

Prepared by and return to:  
Anne M. Hathorn, Esquire  
Becker & Poliakoff, P.A.  
311 Park Place Blvd, Suite 250  
Clearwater, FL 33759

**CERTIFICATE OF AMENDMENT TO THE BYLAWS OF  
OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.**

WE HEREBY CERTIFY THAT the attached Amendment to the Bylaws of Oceans Atrium Condominium Association, Inc., as originally recorded as an exhibit to the Declaration of Condominium of Oceans Atrium, a Condominium, in Official Records Book 3069, at Page 0550, et seq., of the Public Records of Volusia County, Florida, was duly adopted in the manner provided in the Governing Documents at a meeting held on January 15, 2013.

IN WITNESS WHEREOF, we have affixed our hands this 9<sup>th</sup> day of December, 2013, in Volusia County, Florida.

WITNESSES:

OCEANS ATRIUM CONDOMINIUM  
ASSOCIATION, INC.

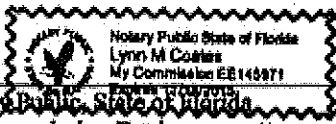
[Signature]  
Printed Name: GARY BOYCE

By: [Signature]  
Printed Name: MELBA HAYDEN  
Title: President

[Signature]  
Printed Name: Shirley O. Marquez

STATE OF FLORIDA  
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of December, 2013, by Melba Hayden, as President of Oceans Atrium Condominium Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. S/He is personally known to me or has produced N/A as identification.

  
Notary Public, State of Florida  
My Commission Expires: 11-14-2015  
[Signature]

Instrument# 2013-243028 # 2  
Book: 6941  
Page: 4151  
Diane M. Matousek  
Volusia County, Clerk of Court

**ADOPTED AMENDMENT TO THE BYLAWS OF  
OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.**

**Adopted amendment to Article 3, Section 3 of the Bylaws of Oceans Atrium Condominium Association, Inc., to read as follows:**

**ARTICLE III  
Membership, Voting, Majority of Owners, Quorum, Proxies**

...  
Section 3. Annual Meeting. The annual members' meeting of the Association shall be held at ~~8:00 o'clock P.M. on the third Tuesday in January each year,~~ on the date and time determined by the Board of Directors for the purpose of electing directors and transacting any other business authorized to be transacted by the members. Florida Statutes require that unit owners meet at least once in each calendar year and such meeting shall be the annual meeting.

**NEW LANGUAGE INDICATED BY UNDERLINING; DELETED LANGUAGE INDICATED BY STRIKETHROUGHS; UNAFFECTED LANGUAGE INDICATED BY "..."**

1992

BOOK PAGE  
3815 0976  
VOLUSIA CO., FL

INSERT IN CONDO  
DOCUMENTS

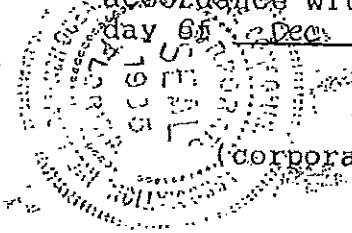
CERTIFICATE OF AMENDMENT  
TO THE  
BY-LAWS  
OF  
OCEANS ATRIUM ONE CONDOMINIUM  
(A Corporation Not For Profit under  
the laws of the State of Florida)

Notice is hereby given that at a duly called meeting of the members on December 1, 1992, the following change was made to the BY-LAWS OF THE CONDOMINIUM ASSOCIATION AND SUBMISSION TO PROVISIONS OF RESTATEMENT OF AND FOURTH AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS OCEANS WEST PLANNED UNIT DEVELOPMENT OF OCEANS ATRIUM ONE, A CONDOMINIUM, as recorded in Official Records Book 2980, pages 0806 to 0873, inclusive, of the Public Records of Volusia County, Florida:

Under Artical 2 Section 4 Quorum (changes indicated by underlining)

To establish a valid quorum there must be in person  
or by proxy no less than thirty percent of the  
designated voters of Condominium Association Membership.

In witness whereof, Oceans Atrium One Condominium Association, Inc. has caused this certificate of amendment to be executed in accordance with the authority hereinabove expressed this 7<sup>th</sup> day of Dec, 1992



(Corporate Seal)

Oceans Atrium One Condominium Association, Inc.

JOHN WATTS

By: John Watts  
Its President

ATTEST

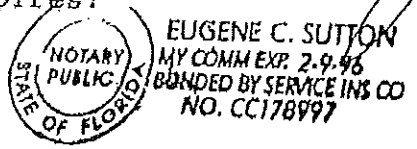
Aida Morales  
Secretary

State of Florida  
County of Volusia

On this 7<sup>th</sup> day of Dec, 1992, personally appeared John Watts, President and acknowledged the execution of this instrument for the purposes herein expressed.

Eugene C. Sutton  
NOTARY PUBLIC

My Commission Expires:



LED FOR RETURN  
RECORD VERIFIED  
038367  
CLERK OF THE CIRCUIT  
CTV. COURT VOLUSIA/CTV., FL.  
93 MAR 24 PM 12:12

CERTIFICATE OF AMENDMENT TO BY-LAWS  
OF OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.,  
AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM  
OF OCEANS ATRIUM, A CONDOMINIUM

Notice is hereby given that at a duly called meeting of the members and the board of administration of Oceans Atrium Condominium Association, Inc., a resolution was proposed and adopted all in strict accordance with the Declaration, Articles and By-Laws amending the By-Laws attached to the Declaration of Condominium for Oceans Atrium, a Condominium, as originally recorded in Official Record Book 3069, page 0550, Public Records of Volusia County, Florida, amending said By-Laws as follows:

A. Amend Article III, Section 3 of the By-Laws by changing the Annual Members' Meeting date from the first Tuesday in December to the third Tuesday in January as follows:

1. The previous wording and amended provision is as follows:

"ARTICLE III

Section 3. Annual Meeting. The annual members' meeting of the Association shall be held at 8:00 o'clock P.M. on the first Tuesday in December each year, for the purpose of electing directors and transacting any other business authorized to be transacted by the members. Florida Statutes require that unit owners meet at once each calendar year and such meeting shall be the annual meeting.

Section 3. Annual Meeting. The annual members' meeting of the Association shall be held at 8:00 o'clock P.M. on the third Tuesday in January each year, for the purpose of electing directors and transacting any other business authorized to be transacted by the members. Florida Statutes require that unit owners meet at once each calendar year and such meeting shall be the annual meeting."

IN WITNESS WHEREOF, Oceans Atrium Condominium Association, Inc. has caused this Certificate of Amendment to be executed in accordance with the authority hereinabove expressed this 31st day of January, 1991.

OCEANS ATRIUM CONDOMINIUM  
ASSOCIATION, INC.

[Signature]

My Commission expires 6-23-93

BY: Joseph A. McCarthy  
Joseph A. McCarthy, its President

ATTEST: [Signature]  
Secretary

BOOK PAGE  
3591 0871  
VOLUSIA CO. FL

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Joseph A. McCarthy and DARENE YELVINGTON as President and Secretary respectively of Oceans Atrium Condominium Association, Inc., to me well known and known to me to be the persons described in and who executed the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 31st day of January, A.D., 1991.

[Signature]  
Notary Public, State of Florida  
at Large

My Commission Expires: 6-23-93



Oct. 1989

3371 1506  
VOLUSIA CO., FL

NOTICE OF AMENDMENT TO DECLARATION OF CONDOMINIUM  
OF OCEANS ATRIUM, A CONDOMINIUM

The undersigned, as Officers of Oceans Atrium Condominium Association, Inc., hereby certify as follows:

1. At a duly called and constituted meeting of the Unit Owners and Board of Directors of Oceans Atrium Condominium Association, Inc., the following proposed Amendment to the Declaration of Condominium was presented in the following form:

10.6 Leasing. Entire units may be leased or rented provided the occupancy is by only one family, its servants and guests.

10.6a - No unit shall be leased or rented for a period of less than one month.

10.6b - In every case of lease or rental, the unit owner shall give notice to the Association Manager in writing prior to occupancy of the unit providing the identity of the renter and the rental period.

2. The above described Amendment was passed by a vote of the unit owners and the Board of Directors.

3. The original Declaration of Condominium of Oceans Atrium, a Condominium, recorded in Official Record Book 3060, Pages 0550-0610, be and the same is hereby amended to include the provisions described above.

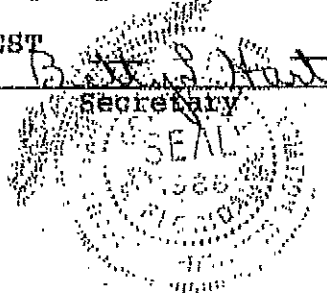
4. Attached hereto and incorporated herein is the original Certificate of Amendment.

IN WITNESS WHEREOF, Oceans Atrium Condominium Association, Inc. has caused this instrument to be executed in accordance with the authority hereinabove expressed this 2 day of OCTOBER, 1989.

[Corporate Seal

OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.

ATTEST

B. J. Hart  
Secretary  


By: [Signature]  
Its President

FILED FOR RECORD  
RECORD VERIFIED  
133325  
CLERK CIRCUIT COURT  
VOLUSIA CO., FL  
89 OCT 10 AM 10:20

133325

BOOK PAGE  
3371 1507  
VOLUSIA CO., FL

copy

CERTIFICATE OF AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM  
OF

OCEANS ATRIUM CONDOMINIUM ASSOCIATION

Notice is hereby given that at a duly called meeting of the members on April 7, 1989, the following additions were made to the DECLARATION OF CONDOMINIUM AND SUBMISSION TO PROVISIONS OF RESTATEMENT OF AND FOURTH AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS OCEANS WEST PLANNED UNIT DEVELOPMENT OF OCEANS ATRIUM, A CONDOMINIUM, as recorded in Official Records Book 3060, pages 0550 to 0610, inclusive, of the Public Records of Volusia County, Florida:

Under Article 10.6 Leasing

"10.6a - No unit shall be leased or rented for a period of less than one month.

10.6b - In every case of lease or rental, the unit owner shall give notice to the Association Manager in writing prior to occupancy of the unit providing the identity of the renter and the rental period."

In witness whereof, Oceans Atrium Condominium Association, Inc. has caused this certificate of amendment to be executed in accordance with the authority hereinabove expressed this 28 day of AUGUST, 1989.

(Corporate Seal)

Oceans Atrium Condominium Association, Inc.

ATTEST

By: Barth Guinta  
Its President

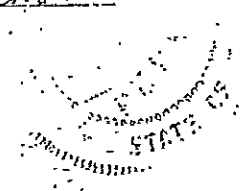
Betty J. Heston  
Secretary

State of Florida )  
County of Volusia )

On this 28 day of AUGUST 1989, personally appeared Barth Guinta, President and acknowledged the execution of this instrument for the purposes herein expressed.

Winn A. Bouchard  
Notary Public

My commission expires: NOTARY PUBLIC, STATE OF FLORIDA;  
MY COMMISSION EXPIRES: APRIL 17, 1992.  
FORGED THRU NOTARY PUBLIC UNDERWRITERS.



CLERK CIRCUIT COURT  
VOLUSIA CO., FL  
89 OCT 10 AM 10:20  
133326  
FOR RECORD  
AND VERIFIED

133326

4th

AMENDMENT TO DECLARATION OF CONDOMINIUM

EXHIBIT 5



RECORDED RESTATEMENT OF AND FOURTH AMENDMENT TO  
DECLARATION OF COVENANTS AND RESTRICTIONS  
OCEANS WEST PLANNED UNIT DEVELOPMENT  
(WITH EXHIBITS)  
EXHIBIT 5

312

5/3/88

30810688

BOOK PAGE  
VOLUSIA COUNTY  
FLORIDA

This Instrument Prepared By  
GLENN R. PADGETT  
Kinsey Vincent Pyle, P.A.  
ATTORNEYS AT LAW  
City Center East  
150 South Palmetto Avenue  
Daytona Beach, Florida 32018

U 0 1 7 3 6

FILED FOR RECORD  
RECORD VERIFIED

JAN 6 9 56 AM 1988

CLERK OF CIRCUIT COURT  
VOLUSIA COUNTY, FLORIDA

AMENDMENT TO  
DECLARATION OF CONDOMINIUM  
AND SUBMISSION TO PROVISIONS OF  
RESTATEMENT OF AND FOURTH  
AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS  
OCEANS WEST PLANNED UNIT DEVELOPMENT  
OF  
OCEANS ATRIUM, a Condominium  
3023 South Atlantic Avenue  
Daytona Beach Shores, Florida 32018

This Amendment to Declaration is made this 31st day of December, 1987, by Oceans Atrium Condominium Association, Inc., (hereinafter referred to as the "Association").

WITNESSETH:

WHEREAS, the Declaration of Condominium and Submission to Provisions of Restatement of and Fourth Amendment to Declaration of Covenants and Restrictions Oceans West Planned Unit Development of Oceans Atrium, a Condominium, 3023 South Atlantic Avenue, Daytona Beach, Shores, Florida 32018 and exhibits thereto were recorded on December 8, 1987, in Official Records Book 3069, pages 0550 through 0610, Public Records of Volusia County, Florida, and

WHEREAS, Section 13.2 of said Declaration provides that the Association may amend the Declaration upon approval by not less than fifty (50)% of the entire membership of the Board of Directors in the case of amendments that are only to correct misstatements of fact, typographical or clerical errors in the Declaration and its exhibits, if such an amendment would not materially or adversely affect property rights of unit owners, and

WHEREAS, Section 4.1 of said Declaration contains two typographical errors which may create confusion as to the unit numbering scheme of the condominium.

NOW THEREFORE, Section 4.1 of the Declaration of Condominium and Submission to Provisions of Restatement of and Fourth Amendment to Declaration of Covenants and Restrictions Oceans West Planned Unit Development of Oceans Atrium, a Condominium, 3023 South Atlantic Avenue, Daytona Beach Shores, Florida 32018 is amended to be as shown below:

4.1 Unit numbers. The units of the condominium are apartments and are identified as apartments. On the first floor of the condominium there is one

5/3/88

30810689

( ) apartment; on each floor above the first floor are seven (7) apartments numbered 01 to 07 inclusive; on each floor above the first floor the number 01 is assigned to the apartment located in the northsouthwest corner of the building and the apartment numbering proceeds easterly along the north, south side of the building so that number 02 is immediately to the east of 01, number 03 is immediately to the east of 02, and number 04 is in the northeast corner of the building. The numbering along the south side of the building begins with number 05 in the southeast corner of the building, number 06 is between 05 and 07, and number 07 is in the southwest corner of the building. The apartments on each floor are distinguished from other apartments in the condominium by adding a prefix corresponding to the number of the floor upon which the apartment is located, so that the unit on the first floor is number 101, the units on the twelfth floor are numbered 1201 to 1207 and those in between are numbered correspondingly.

[Strikethroughs indicate deletions and underlines indicate insertions]

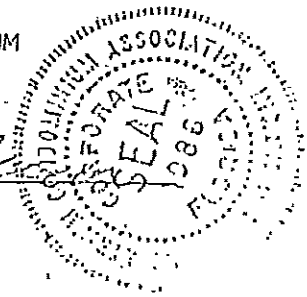
IN WITNESS WHEREOF, the Association has executed this Amendment to the Declaration the day and year first above written.

Signed, sealed and delivered in the presence of:

OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.

Jamela C. Huggins  
Kathryn M. Reid

By: R. Don Henderson  
President



STATE OF FLORIDA  
COUNTY OF VOLUSIA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared R. Don Henderson, well known to me to be the President of the corporation named as Oceans Atrium Condominium Association, Inc., in the foregoing Amendment to the Declaration of Condominium and Submission to Provisions of Restatement of and Fourth Amendment to Declaration of Covenants and Restrictions Oceans West Planned Unit Development of Oceans Atrium, a Condominium, and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true and corporate seal of said corporation.

WITNESS my hand and official seal in the State and County last aforesaid this 31st day of December, 1987.

Margaret R. [Signature]  
Notary Public, State of Florida, at Large.  
My commission expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. JULY 17, 1991  
BONDED THRU GENERAL INS. UND. FLA. STAT.

5/3/88

30810690

CERTIFICATE

PAGE VOLUSIA COUNTY FLORIDA

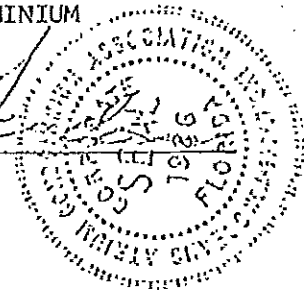
This is to certify that the foregoing Amendment to the Declaration of Condominium and Submission to Provisions of Restatement of and Fourth Amendment to Declaration of Covenants and Restrictions Oceans West Planned Unit Development of Oceans Atrium, a Condominium, 3023 South Atlantic Avenue, Daytona Beach Shores, Florida. 32018 has been duly adopted by a majority of the Board of Directors of the Association.

Signed, sealed and delivered in the presence of:

OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.

Pamela C. Huggins
Kathryn M. Reid

By: R. Don Henderson President



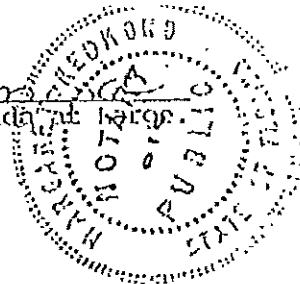
STATE OF FLORIDA
NTY OF VOLUSIA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared R. Don Henderson, well known to me to be the President of the corporation named as Oceans Atrium Condominium Association, Inc., in the foregoing Amendment to the Declaration of Condominium and Submission to Provisions of Restatement of and Fourth Amendment to Declaration of Covenants and Restrictions Oceans West Planned Unit Development of Oceans Atrium, a Condominium, and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true and corporate seal of said corporation.

WITNESS my hand and official seal in the State and County last aforesaid this 31st day of December, 19 87.

Margaret Redmond
Notary Public, State of Florida
My commission expires:

NOTARY PUBLIC STATE OF FLORIDA
BY COMMISSION EXP. JULY 12, 1989
FOROEN (IND. GENERAL INC. VRS.)



OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.  
a Corporation Not-for-Profit

NOTICE OF AMENDMENT  
TO CONDOMINIUM DOCUMENTS

TO: MEMBERS, OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.  
FROM: SECRETARY  
BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN that amendments to the Declaration of Condominium were adopted and recorded with the Clerk of the Circuit Court of Volusia County, Florida, in Official Record Book 3591, Page 0870, on February 21, 1991. The amendments became effective upon recording and a copy of the recorded amendments accompany this notice of their adoption.

DATED this 12 day of March, 1990.

OCEANS ATRIUM CONDOMINIUM  
ASSOCIATION, INC.

By:   
Its Secretary

Enclosures

LAW OFFICES  
FINK, LOUCKS, SWEET & VOGES

149 BROADWAY  
P. O. BOX 5386  
DAYTONA BEACH, FLORIDA 32118

WESLEY A. FINK  
WILLIAM E. LOUCKS  
JEFFREY C. SWEET  
WILLIAM J. VOGES

OFFICE  
(904) 252-7653  
TELEFAX  
(904) 238-3604

*Received  
5/2/90*

May 1, 1990

Mr. J. A. McCarthy, President  
Oceans Atrium Condominium Association, Inc.  
3023 S. Atlantic Avenue  
Daytona Beach Shores, FL 32118

Re: Amendment to Declaration of Condominium

Dear Mr. McCarthy:

Enclosed please find original recorded Certificate of Amendment and original Notice of Amendment.

If I can be of further assistance, please advise.

With kind personal regards, I remain,

Very truly yours,

*Jeffrey C. Sweet*  
Jeffrey C. Sweet

JCS/pke  
Enclosures

OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.  
a Corporation Not-for-Profit

NOTICE OF AMENDMENT  
TO CONDOMINIUM DOCUMENTS

TO: MEMBERS, OCEANS ATRIUM CONDOMINIUM ASSOCIATION, INC.  
FROM: SECRETARY  
BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN that amendments to the Declaration of Condominium were adopted and recorded with the Clerk of the Circuit Court of Volusia County, Florida, in Official Record Book 3458, Page 1525, on April 25th, 1990. The amendments became effective upon recording and a copy of the recorded amendments accompany this notice of their adoption.

DATED this 1st day of May, 1990.

OCEANS ATRIUM CONDOMINIUM  
ASSOCIATION, INC.

By:   
Its Secretary

Enclosures

LAW OFFICES  
FINK, LOUCKS & SWEET

149 BROADWAY

P. O. BOX 5386

DAYTONA BEACH, FLORIDA 32118

WESLEY A. FINK  
WILLIAM E. LOUCKS  
JEFFREY C. SWEET

OFFICE  
(904) 252-7653  
TELEFAX  
(904) 238-3604

February 27, 1991

Mr. J. A. McCarthy, President  
Oceans Atrium Condominium Association, Inc.  
3023 S. Atlantic Avenue  
Daytona Beach Shores, FL 32118

Re: Amendment to Declaration of Condominium

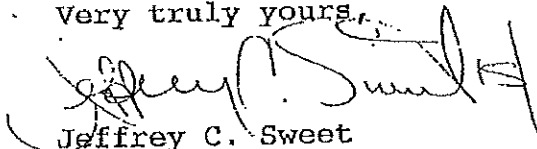
Dear Mr. McCarthy:

Enclosed please find copy of recorded Certificate of Amendment to By-Laws for your submission to all unit owners. A copy of the Notice of Amendment along with the Amendment must be furnished to all unit owners.

Please call if you have any questions.

With kind personal regards, I remain,

Very truly yours,



Jeffrey C. Sweet

JCS/pke  
Enclosure