

Prepared By:  
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THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR EAGLE’S NEST TOWNHOMES ASSOCIATION

This Third Amendment to the Declaration of Condominium For Eagle’s Nest Townhomes Association, a Condominium, is made by Eagle’s Nest Townhomes Condominium Association, Inc., a Florida not for profit corporation (the “Association”).

RECITALS

WHEREAS, the Declaration of Condominium for Eagle’s Nest Townhomes Association (the “Declaration”) was recorded in Official Records Book 17830, Page 759, and was amended by First Amendment to the Declaration of Condominium For Eagle’s Nest Townhomes Association recorded in Official Records Book 30641, at Page 1999, and by Second Amendment to the Declaration of Condominium For Eagle’s Nest Townhomes Association recorded in Official Records Book 35333, at Page 1907, all of the Public Records of Broward County, Florida; and

WHEREAS, Article 12.2(a) of the Declaration allows amendment to the Declaration pursuant to approval of not less than 51% of the entire membership of the Board of Administration or not less than 75% of the apartments owners; and

WHEREAS, the Association desire to amend the Declaration as set forth herein (the “Amendment”); and

WHEREAS, the Amendment was adopted by 51% or more of the members of the Board of Administration at a duly called meeting with proper notice as required by the Declaration and applicable law.

NOW, THEREFORE, the Association hereby amends the Declaration of Condominium for Eagle's Nest Townhomes (the "Declaration") recorded in Official Records Book 17830, Page 759, and amended by First Amendment to the Declaration of Condominium For Eagle's Nest Townhomes Association recorded in Official Records Book 30641, at Page 1999, and by Second Amendment to the Declaration of Condominium For Eagle's Nest Townhomes Association recorded in Official Records Book 35333, at Page 1907, all of the Public Records of Broward County, Florida, as follows:

I. Article 10.5, Section B of the Declaration is hereby amended to as follows:

B. Rental or Lease. An apartment shall not be leased or rented without the prior written approval of the Association, which approval shall not be unreasonably withheld, provided, however, that an apartment owner shall be prohibited from leasing his apartment more than one (1) time per calendar year or for a term of less than one (1) year, and provided further, however, that the apartment owner must own and occupy his apartment for at least one (1) full calendar year prior to any lease or rental of such apartment. The Board shall have the right to require that a substantially uniform form of lease be used. The Board shall have the right to charge a screening fee in the amount of \$100.00, or the maximum amount permitted by law. Further, a prospective lessee shall be required to place a security deposit in the greater of: (i) the maximum amount permitted by law; or (ii) Five Hundred Dollars (\$500.00); to be held in an escrow account to be maintained by the Association. Said security deposit shall protect against damages to the Common Elements. The lease shall be in the form provided by the Association, and shall include, without limitation, a provision permitting the Association authority and standing to evict any tenant of an apartment owner who is in breach or violation of the lease agreement or this Declaration, the Articles of Incorporation, By-Laws, or the rules and regulations of the Association.

In the event the Board approves a rental or lease, such approval of a lease or rental shall not release the apartment owner from any obligation under this Declaration, and either the lessee or the apartment owner shall have the right to use the facilities and Common Elements to the exclusion of the other party.

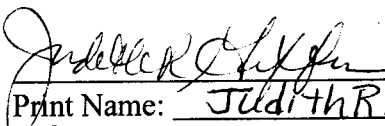
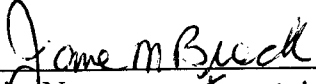
**NOTE: NEW WORDS INSERTED IN THE TEXT ARE UNDERLINED AND WORDS DELETED ARE LINED THROUGH WITH HYPENS.**

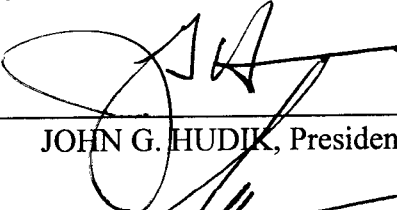

All other terms and conditions of said Declaration remain the same and apply to the property described therein except as modified by this First Amendment.

IN WITNESS WHEREOF, Eagle's Nest Townhomes Condominium Association, Inc., a Florida not for profit corporation, has caused this Third Amendment to the Declaration to be executed this 12 day of August, 2004.

Witnesses:

Eagle's Nest Townhomes Condominium Association, Inc., a Florida not for profit corporation

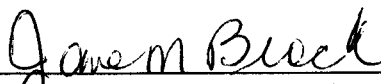
  
Print Name: Judith R. Griffin  
  
Print Name: Jane M Brock

By:   
JOHN G. HUDIK, President  
Attest:   
LYLE ROBERTSON, Secretary

STATE OF FLORIDA            )  
  )SS:  
COUNTY OF BROWARD    )

THE FOREGOING INSTRUMENT was acknowledged before me this 12 day of August, 2004, by JOHN G. HUDIK, as President, and LYLE ROBERTSON, as Secretary, of Eagle's Nest Townhomes Condominium Association, Inc., a Florida not for profit corporation, on behalf of the corporation. They are personally known to me or have produced Florida Driver's Licenses as identification and did take an oath.



  
Notary Public, State of Florida  
Print Name: Jane M Brock  
My commission expires:

(Notary Seal)