

AMENDMENT TO DECLARATION OF RESTRICTIONS

283281

FOR

LOTS IN THE LANDINGS - UNIT ONE

O.R. 1588 PS 1497

WHEREAS, THE LANDINGS DEVELOPMENT COMPANY, a Florida corporation, heretofore recorded a document entitled "Declaration of Restrictions for Lots in The Landings - Unit One," together with exhibits thereto, in Official Records Book 1372, page 1269, Public Records of Sarasota County, Florida; and

WHEREAS, THE LANDINGS DEVELOPMENT COMPANY, as the holder of all rights of Developer under said Declaration, desires to amend said Declaration; and

WHEREAS, said Declaration reserves unto Developer the right to amend said Declaration, provided all such amendments reasonably conform to the general purposes of the covenants and restrictions set forth therein; and

WHEREAS, The Landings Development Company wishes to further insure the proper improvement and appropriate usage of the lots contained in this subdivision for the benefit and protection of the subdivision, Developer, and the purchasers of lots in the subdivision,

NOW, THEREFORE, pursuant to the rights of Developer reserved in Article XII, Paragraph 4, of said Declaration, THE LANDINGS DEVELOPMENT COMPANY hereby amends Article III, Paragraphs 2, 3 and 5; and Article IV, Paragraphs 5, 9 and 20, of said Declaration to read as follows:

ARTICLE III

ARCHITECTURAL CONTROL

2. "Preliminary Drawings. In order to facilitate the preparation and ultimate approval of construction and landscaping plans, a lot owner must submit preliminary drawings and specifications to Developer prior to the preparation and submission of the final working drawings and specifications, and Developer agrees to review and indicate its approval, disapproval or recommendation on the matters reflected thereon."

3. "Submission of Plans. Two complete sets of all plans and specifications for any improvement or structure proposed for any lot in this subdivision must be submitted to and approved by Developer prior to the commencement of construction or placement of such improvement. A landscaping plan must include: (a) a landscaping scheme; (b) a listing of the plant stock included in the scheme; and (c) the size of such stock at the time of

Return:

Prepared By: Paul D. Beldich
Williams, Parker, Harrison, Dietz & Getzen
1800 Pitting Boulevard, P.O. Box 3258
Sarasota, Florida 33578

planting. A minimum of four shade trees must be included in the landscaping plan. A site plan shall include a designation of the location, diameter and species of all existing trees and a designation of all trees to be removed. In addition, Developer requires submission of plans for the grading of any lot and plans reflecting the proposed elevation of the floor slab of any structure to be built on such lot. Any increase in the elevation of the existing grade of a lot shall be accomplished by the lot owner so as to not increase the surface water runoff from such lot onto neighboring properties. Whenever required by Developer, the owner of such lot shall also furnish a drainage plan for his lot. Developer may also require submission of samples of building materials proposed for use on any lot and may require such additional information as reasonably may be necessary for Developer to completely evaluate the proposed structure or improvement."

5. "Approval Fees. A fee of \$100.00 shall be paid to Developer for reviewing final plans and specifications submitted to it for approval. The Developer may provide for additional fees for the review of any resubmitted plans and specifications. All such fees shall be payable to Developer, in cash, at the time that the final plans and specifications are submitted or resubmitted to Developer."

ARTICLE IV

BUILDING AND USE RESTRICTIONS

5. "Setback Line. No dwelling, building or other structure (which shall be deemed to include a porch, veranda, garage, pool cage, lanai, screen enclosure, and the like) shall be erected or placed upon any part of a lot such that any portion of said dwelling, building or structure (including eaves or overhangs) encroaches on any easement denoted on the plat of this subdivision or on any easement reserved unto or granted by Developer under the provisions of this Declaration or the aforesaid Declaration of Maintenance Covenants and Restrictions for

The Landings or such that any portion is closer than 30 feet to any portion of the front lot line (street line), within 10 feet from any side lot line, or within 20 feet from the rear lot line, or within 20 feet of the top of the bank of any lake, pond, or other body of water. No building shall be erected on a corner lot so that the setback from the street on which the building faces is less than 30 feet or so that the setback from the side street is less than 20 feet. Notwithstanding any of the above, terraces, patios, low platforms or steps, decks, swimming pools and similar low, open, unroofed and unscreened construction may be erected within the setback areas, provided that such construction: (1) does not encroach on any of the aforesaid easements, (2) in the opinion of Developer, does not interfere with the exposure or view or reasonable privacy of adjoining or facing properties, and (3) is otherwise approved by Developer."

9. "Screening of Air Conditioner Compressors, Garbage Containers, Clothes Drying Area, Pool Equipment Area, and Other Such Equipment Areas. All garbage or trash containers must be located underground or placed within totally enclosed or screened areas. No portion of any lot shall be used as a drying or hanging area for laundry of any kind unless the area is shielded from public view by walls or fences. Such walls or fences must be attached to or adjoin the dwelling house and must not exceed 6 feet in height. No window or wall air conditioning units shall be permitted on any lot without the written approval of Developer. Air compressors and fans located outside a building shall be similarly screened from view and buffered by walls or shrubbery so as to reduce the noise level resulting from operation thereof. Pool equipment and other such mechanical equipment shall be screened or fenced from view in a similar manner."

20. "Signs. No sign of any kind shall be displayed to public view on any lot except as follows:

O.R. 1588 PG 1500

(a) Individual, ornamental house name or number plates may be displayed.

(b) One temporary sign not exceeding 24" x 24" utilized in connection with the sale of a lot may be displayed on such lot. The color, format, nature, content, and location of such sign shall be subject to the written approval of Developer.

(c) During the course of construction on a lot, a construction sign not more than 24" x 24" in size identifying the builder may be displayed on the lot. The color, format, nature, content, and location of such sign shall be subject to the written approval of Developer. Such sign shall be promptly removed upon the issuance of a certificate of occupancy.

(d) Other signs may be displayed if such signs are approved by Developer as to size, design, location and content."

IN WITNESS WHEREOF, THE LANDINGS DEVELOPMENT COMPANY has caused this instrument to be signed in its name this 17 day of May 1983.

RECORDED
MAY 25 11 09 AM '83
SARASOTA COUNTY, FLA
283281

Signed, sealed and delivered in the presence of:

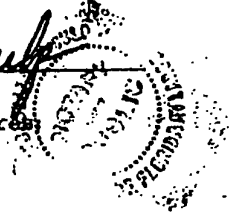
Jacques D. Culp
Dana D. ...

THE LANDINGS DEVELOPMENT COMPANY
By: Ronald K. Drews
Ronald K. Drews,
President

STATE OF FLORIDA
COUNTY OF SARASOTA

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 17 day of May 1983 by RONALD K. DREWS as President of THE LANDINGS DEVELOPMENT COMPANY, a Florida corporation, on behalf of the corporation.

Jacques D. Culp
Notary Public
My Commission Expires 3/16/87



03
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will

CERTIFICATE OF
AMENDMENT TO
THE ARTICLES OF INCORPORATION
OF
THE LANDINGS HOMEOWNERS ASSOCIATION, INC.**

The undersigned, as President of THE LANDINGS HOMEOWNERS ASSOCIATION, INC., hereby certifies that the attached "Articles of Amendment to The Articles of Incorporation of The Landings Homeowners Association, Inc.," have been duly adopted pursuant to the provisions of the Articles of Incorporation and Bylaws of said corporation.

WITNESS my hand and seal this 19th day of March, 1990.

THE LANDINGS HOMEOWNERS ASSOCIATION,
INC.

By: Robert K. Greenfield
Robert K. Greenfield
As its President

[CORPORATE SEAL]

Witnesses:

Gail Childers

Arntson & Harrison

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned authority, personally appeared ROBERT K. GREENFIELD, as President of The Landings Homeowners Association, Inc., to me known to be the person described in and who executed the foregoing instrument, and he acknowledged before me that he executed it in the name of and for that corporation, affixing its corporate seal, and that he was duly authorized by that corporation to do so.

WITNESS my hand and official seal in the County and State above named this 19th day of March, 1990.

Gail Childers
Notary Public
My commission expires:
Notary Public State of Florida at Large
My Commission Expires April 30, 1990
Bonded by U.S. Fire Insurance Co.

THIS INSTRUMENT PREPARED BY:
J. Kevin Drake, Esq.
Kannensohn, Drake & Watrous, P.A.
1343 Main Street, 2nd Fl.
Sarasota, FL 34236 ✓

LHOA. COA
** As per Declaration of Restrictions For Lots In the Landings - Unit 1 recorded in O.R. Book 1372, Page 1269, and Articles of Incorporation of The Landings Homeowners Association, Inc. recorded in O.R. Book 1372, Page 1291, both of the Public Records of Sarasota County, Florida.

State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Amendment, filed on June 14, 1990, for THE LANDINGS HOMEOWNERS ASSOCIATION, INC., a corporation organized under the laws of the State of Florida, as shown by the records of this office.

The document number of this corporation is 750579.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
29th day of June, 1990.



Jim Smith
Jim Smith
Secretary of State

CF2E022 (8-89)

ARTICLES OF AMENDMENT
TO
THE ARTICLES OF INCORPORATION
OF
THE LANDINGS HOMEOWNERS ASSOCIATION, INC.

90 JUN 14 PM 1:42
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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** OFFICIAL RECORDS **
BOOK 2225 PAGE 2106

Pursuant to the Articles of Incorporation and Bylaws of THE LANDINGS HOMEOWNERS ASSOCIATION, INC., a corporation not-for-profit under the laws of the State of Florida, incorporated January 11, 1980, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation.

FIRST: The name of the corporation is:

THE LANDINGS HOMEOWNERS ASSOCIATION, INC.

SECOND: The following amendments to the Articles of Incorporation were adopted by the corporation:

A. Article IV is hereby deleted and the following is substituted therefor:

ARTICLE IV

Members

The members of this Association shall consist of all of the owners of Lots 1-60, inclusive, and Lots 70-229, inclusive, in the Subdivision. Owners of such lots shall automatically become members upon acquisition of the fee simple title to their respective lots, subject to the requirements as to a written membership application, payment of an application fee, and a personal interview, as determined by the Board of Directors. Owners of Lots 61-69, inclusive, in the Subdivision shall not be members of this Association.

The membership of any member in the Association shall

automatically terminate upon conveyance or other divestment of title to such member's lot, except that nothing herein contained shall be construed as terminating the membership of any member who may own two or more lots so long as such member owns at least one lot.

The interest of a member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner, except as an appurtenance to the lot which is the basis of his membership in the Association.

The Secretary of the Association shall maintain a list of the members of the Association. Whenever any person or entity becomes entitled to membership in the Association, it shall become such party's duty and obligation to so inform the Secretary in writing, giving his name, address and lot number; provided, however, that any notice given to or vote accepted from the prior owner of such lot before receipt of written notification of change of ownership shall be deemed to be properly given or received. The Secretary may, but shall not be required to, search the Public Records of Sarasota County or make other inquiry to determine the status and correctness of the list of members of the Association maintained by him and shall be entitled to rely upon the Association's records until notified in writing of any change in ownership.

B. Article VI, paragraph D is hereby deleted and the following is substituted therefor:

D. All directors shall serve for terms of two years in

accordance with the provision of the By-laws, except that one less than a majority of the directors elected in 1990 shall serve for one year. The terms shall be staggered thereafter, a bare majority to expire in even-numbered years and one less than a majority in odd-numbered years.

THIRD: The amendments were adopted by the Board of Directors on the 21st day of December, 1989.

THE LANDINGS HOMEOWNERS ASSOCIATION,
INC.

By: Robert K. Greenfield
Robert K. Greenfield
As its President

P. : Stanley Lampert
Stanley Lampert
As its Secretary

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned authority, personally appeared Robert K. Greenfield, to me well known to be the person who executed the foregoing Articles of Incorporation and acknowledged before me, according to law, that he made and subscribed the same for the purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 19th day of March, 1990.

Bois Childers
Notary Public
My commission expires:
Notary Public State of Florida at Large
My Commission Expires April 30, 1990
Bonded by U.S. Fire Insurance Co.

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned authority, personally appeared Stanley Lampert, to me well known to be the person who executed the foregoing Articles of Incorporation and acknowledged before me, according to law, that he made and subscribed the same for the purposes therein mentioned and set forth.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 30 day of March, 1990.

Catherine Blake
Notary Public
My commission expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. OCT. 31, 1993
BONDED THRU GENERAL INS. UND.

RECORDED IN OFFICIAL
RECORDS
JUN 12 11 19 AM '90
KATHLEEN J. ...
CLERK OF DISTRICT COURT
SARASOTA COUNTY, FL.

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OFFICIAL RECORDS **
BOOK 2391
PAGE 49

CERTIFICATE OF AMENDMENT TO THE
ARTICLES OF INCORPORATION AND BYLAWS

OF

THE LANDINGS HOMEOWNERS ASSOCIATION, INC.

(a Corporation not for profit under the laws of the State of Florida, as per Declaration of Restrictions for Lots In the Landings - Unit 1, Articles of Incorporation and Bylaws recorded at Official Records Book 1372, beginning at Page 1269, of the Public Records of Sarasota County, Florida)

THE UNDERSIGNED, as President of THE LANDINGS HOMEOWNERS ASSOCIATION, INC., a corporation not for profit under the laws of the State of Florida, hereby certifies that the attached "Articles of Amendment to The Articles of Incorporation of The Landings Homeowners Association, Inc." and the attached "Articles of Amendment to the Bylaws of The Landings Homeowners Association, Inc." have been duly adopted pursuant to the provisions of the Articles of Incorporation and Bylaws of said Corporation.

WITNESS my hand and seal this 17th day of MARCH, 1992.

WITNESSES:

[Signature]
[Signature]

THE LANDINGS HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit

By: [Signature]
Richard M. Stern, as its President
[CORPORATE SEAL]

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned authority, personally appeared RICHARD M. STERN, as President of The Landings Homeowners Association, Inc., a Florida corporation not for profit, who is personally known to me or who has produced _____ as identification and who did take an oath, who executed the foregoing instrument, and he acknowledged before me that he executed it in the name of and for that corporation, affixing its corporate seal, and that he was duly authorized by that corporation to do so.

WITNESS my hand and official seal in the county and state named above this 25 day of March, 1992.

THIS INSTRUMENT PREPARED BY:
UPON RECORDING RETURN TO:
J. Kevin Drake, Esq.
1343 Main Street, Ste. 204
Sarasota, FL 34236

LHOA.COA

[Signature]
Print Name: ALLI J. WANKER
Notary Public
My commission expires:
[SEAL]

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: March 30, 1993
BONDED 10000 NOTARY PUBLIC LIABILITY

State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Amendment, filed on April 6, 1992, to Articles of Incorporation for THE LANDINGS HOMEOWNERS ASSOCIATION, INC., a Florida corporation, as shown by the records of this office.

The document number of this corporation is 750579.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
14th day of April, 1992.



Jim Smith

Jim Smith
Secretary of State

CR2EO22 (2-91)

OFFICIAL RECORDS **
PAGE 50

ARTICLES OF AMENDMENT TO THE
ARTICLES OF INCORPORATION
OF
THE LANDINGS HOMEOWNERS ASSOCIATION, INC.

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92 APR -6 PM 2:01
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

OFFICIAL RECORDS **
BOOK 2391 PAGE 51

Pursuant to the Articles of Incorporation and Bylaws of THE LANDINGS HOMEOWNERS ASSOCIATION, INC., a corporation not-for-profit under the laws of the State of Florida, incorporated January 11, 1980, the undersigned corporation adopts the following Amendments to its Articles of Incorporation:

FIRST: Article II D is deleted in its entirety.

SECOND: Article VI is deleted in its entirety and the following is substituted therefor:

ARTICLE VI

BOARD OF DIRECTORS

A. The affairs of the Association shall be managed by a Board of Directors consisting of Seven (7) Directors. The number of Directors comprising succeeding Boards of Directors shall be as provided from time to time in the Bylaws of the Association, but in no event shall there be less than three (3) or more than nine (9) Directors. The Directors shall be members of the Association, but need not be residents of the State of Florida.

B. All Directors shall be elected by the members. Elections shall be by plurality vote. Any elected Director may be removed from office with or without cause by majority vote of the members but not otherwise.

C. All directors shall serve for terms of two years in accordance with the provision of the Bylaws, except that one less than a majority of the directors elected in 1990 shall serve for one year. The terms shall be staggered thereafter, a bare majority to expire in even-numbered years and one less than a majority in odd-numbered years.

THIRD: Article VII B is deleted in its entirety.

FOURTH: Article X is deleted in its entirety and the following is substituted therefor:

ARTICLE X

AMENDMENT TO ARTICLES OF INCORPORATION

Amendment to these Articles may be proposed by a resolution of the Board of Directors and presented to the members for approval. No amendment of these Articles shall be effective without approval of at least two-thirds majority vote of the members represented at any meeting of the members duly called and at which a quorum is present.

FIFTH: Article XI is deleted in its entirety and the following is substituted therefor:

ARTICLE XI

OFFICE AND AGENT

The Corporation may maintain offices and transact business in such places within or without the State of Florida as may from time to time be designated by the Board of Directors. The Registered Agent of the Corporation shall be designated by the Board of Directors.

SIXTH: Article XIII is deleted in its entirety and the following is substituted therefor:

ARTICLE XIII

THE LANDINGS MANAGEMENT ASSOCIATION, INC.

A. All of the lots subject to assessment by this Association are also subject to assessment by The Landings Management Association, Inc. ("Management Association"). It shall be the duty of this Association, as a neighborhood property owners' association pursuant to the provisions of the Declaration of Maintenance Covenants, to perform duties as may be assigned to it under the terms of said Declaration of Maintenance Covenants, in accordance with the procedures stated therein.


B. The Association shall be represented in the affairs of the Management Association by the President of the Association and/or such other officers, directors, or

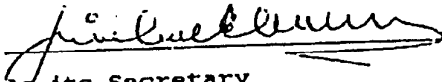
members from time to time designated by the Board of Directors. The aforesaid representatives of the Association shall not consent, on behalf of the Association, to any (1) amendment of said Declaration of Maintenance Covenants; or (2) any amendment to the Articles of Incorporation or Bylaws of the Management Association; or (3) any agreement, if such amendment or agreement shall substantially alter the financial relationship or reallocate maintenance obligations between the Association and the Management Association, or which alters voting rights of the Association's representatives to the Management Association, without first having obtained approval of said amendment or agreement by at least two-thirds majority vote of the members at any meeting of the members duly called and at which a quorum is present.

SEVENTH: Article XIV is deleted in its entirety.

The foregoing amendments were adopted by the Board of Directors on the 26 day of March, 1992 and were approved by a majority vote of the members, which is a sufficient number to approve the amendment.

THE LANDINGS HOMEOWNERS ASSOCIATION, INC., a Florida corporation not-for-profit

By: 
Richard M. Stern
As its President
[CORP. SEAL]

By: 
As its Secretary

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned authority, personally appeared RICHARD M. STERN, well known to me or who produced as identification, to be the person who executed the foregoing Articles of Incorporation and acknowledged before me, according to law, that he made and subscribed the same for the purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26 day of March, 1992.

Ali J. Wanner
Print Name: ALI J. WANNER
Notary Public
My commission expires:

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: March 30, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned authority, personally appeared _____, to me well known or who produced as identification, to be the person who executed the foregoing Articles of Incorporation and acknowledged before me, according to law, that he made and subscribed the same for the purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26 day of March, 1992.

Ali J. Wanner
Print Name: ALI J. WANNER
Notary Public
My commission expires:
[SEAL]

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: March 30, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

LHOA.AOA

ARTICLES OF AMENDMENT TO THE
BYLAWS
OF
THE LANDINGS HOMEOWNERS ASSOCIATION, INC.

THE LANDINGS HOMEOWNERS ASSOCIATION, INC., a corporation not for profit under the laws of the State of Florida, hereinafter referred to as the "Corporation," does hereby adopt the following Amendments to its Bylaws:

FIRST: Article II is deleted in its entirety and the following is substituted therefor:

ARTICLE II

LOCATION OF PRINCIPAL OFFICE

The principal office of the Association shall be located at such place as may be established from time to time by resolution of the Board of Directors of the Association.

SECOND: Article V is deleted in its entirety and the following is substituted therefor:

ARTICLE V

BOARD OF DIRECTORS

1. The affairs of the Association shall be managed by a Board of Directors consisting of seven (7) Directors. The number of Directors comprising succeeding Boards of Directors shall be as provided from time to time in the Bylaws of the Association, but in no event shall there be less than three (3) or more than nine (9) Directors. The Directors shall be members of the Association, but need not be residents of the State of Florida. A majority of the Board of Directors shall constitute a quorum to transact business at any meeting of the Board, and the action of a majority present at a meeting at which a quorum is present shall constitute the action of the Board of Directors.

2. Any vacancy occurring on the Board of Directors because of death, resignation, removal or other termination

of services of any Director shall be filled by the Board of Directors. A Director appointed to fill a vacancy shall be appointed for the unexpired term of his predecessor in office and shall continue to serve until his successor shall have been elected and/or appointed and qualified.

3. Each year, at or prior to the Board of Directors meeting held in October, the President of the Association shall appoint a nominating committee which shall select a slate of nominees for election to the Board of Directors at the next annual meeting. The nominees shall be presented to the Board of Directors no later than the January meeting for approval in whole or in part. The Board of Directors may add additional nominees as the Board itself deems appropriate. The notice of the annual meeting shall contain the names of those nominees approved by the Board of Directors and any information about them which the Board of Directors deems appropriate, together with a proxy. Additional members may be placed in nomination at the annual meeting by any member present in person or by proxy, provided that said nomination receives at least two seconds by other members.

THIRD: Article XII is deleted in its entirety and the following is substituted therefor:


ARTICLE XII

AMENDMENTS

These Bylaws may be altered, amended or repealed by a majority vote of the Directors present at a duly constituted meeting of the Board of Directors provided that the proposed alteration, amendment or repeal is contained in the notice of such meeting.

The foregoing amendments were adopted by the Board of Directors on the 25 day of March, 1992.

THE LANDINGS HOMEOWNERS ASSOCIATION,
INC., a Florida corporation not-for-profit

By: 
Richard M. Stern
As its President
[CORP. SEAL]

-2-

OFFICIAL RECORDS **
PAGE 57
2391

RECORDED IN OFFICIAL

APR 11 2 21 PM '92

CLERK OF COUNTY
SARASOTA, FLORIDA

Attest:

By: _____
As its Secretary

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned authority, personally appeared RICHARD M. STERN, well known to me or who produced as identification, and who did take an oath to be the person who executed the foregoing Articles of Incorporation and acknowledged before me, according to law, that he made and subscribed the same for the purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 35 day of March, 1992.

Ali J. Wanner
Print Name: ALI J. WANNER
Notary Public
My commission expires:

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: March 30, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned authority, personally appeared _____ as identification, to me well known or who produced _____ as identification, to be the person who executed the foregoing Articles of Incorporation and acknowledged before me, according to law, that he made and subscribed the same for the purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 25 day of March, 1992.

Ali J. Wanner
Print Name: ALI J. WANNER
Notary Public
My commission expires:
[SEAL]

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: March 30, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

LHOA.AOB

-3-

ASSIGNMENT

THIS ASSIGNMENT is executed this 7th day of October 1994 by THE LANDINGS DEVELOPMENT COMPANY, a Florida corporation ("Developer"), in favor of THE LANDINGS HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit (the "Association").

RECITALS:

A. Developer is the developer of a certain tract of land located in Sarasota County, Florida, commonly known and referred to as "The Landings."

B. Within The Landings are lots identified as follows:

Lots 1-212 and 221-229, inclusive, The Landings - Unit One, as per plat thereof recorded in Plat Book 27, Page 12, Public Records of Sarasota County, Florida.

and

Lots 213-220, The Landings - Unit Two, as per plat thereof recorded in Plat Book 31, Page 14, Public Records of Sarasota County, Florida.

all of which lots are subject to that certain document entitled "Declaration of Restrictions for Lots in The Landings - Unit One" recorded in Official Records Book 1372, Page 1269, Public Records of Sarasota County, Florida, as amended (the "Declaration").

C. Pursuant to the provisions of the Declaration, Developer has various rights and obligations with respect to architectural control, use restrictions, easements, variances, amendments, and other matters affecting the lots subject to the Declaration.

D. In Article IX of the Declaration, Developer reserved the right to assign any of its rights and obligations under the Declaration to the Association.

NOW, THEREFORE, in consideration of the sum of ten dollars and other good and valuable considerations to it paid by the Association, receipt of which is hereby acknowledged, Developer does hereby assign to the Association all of Developer's existing rights, title, interest, easements, powers, duties, obligations, and priorities under the provisions of the Declaration, including, without limitation, all rights and obligations with respect to architectural control, building plans, building and use restrictions, variance agreements, easements, and amendments.

IN WITNESS WHEREOF, Developer has executed this Assignment the day and year first above written.

Signed, Sealed and Delivered
In the Presence of:

THE LANDINGS DEVELOPMENT
COMPANY

[Signature]
Signature of Witness
STEPHEN E. LATTMANN
Print Name of Witness
[Signature]
Signature of Witness
[Name]
Print Name of Witness

By: [Signature]
Robert A. Morris, Jr.
President

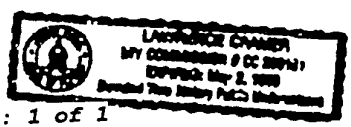
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STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 7th day of October 1994 by Robert A. Morris, Jr., as President of THE LANDINGS DEVELOPMENT COMPANY, a Florida corporation, on behalf of the corporation.

[Signature]
Notary Public
My commission expires:

2/15
Return:
Prepared By: J. Michael Hartman / BZ
Williams, Parker, Harrison, Dietz & Getzen
1880 Ringling Boulevard, P.O. Box 3000



**AMENDMENT TO THE BYLAWS OF
THE LANDINGS HOMEOWNERS ASSOCIATION, INC.**

**ARTICLE VI
POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

1. The Board of Directors shall have power

(h) To fine

i. In addition to the means of enforcement provided elsewhere herein, the Association shall have the right to assess fines against a member or member's guests, invitees or lessees, in the manner provided herein.

ii. The Board of Directors shall appoint a Covenants Enforcement Committee which committee may include members of the Board which shall be charged with determining whether there is probable cause to assert that a member or other persons is violating, or has violated, any of the provisions of the Declaration of Restrictions on Lots in the Landings, Unit One, the Articles of Incorporation, these Bylaws, or the rules and regulations of the Association. In the event the Covenants Enforcement Committee determines that such probable cause exists, it shall report same to the Board of Directors. The Covenants Enforcement Committee may contact the owner either in writing, by telephone or by personal appearance to request that remedial action be taken and to stipulate to a deadline for same.

iii. If no action is taken by the stipulated deadline, the Board of Directors or its designated agent shall thereupon provide written notice by regular U.S. Mail (not certified or registered) to the person alleged to be in violation, and the owner of the home which that person occupies, or to which that person is a guest, if that person is not the owner, of the specific nature of the alleged violation, including a statement setting forth the provisions of the subdivision documents allegedly violated and a short and plain statement of the matters asserted by the Association. The Notice shall allow the offending party a final opportunity to cure the violation and an agreement to not knowingly engage in the same violation in the future. Proof of such cure may be required by the Board of Directors. The Notice shall further specify, and it is hereby provided for an alternative procedure available only for first time violations and not for recurring violations, that in lieu of a hearing, the alleged violator or member may respond in writing to the Notice, within fourteen (14) days of its date, acknowledging that the violation or violations occurred as alleged and promising that the violation or violations will henceforth cease and will not recur. Such acknowledgment and promise and performance in accordance therewith, shall terminate further enforcement activity by the Association with regard to the violation. The Notice shall advise the offending party that in the event the offending party fails to cure the violation by the stipulated deadline provided in this second notice, the offending party is simultaneously advised that a fine has been proposed by the Board for failure to cure the violation, the amount of the fine to the date of the letter, the method of payment, and that the offending party has the right to a hearing before a hearing panel who will make the determination whether to levy the proposed fine. The date, time and location of the hearing may be

included in this Notice or sent under separate cover. No hearing may be held unless at least fourteen (14) days notice is given. Notice of the hearing shall be sent by regular U.S. Mail(not certified or registered). The Notice shall also specify, and it is hereby provided, that each recurrence of the alleged violation or each day during which the violation continues shall be deemed a separate offense, subject to a separate fine, not to exceed One Hundred (\$100.00) Dollars for each offense provided the total amount of fines shall not exceed Two Thousand Five Hundred (\$2,500.00) Dollars exclusive of interest, costs and attorney's fees.

iv. In accordance with Florida law, section 720.305(2), Fla. Stat., the hearing shall be conducted before at least three (3) non-board members who shall be appointed by the Board and who will constitute the Hearing Panel. None of the Hearing Panel members may be officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director or employee of the Association. The offending party shall have a reasonable opportunity to present evidence to the Hearing Panel. The Board of Directors or its agent may present evidence to the Hearing Panel. Any party to the Hearing may bring witnesses and may be represented by counsel. The decision of the Hearing Panel shall be final. The decision of the Hearing Panel shall be sent in writing to the offending party by regular U.S. mail (not certified or registered) to the address reflected in the Association records. No fine shall be levied unless a majority of the Hearing Panel agrees to the proposed fine.

v. If the Hearing Panel votes to approve a proposed fine, the fine pursuant to this section shall be assessed against a home which the violator occupied or was visiting at the time of the violation, whether or not the violator is an owner of that home, and shall be promptly paid to the Association by the owner of that home. The owner shall be liable for attorney's fees and costs incurred by the Association incident to the levy or collection of the fine, including appellate proceedings. The liability for attorney's fees shall be applicable if the Association attorney has been consulted on the matter for collection of the fine or any other ancillary issues related thereto and there is no requirement that a lien must be filed for the Association to be entitled to its attorney's fees. Unpaid fines may become a lien against the Owner's Lot and said lien may be foreclosed as set forth in the Association documents or as provided under Florida law, Chapter 720, Fla. Stat., as amended. The Association may also elect to institute legal proceedings by filing an action in the appropriate Court and it is hereby specifically recognized that the relief set forth herein does not exclude other remedies provided by law.

vi. Nothing herein shall be construed as a prohibition of or a limitation on the right of the Board of Directors to pursue other means to enforce the provisions of the various subdivision documents including but not limited to legal action for damages or injunctive relief. In the event such other means are pursued, the Association shall not be required to comply with the procedures and provisions of this Article.