

Record \$27.00

Prepared by and return to:

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Attention: J. Michael Hartenstine, Esq.

**TWENTY-SECOND AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
UNIVERSITY PARK**

This Amendment is made as of the 3rd day of December 2019 by **UNIVERSITY PARK COMMUNITY ASSOCIATION, INC.**, a Florida corporation not for profit (the "Association").

RECITALS

A. Woodlands Country Club Associates, LLP, a Florida limited liability partnership, f/k/a Woodlands Country Club Associates, a Florida general partnership ("Woodlands"), as Declarant, heretofore recorded a Declaration of Covenants, Conditions, and Restrictions for University Park (the "Declaration") in Official Records Book 1363, Page 264, Public Records of Manatee County, Florida, to govern the community known as University Park.

B. Article 21 of the Declaration reserved unto Woodlands the right to amend the Declaration, provided any such amendment reasonably conforms to the general purposes of the covenants and restrictions set forth in the Declaration.

C. The Declaration has been amended previously by instruments recorded in the Public Records of Manatee County, Florida.

D. Pursuant to Article 16.6 of the Declaration, Woodlands reserved the right to assign any or all of its rights, interests, easements, powers, duties, obligations, and privileges under the Declaration.

E. Pursuant to Assignment of Developer Rights recorded in Official Records Book 2814, page 965, Public Records of Manatee County, Florida, Woodlands assigned its amendment rights under Article 21 of the Declaration to the Association.

F. A copy of the Articles of Incorporation of the Association is attached as Exhibit "D" to the Declaration, and a copy of the Bylaws of the Association is attached as Exhibit "E" to the Declaration.

G. By resolutions adopted by the Association's board of directors at meetings held on October 25 and November 25, 2019, the Articles of Incorporation were amended.

H. By resolutions adopted by the Association's board of directors at a meeting held on December 2, 2019, the Bylaws were amended.

I. The Association desires to amend the Declaration to place of record the adopted amendments to the Association's Articles of Incorporation and Bylaws.

Now, therefore, pursuant to its amendment rights under Article 21 of the Declaration, the Association hereby amends the Declaration as follows:

1. The foregoing Recitals are true and are incorporated into this Amendment.
2. All capitalized terms not otherwise defined herein have the meaning ascribed to them in the Declaration.

3. Article 6.4 of the Articles of Incorporation is amended to read as follows:

6.4 Qualification and Term. Directors need not be members of the Association. Prior to the "turnover" meeting, Directors elected pursuant to Article 6.2 will serve for terms expiring at the first annual meeting of members following their election. At the "turnover" meeting, the three candidates for election to the Board of Directors receiving the highest plurality of votes will serve for terms expiring at the second annual meeting of members following their election, and the three candidates for election to the Board of Directors receiving the next highest plurality of votes will serve for terms expiring at the first annual meeting of members following their election. Thereafter, all Directors elected at an annual meeting of members will serve for terms expiring at the second annual meeting of members following their election.

4. The last sentence of Article 7.1 of the Articles of Incorporation is deleted.
5. The last sentence of Article 10 of the Articles of Incorporation is deleted.
6. The last sentence of Article 6.1.B of the Bylaws is deleted.
7. Article 6.3 is added to the Bylaws to read as follows:

6.3 Employment. Neither the Association nor any entity in which the Association holds an ownership interest may employ a Director in any capacity whatsoever.

8. Article 7.6 is added to the Bylaws to read as follows:

7.6 Telephone Conferences. If at least a majority of the Board of Directors is physically present at a meeting of the Board of Directors, but not otherwise, any Director not physically present may participate in the meeting through the use of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other during the meeting. In such case, a director participating in a meeting by this means is deemed to be present in person at the meeting.

9. Article 8.9 of the Bylaws is amended to read as follows:

8.9 Compensation. No Director may receive a salary or any other form of compensation from the Association. An officer who is not a Director may receive compensation in such amount as may be approved by the Board of Directors.

10. Except as modified hereby, the provisions of the Declaration, as previously amended, are ratified and declared to be in full force and effect.

In witness whereof, the Association has caused this Amendment to be executed by its undersigned, duly authorized officer as of the day and year first above written.

WITNESSES

UNIVERSITY PARK COMMUNITY ASSOCIATION, INC.

Signature of Witness

By: _____
John Whyte
As its President

Print Name of Witness

Signature of Witness

Print Name of Witness

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this ____ day of December 2019 by John Whyte, as President of **UNIVERSITY PARK COMMUNITY ASSOCIATION, INC.**, a Florida corporation not for profit, on behalf of the corporation. The above-named person is personally known to me or has produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.

(Notary Seal)

Signature of Notary Public

Print Name of Notary Public

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I am a Notary Public of the State of Florida, and my commission expires on _____.