

**AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OF
THE SECOND BAYSHORE CONDOMINIUM, SECTION 15
TO CORRECT SCRIVENERS ERROR**

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

WHEREAS, the Declaration of Condominium ("the Original Declaration") of The Second Bayshore Condominium, Section 15 was recorded on September 5, 1969 in Official Records Book 423, Page 160, et seq. of the Public Records of Manatee County; and

WHEREAS, the Declaration was amended by recording an Amended and Restated Declaration of Condominium ("Amended Declaration") in Official Records Book 1597, Page 3653, et seq. of the Public Records of Manatee County stated Declaration; and

WHEREAS, Article 6 of the Original Declaration described the percentage of ownership of the common elements for all 39 units, however, due to a scrivener's error, the sum total came to 98.2995 percent and failed to equal 100 percent; and

WHEREAS, Section 718.110 (5), Florida Statutes, provides that if it appears that through a scrivener's error a unit has not been designated as owning an appropriate undivided share of the common elements or does not bear an appropriate share of the common expenses or that all the common expenses or interest in the common surplus or all of the common elements in the condominium have not been distributed in the declaration, so that the sum total of the shares of common elements which have been distributed or the sum total of the shares of the common expenses or ownership of common surplus fails to equal 100 percent, or if it appears that more than 100 percent of common elements or common expenses or ownership of the common surplus have been distributed, the error may be corrected by filing an amendment to the declaration approved by the board of administration or a majority of the unit owners; and

WHEREAS, on December 1, 1998, the membership, by not less than 5/6ths of the voting interests, approved the Amended Declaration, which, among other items, sought to correct the scrivener's error in Article 6 of the Original Declaration by reallocating ownership in the common elements such that the sum total would equal 100%; and

WHEREAS, there was a scrivener's error in the Amended Declaration pertaining to the percentage of ownership in the common elements for Unit M-21 which resulted in a sum total of over 100%; and

WHEREAS, at a duly noticed meeting of the Board held on November 12, 2018, at which a quorum was present, the Board, by a majority vote, approved the filing of this amendment in order to correct the scrivener's error;

NOW, THEREFORE, BE IT RESOLVED that Article 5 of the Amended and Restated Declaration of Condominium of The Second Bayshore Condominium, Section 15 is hereby amended to provide the corrected shares of ownership of common elements and common surplus and of sharing of common elements as follows:

The percentage of ownership of the common elements appurtenant to each of the units is as follows:

N-1	3.1885%	M-1	3.1885%
N-2	2.7708	M-2	2.0134
N-3	2.4924	M-3	2.0134
N-4	2.3531	M-4	2.3531
N-5	2.0134	M-5	2.0134
N-6	2.0134	M-6	3.1885
N-7	3.1885		
N-21	3.2302	M-21	3.3202 <u>3.2302</u>
N-22	2.8126	M-22	2.0552
N-23	2.5341	M-23	2.0552
N-24	2.3949	M-24	2.3949
N-25	2.0552	M-25	2.0552
N-26	2.0552	M-26	3.2302
N-27	3.2302		
N-31	3.2721	M-31	3.2721
N-32	2.8543	M-32	2.0969
N-33	2.5759	M-33	2.0969
N-34	2.4366	M-34	2.4366
N-35	2.0969	M-35	2.0969
N-36	2.0969	M-36	3.2721
N-37	3.2721		

IN WITNESS WHEREOF, we have affixed our hands this 20th day of November 2018, at Manatee County, Florida.

Witnesses:

The Second Bayshore Condominium, Section 15.

Janice Silver

By: Nancy Hanthorn
Nancy Hanthorn, President

Jeannette Hafely

Second Bayshore Condominium Association, Inc.

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 20 day of NOVEMBER 2018, by Nancy Hanthorn, as President of The Second Bayshore Condominium Association, Inc., a Florida not-for-profit corporation.

Personally Known X OR
Produced Identification _____

Type of Identification

NOTARY PUBLIC - STATE OF FLORIDA

Sign Paula M Viets
Print PAULA M VIETS

My Commission expires:

