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FIFTH AMENDMENT TO

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|---------------------------------|-------------------------|--------|
| DECLARATION OF CONDOMINIUM | 100002 10 6391 06-06-89 | 1005 |
| | 13:58 | |
| OF SUNNYBROOK IX, A CONDOMINIUM | RECORD/INDEX | |
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| | 01 00 42 | 1 1.50 |
| | TOTAL | 10.50 |

THIS FIFTH AMENDMENT to the Declaration of Sunnybrook IX, a Condominium is made pursuant to said Declaration of Condominium this 2nd day of May, 1989.

W I T N E S S E T H :

WHEREAS, the original Declaration of Condominium of Sunnybrook IX, a Condominium, was recorded in Official Record Book 1605, commencing at Page 0351, and was amended by that certain First Amendment to Declaration of Condominium of Sunnybrook IX, a Condominium, recorded in Official Records Book 1616, commencing at Page 0574, that certain Second Amendment to Declaration of Condominium of Sunnybrook IX, a Condominium, recorded in Official Record Book 1629, commencing at Page 1607, that certain Third Amendment to Declaration of Condominium of Sunnybrook IX, a Condominium, recorded in Official Record Book 1633, commencing at Page 1285, and that certain Fourth Amendment to Declaration of Condominium of Sunnybrook IX, a Condominium, recorded in Official Record Book 1636, commencing at Page 1493, all of the Public Records of Pasco County, Florida; and

WHEREAS, pursuant to Paragraph 25 of said Declaration, the Declaration may be amended by the affirmative vote of seventy-five percent (75%) of the Unit Owners of the Condominium at a meeting duly called for such purpose pursuant to the Bylaws of Sunnybrook Condominium Association, Inc.; and

WHEREAS, on the 11th day of April, 1989, at a duly called meeting of the Unit Owners of Sunnybrook IX, a Condominium, at which a quorum was present, not less than seventy-five percent (75%) of the Unit Owners in the Condominium affirmatively voted to amend the Declaration of Condominium of Sunnybrook IX, a Condominium, as more specifically provided herein,

NOW THEREFORE, pursuant to the provisions of Paragraph 25 of the Declaration of Condominium of Sunnybrook IX, a Condominium, and the applicable provisions of Chapter 718, Florida Statutes, and the rules and regulations promulgated pursuant thereto, said Declaration is hereby amended as follows:

1. The first paragraph of Paragraph 20 of the Declaration is hereby amended as follows:

In order to insure a community of congenial residents and thus protect the value of the Units, ~~the sale, leasing, rental and transfer sales or other conveyances of a Unit owned by any Owner other than the Developer and the renting or leasing of any Unit shall be~~ is restricted and subject to the following provisions:

2. New Paragraph 25E is hereby inserted immediately following Paragraph 25D and shall read as follows:

E. Notwithstanding anything to the contrary contained in this Declaration or the declaration of condominium of any other condominium constructed as a part of the Sunnybrook Development, no amendment to this Declaration shall be certified by the Association and recorded in the Public Records of Pasco County, Florida, unless and until an identical amendment to each of the declarations of condominium of the condominiums constructed as a part of the Sunnybrook Development has been approved at a duly called meeting

THIS INSTRUMENT PREPARED BY:
Christie S. Jones, Esquire (813) 365-5115
Ingersoll and Bloch, Chartered
1515 Ringling Boulevard, Suite 800
Sarasota, Florida 34236

by the unit Owners of each such condominium as required in the respective declarations.

3. Except as expressly modified herein, the terms and conditions of the Declaration of Condominium of Sunnybrook IX, a Condominium, as previously, duly amended, are hereby ratified and confirmed.

IN WITNESS WHEREOF, Sunnybrook Condominium Association, Inc., pursuant to Section 718.110(2), Florida Statutes, by its duly authorized officers, hereby certifies that the foregoing amendments to the Declaration of Condominium of Sunnybrook IX, a Condominium, originally recorded in Official Record Book 1605, commencing at Page 0351, Public Records of Pasco County, Florida, as previously, duly amended, were duly approved by the Unit Owners as provided herein.

Signed, Sealed and Delivered in the Presence of:

SUNNYBROOK CONDOMINIUM ASSOCIATION, INC., a Florida corporation not for profit

Dolores Donato
Harold J. Donato

By: John D. Watson
Its President

ATTEST: Irene Frankowski
Its Secretary

(CORPORATE SEAL)

STATE OF FLORIDA)
COUNTY OF PASCO)

I HEREBY CERTIFY that on this 3rd day of May, 1989, before me personally appeared John A. Watson and RENE FRANKOWSKI, President and Secretary, respectively, of SUNNYBROOK CONDOMINIUM ASSOCIATION, INC., a Florida corporation not for profit, to me known to be the persons described in and who executed the foregoing FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM OF SUNNYBROOK IX, A CONDOMINIUM, and acknowledged the execution thereof to be their duly authorized free act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation; and that the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Pasco County, State of Florida, the day and year last aforesaid.

[Signature]
NOTARY PUBLIC

My Commission Expires:

Notary Public, State of Florida at Large
My Commission Expires Dec. 15, 1990

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