurer may sign. If one of them is not available, then any other Officer may be the second signature.

Section 7.06. Signing Authority. Only the President, or in the event the President is unable to act the Vice President of the Association, is authorized to sign documents and contracts on behalf of the Association except to the extent that the Board of Directors has authorized a manager or other agent to sign or in the instance of Association checks, which shall require the signature of both the President and Treasurer, but in the absence of one or both of these Officers, by any other two Directors. It is the intent that all checks shall be signed by at least two persons as authorized herein.

ARTICLE X – FINANCES

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10.02. Accounting. Receipts and expenditures of the Association shall be credited and charged to accounts under the following general classifications, as shall be appropriate, all of which expenditures shall be common expenses:

(a) **Current Expenses.** Current expenses shall include all receipts and expenditures to be made within the year for which the funds are budgeted and may include a reasonable allowance for contingencies and working funds, except expenditures chargeable to Contingency reserves. The balance in this fund at the end of each year shall be applied to reduce the regular assessment for current expenses for the succeeding year or to fund Contingency reserves. The current expense classification shall be detailed and shall include, but not be limited to, the following sub-classifications where applicable:

- (i) Administration of the Association.
- (ii) Management fees.
- (iii) Maintenance.
- (iv) Insurance.
- (v) Security provisions.
- (vi) Operating capital.
- (vii) Contingency funds for advancement of special and service assessments.
- (viii) Other expenses.

(b) **Non-Statutory Reserves.** The annual budget of the Association provides for limited deferred expenditure accounts, including capital expenditures and deferred maintenance, which were created by the Board of Directors of the Association and not by the developer or by the lot owners. As such, they are not subject to Section 720.303(6), Florida Statutes. The Association's reserves are, therefore, not statutory reserves and are not subject to the restrictions on the use of such funds set forth in that statute nor are they reserves calculated and funded in accordance with that statute. However, the Association does generally maintain contingency reserve funds in amounts designed to provide for the deferred maintenance and other items outlined in our 2018 Reserve Study (Report #5125, Version 2 by Dreux Issac & Associates) as such report may be updated from time to time.

(c) **Contingency Reserves for Deferred Maintenance.** Contingency Reserves for deferred maintenance shall include funds for maintenance items which occur less frequently than annually.

(d) **Contingency Reserves for Capital Expenditures and Replacement.** Contingency Reserves for capital expenditures and replacement shall include funds for repair or replacement required because of damage, depreciation or obsolescence.

(e) **Additional Accounts.** The Board may establish additional reserve accounts for specifically authorized improvements, or other categories consistent with accepted accounting practices.