

**CERTIFICATE OF AMENDMENT TO THE
DECLARATION OF COVENANT, EASEMENTS AND RESTRICTIONS FOR
POSITANO PLACE AT NAPLES**

THE UNDERSIGNED, being the duly elected and acting President of Positano Place at Naples Master Association, Inc., a Florida not-for-profit corporation, does hereby certify that at a duly called meeting of the Members held on May 23, 2021, where a quorum was present, after due notice, the attached Amendment, which amends the Declaration of Covenant, Easements and Restrictions for Positano Place at Naples as originally recorded on January 12, 2006 in O.R. Book 3964, Page 2095, *et. seq.*, of the Public Records of Collier County, Florida (the "Master Declaration"), was approved by not less than 66-2/3% of the votes of the membership of the Master Association at a meeting of the Owners as provided in Section 13.5 of the Master Declaration and the attached Amendment was thus duly passed and approved.

The Master Declaration is hereby amended in accordance with Exhibit A attached hereto and incorporated herein and is now in full force and effect.

Dated: May 25th, 2021

Positano Place at Naples Master Association, Inc., a Florida not-for-profit corporation

Tina M. Korns
Witness
Printed Name: TINA M. KORNIS

By: *Michael R. Cox*
MICHAEL R. COX, President

Jadwiga Dziedzic
Witness
Printed Name: JADWIGA DZIEZIC

STATE OF FLORIDA
COUNTY OF COLLIER

Acknowledged and subscribed before me, an officer duly authorized in the above mentioned state and county to take acknowledgments, by means of physical presence, this ___ day of May, 2021, by MICHAEL R. COX, President of Positano Place at Naples Master Association, Inc. and who did take an oath.

Tina M. Korns
Notary Public
TINA M. KORNIS
Printed name of Notary
My Commission Expires:

Prepared by and return to:
Meredith Peck Ralston, Esquire
Peck & Peck, P.A.
5200 Tamiami Trail North, Suite 101
Naples, Florida 34103



AMENDMENT TO THE
DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS
FOR
POSITANO PLACE AT NAPLES

The Declaration of Covenants, Easements and Restrictions for Positano Place at Naples (hereinafter the "Declaration") is amended as outlined below.

Note: Additions are indicated by underlining; language being deleted is indicated by ~~striking through~~.

Section 8.20(E) of the Declaration shall be amended to read as follows:

Section 8.20(E) Limitation on Ability to Lease. Notwithstanding anything to the contrary in this Declaration, the Articles of Incorporation, By-Laws or Rules and Regulations, Units may not be rented or leased until the Unit Owner has held title to the Unit for at least twelve (12) months without a tenant occupying the unit and without a lease in effect. During this twelve (12) month holding period, the Unit may only be occupied by (i) the Unit Owner, (ii) the Unit Owner's immediate family provided that the Unit Owner resides in the Unit with the Unit Owner's family, and (iii) the guests of the Unit Owner when the Unit Owner ~~or Unit Owner's family~~ is present in the Unit. To avoid circumvention of the twelve (12) month holding period after acquisition of title before a Unit may be leased, if a Unit Owner acquires title to a Unit subject to an existing lease, the twelve (12) month holding period does not commence until after the end of the term of any existing lease that the Unit Owner acquired his Unit subject to at the time of transfer such that a full twelve (12) months elapses without a tenant in the Unit or a lease in effect. This provision preventing a Unit Owner from leasing the Unit until the Owner has held title to the Unit for at least twelve (12) months shall not apply to (i) a Unit Owner who acquires record title to a Unit prior to the date this amendment is recorded in Collier County, Florida Public Records; (ii) a first mortgagee that acquires title to a Unit through foreclosure or deed in lieu of foreclosure; and (iii) the Association, if it acquires title to a Unit, whether by foreclosure or deed in lieu of foreclosure, or otherwise.