

STATE OF ALABAMA     )

COUNTY OF BALDWIN    )

BALDWIN COUNTY, ALABAMA  
TIM RUSSELL PROBATE JUDGE  
Filed/cert. 1/24/2014 1:45 PM  
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4 Pages

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**AMENDMENT TO THE DECLARATION OF CONDOMINIUM**  
**OF**  
**LAGOON TOWER, A CONDOMINIUM**

**WHEREAS**, the Declaration of Condominium of Lagoon Tower, A Condominium, is dated February 19, 2007, and recorded as Instrument Number 1034015, in the records of the Judge of Probate of Baldwin County, Alabama on, or about February 28, 2007; and,

**WHEREAS**, the members of Lagoon Tower Condominium Owner's Association, Inc. desire to amend and revise the Declaration of Condominium; and,

**WHEREAS**, notice of the subject matter of this proposed revision was included in a notice of an annual meeting given to all unit owners to be held on the 12<sup>th</sup> day of October, 2013, and whereas said proposed revision was approved by at least sixty-seven percent (67%) of the fractional voting interest in the Association, and there being no eligible mortgagees of record.

**NOW, THEREFORE**, in accordance with Article XIX of the Declaration of Condominium of Lagoon Tower, A Condominium, and the Alabama Uniform Condominium Act of 1991, the Association hereby amends the Declaration of Condominium of Lagoon Tower, A condominium, as follows:

Article VII, Subparagraph 7.06 is hereby amended to read as follows:

*7.06. Leases. Units may be leased by the Unit Owners, provided, however; (1) that such lease and the rights of any tenant thereunder is hereby made expressly subject to the power of the Association to prescribe reasonable Rules and Regulations relating to the lease and rental of Units and to enforce the same directly against such tenant or other occupant by the exercise of such remedies as the Board deems appropriate, including eviction; and (2) that such lease or rental agreement shall be in writing.*

*Each Unit Owner who has or who shall hereafter lease his or her Unit hereby irrevocably empowers and authorizes the Association or the managing agent of the Association to enforce the Rules and Regulations of the Condominium Association and to terminate the lease of and evict any tenant who fails to comply with said Rules and Regulations or who provides other sufficient cause for termination of the lease and eviction in accordance with the Laws of the State of Alabama, this Declaration, the By-Laws, Rules and Regulations of the Association or any contract for lease. The Association, the Board of*

*Directors or its managing agent shall not become liable to any Unit Owner or sub-lessor or other party for any loss of rents or other damages resulting from the reasonable exercise of the provisions of this paragraph.*

*Entire Units may be leased by the Unit Owners; provided, however, that such lease is for a minimum lease term of at least three (3) consecutive days and duration and; provided, however, that such lease and the rights of the any tenant thereunder are hereby made expressly subject to the power of the Association to prescribe reasonable rules and regulations relating to the lease and rental of Units and to enforce the same directly against such tenant or other occupant by the exercise of such remedies as the Board deems appropriate, including eviction. No individual rooms may be rented. The sub-leasing of units is expressly forbidden under any circumstances.*

*No unit shall be rented to anyone under the age of twenty-five (25) unless the renter is married and the married couple will be occupying the unit during the rental period.*

Article VII, Subparagraph 7.12 is added to read as follows:

*7.12. Sex Offenders. Unit Owners shall not allow convicted sex offenders to rent, occupy, visit or use an owner's unit. Owners who rent their unit through any rental agency or who allow any third person to provide access to a unit shall instruct such persons of this restriction and require them to be bound thereby. In the event that an owner is notified by the police, sheriff's department, the Association's property manager, or by the Board of Directors that a sex offender is occupying or otherwise using an owner's unit, such owner shall, at owner's expense, cause such person to be evicted from the owner's unit. In the event that the owner fails to do so, the Association may undertake any and all necessary legal action to cause the removal of such convicted sex offender from the owner's unit and the owner shall reimburse the Association of all attorneys fees, costs and related expense of the legal proceedings.*

The undersigned hereby certifies that he is the duly elected and qualified Secretary and the custodian of the books and records and seal of Lagoon Tower Condominium Owner's Association, Inc., an Alabama Non-Profit Corporation, duly formed pursuant to the laws of the State of Alabama and that the foregoing is a true record of an Amendment duly adopted by the Unit Owners in accordance with State Law and the Declaration of the above named Corporation on or about the 15th day of January, 2014, and that said Amendment is now in full force and effect without modification or rescission.

**IN WITNESS WHEREOF**, I have executed my name as Secretary of Lagoon Tower Condominium Owner' Association, Inc. on this the 15 day of January, 2014.

A True Record.

LAGOON TOWER CONDOMINIUM  
OWNER'S ASSOCIATION, INC.  
An Alabama Nonprofit Corporation

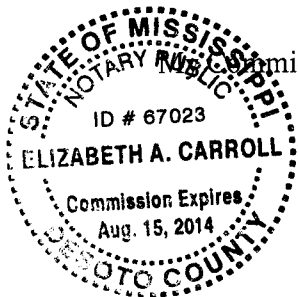
Danny Williams  
DANNY WILLIAMS, Secretary

STATE OF Mississippi )  
COUNTY OF DeSoto )

I, a Notary Public, in and for said County in said State, hereby certify that Danny Williams, whose name as Secretary, respectively, of Lagoon Tower Condominium Owner's Association, Inc., an Alabama Non-Profit Corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that being informed of the contents of said document, he, as such officer and with full authority, has executed the same voluntarily for and as the act of the Corporation on the day the same bears date.

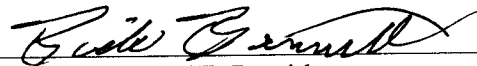
Sworn to and subscribed to before me on the 15<sup>th</sup> day of January 2014.

Elizabeth A. Carroll  
Notary Public



Commission Expires: 3-15-14

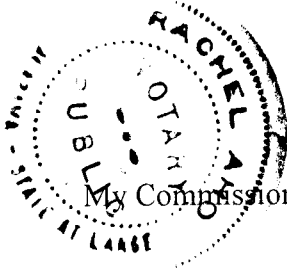
LAGOON TOWER CONDOMINIUM  
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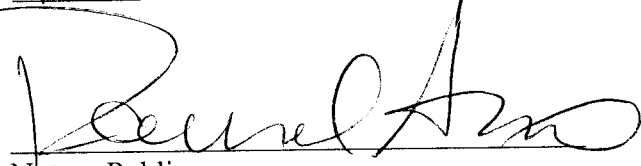
  
\_\_\_\_\_  
RICK BENNETT, President

STATE OF Alabama )  
COUNTY OF Baldwin )

I, a Notary Public, in and for said County in said State, hereby certify that Rick Bennett, whose name as President, respectively, of Lagoon Tower Condominium Owner's Association, Inc., an Alabama Non-Profit Corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that being informed of the contents of said document, he, as such officer and with full authority, has executed the same voluntarily for and as the act of the Corporation on the day the same bears date.

Sworn to and subscribed to before me on the 15<sup>th</sup> day of January 2014.



  
\_\_\_\_\_  
Notary Public

*This Instrument Prepared By:*  
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