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March 21, 2016 08:58:08 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL



**CERTIFICATE OF AMENDMENT TO THE AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM OF RIVO AT RINGLING, A CONDOMINIUM**

THIS CERTIFICATE OF AMENDMENT is executed by **RIVO AT RINGLING
CONDOMINIUM ASSOCIATION, INC.**, a corporation not-for-profit incorporated under the
laws of the State of Florida (hereinafter "Association").

RECITALS

WHEREAS, the Association has been established for the operation of Rivo at Ringling,
a Condominium, in accordance with the Amended and Restated Declaration of Condominium of
Rivo at Ringling, A Condominium, recorded on March 21, 2013 in Official Records Instrument
#2013038727 of the Public Records of Sarasota County, Florida, as amended from time to time
("Declaration"); and,

WHEREAS, an amendment adding a new Sub-Section (a) to Section 14.1 of Article 14
of the Declaration was submitted to the Members of the Association at an Annual Meeting of the
Members held on February 23, 2016 at which a quorum was present and which Annual Meeting
was duly noticed in accordance with Florida Statutes and the Association's Bylaws; and,

WHEREAS, an amendment adding a new Sub-Section (a) to Section 14.6 of Article 14
of the Declaration was submitted to the Members of the Association at an Annual Meeting of the
Members held on February 23, 2016 at which a quorum was present and which Annual Meeting
was duly noticed in accordance with Florida Statutes and the Association's Bylaws; and,

WHEREAS, not less than two-thirds (2/3rds) of the voting interests represented in
person or by proxy at the duly noticed and convened annual membership meeting of the
Association voted to approve the above-referenced proposed amendments to Article 14 of the
Declaration.

NOW THEREFORE, the Association does hereby state as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. All present and future Members of the Association shall be bound by the amendments
adding a new Sub-Section (a) to Section 14.1 of Article 14 and a new Sub-Section (a) to
Section 14.6 of Article 14, both of the Declaration, as follows:

New language is indicated by underscored type.

1. A new Sub-Section (a) is added to Section 14.1 of Article 14 of the Declaration as follows:

14.1 *No portion of a Unit (other than the entire Unit) may be rented or leased. . .*

(a) No more than 32 units may be rented simultaneously. All owners acquiring title after the date of this amendment are subject to the “no more than 32 units may be rented” rule. Any owner obtaining title to any unit after the date of this Amendment where such title is transferred to a trust whose beneficiary or beneficiaries are also the grantor(s) in such title transfer will not be subject to this Amendment. Any title transfers to any immediate family member(s) after the date of this Amendment will also be exempt from this Amendment until such time the title is transferred to some other person or entity that is not an immediate family member. “Immediate family” shall be defined as a spouse, grandparent, parent, sibling, child or grandchild. Further, all leases existing at the time title to any unit is transferred shall be grandfathered and not subject to the 32 unit cap referenced above until such lease term expires or is terminated; notwithstanding, a renewal or extension of any lease term beginning after the transfer of a unit would be subject to the 32 unit cap.

2. A new Sub-Section (a) is added to Section 14.6 of Article 14 of the Declaration as follows:

14.6 *Required Information. . .*

(a) APPROVALS OF LEASING OCCUPANTS: All persons wishing to reside as a lessee in a Unit in the Association, must first submit an application for occupancy to the Association, which includes but is not limited to, an inquiry into the applicant’s credit history and criminal history, payment of a NON-REFUNDABLE application fee – (in an amount approved by the Board of Directors and not to exceed the amount allowed by law), as required by the Association and meet the following minimum standards in order to be approved to reside in the Unit, by the Board of Directors, or in their absence, the designated representative. Good cause for disapproval may include, but is not limited to the following:

(I). Conviction of a misdemeanor crime for violence against persons or property within the past five (5) years;

(II). Conviction of a felony crime for violence against persons or property within the past ten (10) years;

(III). Conviction of a felony or misdemeanor crime for any sexual crimes, including but not limited to prostitution, or child pornography within the past ten (10) years.

(IV). Lack of proof of sufficient annual income which is more than three (3) times the total of the rental payment.

(V). A credit risk score of less than 650.

(VI). The application, on its face, indicates that approval would create a violation of the Association's Declaration, Articles of Incorporation, Bylaws, Rules & regulations or Florida law. By the way of an example, without any limitation, failure to identify all proposed occupants; an intent to bring a pet into the unit; failure to provide complete and accurate responses on the application form(s); or other violations as determined by the Board of Directors or their designated representative.

(VII). Failure to include the required fees or deposits with the application form(s).

(VIII). Premature occupancy of the Unit, i.e., occupancy without prior approval of the Association.

(IX). Failure to pay a "leasing" deposit in the amount determined by the Board of Directors, to be held for the term of the lease for the Association to use for any damage to the common elements.

(X). A fully executed copy of the written lease was not given to the Association prior to occupying the Unit.

All other Sections remain unchanged.

IN WITNESS WHEREOF, the undersigned attests to the above on this 14TH day of March, 2016.

RIVO AT RINGLING CONDOMINIUM ASSOCIATION, INC., corporation not-for-profit

WITNESSES:

David E Kittelson

By: Martin V. Goldstein

Print Name: David E Kittelson

Print Name: MARTIN V GOLDSTEIN

* E. L. Killian

Title: Association President

Print Name: E. L. Killian

(Seal of Corporation)

**STATE OF FLORIDA
COUNTY OF SARASOTA**

The foregoing instrument was acknowledged before me this 14TH day of March, 2016, by Martin V. Goldstein as President of Rivo at Ringling Condominium Association, Inc., a corporation not-for-profit. He/she is personally known to me or has produced _____ as identification.

Kevin P. Richards

Signature of Notary Public

Print name: Kevin P. Richards



**KEVIN P. RICHARDS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF220439
Expires 4/14/2019**

IN WITNESS WHEREOF, the undersigned attests to the above on this 14th day of March, 2016.

RIVO AT RINGLING CONDOMINIUM ASSOCIATION, INC., corporation not-for-profit

WITNESSES:

David E. Killeen

Print Name: David E. Killeen

E. L. Killian

Print Name: E. L. Killian

By: A S C

Print Name: Alan S. Cohen

Title: Association Secretary

**STATE OF FLORIDA
COUNTY OF SARASOTA**

(Seal of Corporation)

The foregoing instrument was acknowledged before me this 14th day of March, 2016, by Alan S. Cohen, as Secretary of Rivo at Ringling Condominium Association, Inc., a corporation not-for-profit. He/she is personally known to me or has produced _____ as identification.



**KEVIN P. RICHARDS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF220439
Expires 4/14/2019**

Kevin P. Richards
Signature of Notary Public

Print name: Kevin P. Richards