

01 RECORDING

REC 600

DS _____

NT _____

TERS _____

MTF _____

P/C _____

REV _____

TOTAL 600

INST # 91-110976
APR 29, 1991 5:20PM

PINELLAS COUNTY FLA.
OFF. REC. BK 7554 PG 1383

PARKLANE, A CONDOMINIUM
4701 - 4TH ST. NORTH
ST. PETERSBURG, FL 33703

FIRST
AMENDMENT TO THE DECLARATION OF CONDOMINIUM

ORIGINALLY RECORDED IN O.R. BOOK 5551, PAGE 1093

Paragraph 16.04 Assessments and installments thereon not paid when due shall bear interest from the date when due until paid at the highest contract rate at the highest contract rate allowed by law, in addition to a late fee in the highest allowable amount permitted under Florida Statute.

The above amendment was adopted by a 79% vote of the membership of Parklane, A Condominium, Fourth Street Condominium Association, in a meeting called for that purpose, on April 16, 1991.

Signed

STATE OF FLORIDA
COUNTY OF PINELLAS

I hereby certify that on this day before me, an officer duly authorized in the state aforesaid and in the county aforesaid to take acknowledgments personally appeared William N. Hamilton to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same. in witness whereof, I have hereunto set my hand and affixed my seal this 29th day of April, 1991.

Notary Public

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: Nov. 17, 1994.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Prepared By:
William N. Hamilton
Secretary

Return To:
Fourth St. Condo Assoc.
379 - 47th Ave N. #112
St Petersburg FL 33703

CONDOMINIUM PLATS PERTAINING HERETO ARE FILED IN CONDOMINIUM PLAT BOOK 5551, PAGE 1093

dice to the rights of the grantee to recover from the grantor the amounts paid by the grantee therefor.

16.02 The total monthly and annual assessments chargeable to a unit owner for common expenses are set forth in the estimated operating budget which is proposed for the fiscal year of 1982. Assessments shall be made against unit owners not less frequently than monthly.

16.03 The liability for assessments may not be avoided by waiver of the use or enjoyment of any common elements, services or recreation facilities, or by abandonment of the unit for which the assessments are made.

16.04 Assessments and installments thereon not paid when due shall bear interest from the date when due until paid at the highest contract rate allowed by law.

16.05 The Association shall have a lien on each condominium parcel for any unpaid assessment and interest thereon against the unit owner of such condominium parcel until paid. Such lien shall also secure the costs of recording the claim of lien and all court costs, including, but not limited to, filing and service of process fees, and reasonable attorneys' fees incurred by the Association incident to the collection of such assessment or enforcement of such lien, including same if an appeal. As used herein, reasonable attorneys' fees shall be deemed to mean ten percent (10%) of the amount sought to be collected or such reasonable greater sum as a court might award at the trial and/or appellate level, but in either event no less than One Hundred Fifty Dollars (\$150.00) if a foreclosure of lien action is actually filed on behalf of the Association.

Such liens shall be effective from and after the time of recording in the public records of Pinellas County, Florida, a claim of lien stating the description of the condominium parcel, the name of the record owner, the amount due and the date when due, and the lien shall continue in effect until all sums secured by the lien shall have been fully paid. Such claims of lien shall include only assessments which are due and payable when the claim of lien is recorded. Such claims of liens shall be signed and verified by an officer or agent of the Association and shall then be entitled to be recorded. Upon full payment, the party making payment shall be entitled to a recordable satisfaction of the lien. All such liens shall be subordinate to the lien of a mortgage or other lien recorded prior to the time of recording of the claim of lien.

The Board of Directors may take such action as it deems necessary to collect assessments by personal action or by enforcing and foreclosing said lien, and may settle and compromise the same if in the best interests of the Association. Suits to recover a money judgment for unpaid assessments may be maintained without waiving the lien securing the same. Said lien shall be effective as and in the manner provided by the Condominium Act and shall have the priorities established thereby.

16.06 Liens for assessments may be foreclosed by suit brought in the name of the Association in the manner of the foreclosure of mortgage on real property, as more fully set forth in the Condominium Act. The Association may bid at any sale and apply as a cash credit against its bid all sums due the Association, covered by the lien being enforced, and to acquire and hold, lease, mortgage and convey the same.

16.07 Where a mortgagee of a first mortgage of record, or other purchaser of a condominium unit obtains title to the condominium parcel as a result of foreclosure of the first mortgage, or where an institutional mortgagee of record accepts a deed to said condominium parcel in lieu of foreclosure, such acquirer of

DC-12

JACOB, ROSS, GAYNOR, HAMPP
BURNS, COLE & SHASTEN, P.A.
ST. PETERSBURG, FLORIDA