

**AMENDMENT TO THE AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM
FOR
MONTERREY, A CONDOMINIUM**

Note: New language is underlined; language being deleted is shown in struck-through type.

A new Subsection (G) shall be added to Section 11.3 of the Declaration to read as shown below:

(G) Air Conditioning Maintenance, Water Heaters, Dishwashers, Washing Machine Hoses, Water Turn-off, Water Filters, Ice Makers.

(1) An owner is responsible for contracting for ongoing air conditioning maintenance service which includes periodic inspection of the systems on at least an annual basis, addition of chlorine tablets or other products to help keep the drain lines clear and periodic blowout of the drain lines. All air handler units must have a secondary water switch installed under the air handler unit in addition to the primary water switch installed in the condensation drain line. When the air handler unit is replaced a new secondary pan must be installed under the air handler stand. The primary switch, secondary switch and secondary pan must be replaced when the air handler is replaced. If an owner fails to contract for such maintenance service (if the Association does not already do so) and water leaks from the unit's air conditioning system, the owner will be strictly liable, under Florida Law, for all damage caused to the unit, the common elements, association property, other units or any other property which is damaged by such leak.

(2) An owner must replace their unit's water heater after it has been installed for ten (10) years. The replacement water heater and associated plumbing lines, must be installed by a licensed and insured plumber and comply with installation practices as specified in the Florida Plumbing Code. Where applicable, a City of Marco Island building permit shall be required when replacing water heaters. All water heaters shall have an overflow pan installed under the water heater. When the water heater is replaced, the overflow pan must be replaced and properly connected to the common drain line. If an owner fails to replace the unit's water heater after ten (10) years of service and if a leak occurs from the water heater or related hardware, lines or pipes, the owner will be strictly liable, under Florida Law, for all damages caused to the unit, the common elements, association property, other units or any other property which is damaged by such leak.

(3) An owner must replace their unit's dishwasher after it has been installed for ten (10) years. All dishwasher water supply lines must be of suitable material such as copper tubing, stainless steel braided hoses, nylon braided reinforced hoses or higher grade material, and must be installed by a licensed and insured plumber or installer and comply with installation practices as specified in the Florida Plumbing Code. When a dishwasher is replaced, the water supply line must be replaced. Rubber supply hoses are prohibited. If an owner fails to replace the unit's dishwasher after ten (10) years of service or fails to replace the dishwasher water supply line and a leak occurs in a dishwasher, related hardware or water supply, the owner will be strictly liable, under Florida Law, for all damages caused to the unit, the common elements, association property, other units or any other property which is damaged by such leak.

(4) All existing washing machine supply lines must be material such as stainless steel braided hoses, nylon braided reinforced hoses or higher grade material and if the present supply lines are not stainless steel braided, nylon braided reinforced or higher grade material, the supply lines must be replaced with stainless steel braided hoses, nylon braided reinforced hoses or higher grade material. When a washing machine is replaced the stainless steel braided hoses, nylon braided reinforced hoses or higher grade material must be replaced with new stainless steel braided hoses, nylon braided reinforced hoses or higher grade material hoses. Rubber supply hoses are prohibited. If an owner fails to have stainless steel braided hoses, nylon braided reinforced hoses or higher grade material hoses on the washing machine and a leak occurs in the washing machine supply lines, the owner will be strictly liable, under Florida Law, for all damage caused to the unit, the common elements, association property, other units or any other property which is damaged by such leak.

(5) An owner is responsible for the water to owner's unit being turned off if the unit will be unoccupied for forty-eight (48) hours or more. If the water is not turned off in such instances and a leak occurs, the owner will be strictly liable, under Florida Law, for all damages caused to the unit, the common elements, association property, other units or any other property which is damaged by such leak.

(6) Water filters may be installed in units provided the water filter is installed by a licensed and insured plumber and comply with installation practices as specified in the Florida Plumbing Code. All water filters shall be of high quality materials with screw on connections. All water supply lines must be suitable material such as copper tubing, stainless steel braided supply lines, nylon braided reinforced supply lines or higher grade material. If an owner fails to comply with this provision and a leak occurs in the filter or related hardware and supply lines, the owner will be strictly liable, under Florida Law, for all damages caused to the unit, the common elements, association property, other units or any other property which is damaged by such a leak.

(7) All ice maker water supply line extensions must be of suitable material such as copper tubing, stainless steel braided supply lines, nylon braided reinforced supply lines or higher grade material, and must be installed by a licensed and insured plumber or installer and comply with installation practices as specified in the Florida Plumbing Code. All refrigerator in-line water filters shall be of high quality materials with screw on connections. When the ice maker or refrigerator is replaced, the water supply line extensions must be replaced. If an owner fails to have a copper supply line, stainless steel braided supply line, nylon braided reinforced supply line or a supply line of better material on the ice maker and a leak occurs in the ice maker or related hardware and supply line, the owner will be strictly liable, under Florida Law, for all damage caused to the unit, the common elements, association property, other units or any other property which is damaged by such leak.

CERTIFICATE OF AMENDMENT

THE UNDERSIGNED, being the duly and acting President of Monterrey Condominium Association, Inc., a Florida corporation not for profit, hereby certifies that at a meeting of the members held on May 1, 2012, where a quorum was present, after due notice, the resolution set forth below was duly approved by the vote indicated for the purpose of amending the Declaration of Condominium for Monterrey, a Condominium, as originally recorded in O.R. Book 2136 at Pages 0352 *et seq.*, of the Public Records of Collier County, Florida, as previously amended.

INSTR 4696560 OR 4799 PG 967
RECORDED 5/22/2012 10:30 AM PAGES 3
DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT
COLLIER COUNTY FLORIDA
REC \$27.00

The following resolution was approved by at least two-thirds (2/3rds) of the voting interests who were present and voting.

(for use by Clerk of Court)

RESOLVED: That the Amended and Restated Declaration of Condominium for Monterrey, a Condominium, is hereby amended and the amendment is adopted in the form attached hereto, and made a part hereof.

Date: May 10, 2012

MONTERREY CONDOMINIUM ASSOCIATION, INC.

(1) Derek Beebe
Witness
Print Name: DEREK BEEBE

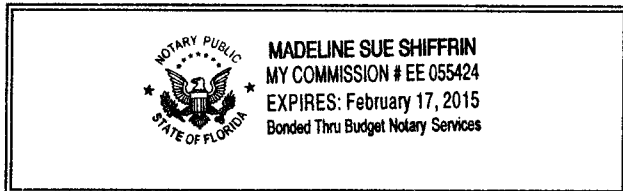
By: James Brousil
James Brousil, President
980 Cape Marco Drive
Marco Island, FL 34145

(2) Glenn DuBrucq
Witness
Print Name: GLENN DuBrucq

(CORPORATE SEAL)

**STATE OF FLORIDA
COUNTY OF COLLIER**

The foregoing instrument was acknowledged before me this 10th day of May, 2012 by James Brousil, as President of the aforementioned Corporation, on behalf of the Corporation. He is personally known to me or has produced _____ as identification.



Madeline Sue Shiffirin
Signature of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public (Affix Notarial Seal)

This instrument prepared by Robert C. Samouce, Esq., Samouce, Murrell & Gal, P.A., 5405 Park Central Court, Naples, FL 34109.