

OFFICIAL RECORDS

THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF OCEAN 21/22, a Condominium

THIS AMENDMENT is made as of this 3rd day of April, 1979, by OCEAN 21/22 ASSOCIATION, INC., a Florida not-for-profit corporation (hereinafter the "Association").

W I T N E S S E T H :

WHEREAS, A.W. HIRSHBERG, INC., a Florida corporation (hereinafter the "Developer"), executed and recorded that certain Declaration of Condominium of Ocean 21/22, a condominium, dated January 24, 1973 (hereinafter the "Declaration"), and recorded in Official Records Volume 3459, page 880, et seq., of the current public records of Duval County, Florida, whereby certain real property described in the Declaration, together with all improvements erected thereon, was submitted to condominium ownership as OCEAN 21/22, a condominium (hereinafter the "Condominium"); and

WHEREAS, the Declaration has been amended by amendment thereto, recorded November 26, 1973 in Official Records Volume 3622, page 394, et seq., of the current public records of Duval County, Florida, and

WHEREAS, the Declaration was further amended by Second Amendment dated December 28, 1976 under Clerk's Number 90 - 0141897, of the current public records of Duval County, Florida, and

WHEREAS, pursuant to Paragraph 12 of the Declaration, the Board of Directors unanimously adopted a proposed Amendment to

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amend Paragraphs 9.3 and 12.2(a) and (b) of the Declaration as hereinafter set forth; and

WHEREAS, that at the annual meeting of unit owners held on March 28, 1979, as continued and reconvened on April 3, 1979, 81.59% of the unit owners voted to approve amending Paragraph 9.3 and 75.98% of the unit owners approved amending Paragraph 12.2(a) and (b) as hereinafter set forth.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, receipt and adequacy of which is hereby acknowledged, the Association hereby amends the Declaration as follows:

1. The existing Section 9.3 is hereby amended to read as follows:

"9.3 Election to Purchase. If the unit owners holding at least sixty percent (60%) of the voting rights agree in writing before or at the meeting called as specified in Paragraph 9.2, to exercise the option to purchase or lease, the Association shall promptly give written notice to the selling or leasing unit owner. Such purchase or lease by the Association shall be closed within forty-five (45) days thereafter upon the same terms as proposed in the notice. The Board of Directors shall have authority to make such mortgage or other financing arrangements and to make such assessments proportionately among the unit owners, and to do all other acts as may be deemed necessary to close and consummate the purchase or lease of the Condominium parcel by the Association."

2. The existing Section 12.2 is hereby amended to read as follows:

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"12.2 Resolution of Adoption. A resolution adopting a proposed amendment may be proposed by either the Board of Directors or by the members of the Association. Directors 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 the Secretary at or prior to the meeting. Except as elsewhere provided, such approvals must be by: (i) not less than sixty percent (60%) of the votes of the entire membership of the Board of Directors and by not less than sixty percent (60%) of the votes of the entire membership of the Association, or (ii) by not less than sixty percent (60%) of the votes of the entire membership of the Association."

3. Except as herein amended, all terms and provisions of the Declaration and First Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the Association has caused this amendment to be duly executed under seal the day and year first above written.

Signed, Sealed & Delivered
in the presence of:

Ocean 21/22 Association, Inc.,
a Florida Corporation

Patricia Y. Howard
Margaret L. Lopez

By: Douglas L. Howard
Its:

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STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 27th day of December, 19 90, by Walter S. Howard, who was the President of OCEAN 21/22 ASSOCIATION, at time of adoption of hereinabove, and executed said Amendment on behalf of the corporation.

Margaret L. Lopez
Notary Public, State of Florida

My Commission expires:

NOTARY PUBLIC, STATE OF FLORIDA
My Commission Expires April 19, 1993



JOINDER AND CONSENT

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The undersigned, Edward J. Jazgarino currently President of Ocean 21/22 Association, Inc., hereby acknowledges on his behalf and on behalf of the Board of Directors, that the above Third Amendment is being recorded at this time with the knowledge and consent of the current Board of Directors, for the purposes set forth therein.

IN WITNESS WHEREOF, the undersigned sets its seal this 27th

day of December, 1990.

Signed, Sealed & Delivered
in the presence of:

Ocean 21/22 Association, Inc.
a Florida corporation

By: Edward J. Jazgarino
Its: President

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 27th day of December, 1990 by Edward J. Jazgarino, as President of Ocean 21/22 Association, Inc., at Jacksonville Beach, Duval County, Florida, on behalf of the corporation.

Margaret L. Lopez
Notary Public, State of Florida

My Commission expires:

NOTARY PUBLIC, STATE OF FLORIDA
My Commission Expires April 19, 1993

90 DEC 31 PM 1:44

RECORD VERIFIED

John Hernandez
Margaret L. Lopez

90-0141898

FILED AND RECORDED
IN PUBLIC RECORDS
OF DUVAL COUNTY FLA