

CERTIFICATE OF AMENDMENT

AMENDED AND RESTATED DECLARATION OF CONDOMINIUM

BONITA BEACH CLUB, A CONDOMINIUM

I HEREBY CERTIFY that the following amendment to the Amended and Restated Declaration of Condominium of Bonita Beach Club, a Condominium was duly adopted by the Association membership at the duly noticed special members' meeting of the Association on the 26th day of May, 2006. Said amendment was approved by a proper percentage of voting interests of the Association. The original Declaration of Condominium is recorded at O.R. Book 1239, Pages 437 et seq., of the Public Records of Lee County, Florida. The Amended and Restated Declaration of Condominium is recorded at O.R. Book 2292, Pages 3208 et seq., of the Public Records of Lee County, Florida.

Additions indicated by underlining.

Deletions indicated by ~~striking through~~.

Amendment: Article 12.4, Amended and Restated Declaration of Condominium

12. USE RESTRICTIONS – The use of the property of the Condominium shall be in accordance with the Rules and Regulations attached hereto as Exhibit “F” and the following provisions:

(Section 12.1 through 12.3 Remain Unchanged)

12.4. LEASING OF UNITS – Each unit is hereby restricted to residential use by the owner or owners thereof, their immediate families, guests and invitees. No owner or owners of any unit shall lease or rent his unit for a period of less than thirty (30) days or one (1) month, whichever is the lesser, ~~however, no more than three (3) times a calendar year the owner or owners may lease their unit for a period of less than thirty (30) days but more than six (6) days each period of the lease~~ and shall not permit use of the same for transient hotel or commercial purposes or operate in a fashion required of a public lodging establishment. The first day of occupancy under the lease shall determine in which year the lease occurs. No lease shall be for a period of more than one (1) year, and no option for the lessee to extend or renew the lease for any additional period shall be permitted. However, the Board may, in its discretion, approve the same lease from year to year. No subleasing or assignment of lease rights by the lessee shall be allowed. Persons holding title as of the effective date of this provision (recordation in the Public Records of Lee County Florida) may also continue to lease units for periods of six (6) to thirty (30) days, but no more than three times per year with respect to said leases of six (6) to thirty (30) days. The Board, in its sole discretion, may extend “grandfathered” status when title to a unit changes after the grandfathered date, and said transfer was made solely for family, estate or tax reasons, such as a transfer to a trust.

