

*ev* Prepared By and Return To:  
Tannenbaum Lemole & Hill  
614 S. Tamiami Trail  
Osprey, FL 34229



**AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF  
COVENANTS AND RESTRICTIONS OF BENEVA PINES**

THIS CERTIFICATE OF AMENDMENT is executed this 26 day of January, 2023, by Beneva Pines Homeowners Association, Inc., a Florida not-for-profit corporation (hereinafter "Association").

**RECITALS**

WHEREAS, the Association has been established for the operation of Beneva Pines Homeowners Association, Inc., in accordance with Amended and Restated Declaration of Covenants and Restrictions of Beneva Pines recorded at Official Records Instrument No. 2005167724 in the Public Records of Sarasota County, Florida, ("Declaration"); and,

WHEREAS, an amendment to the Declaration were submitted to the Members of the Association at a Meeting of the Members held on October 27, 2022, which Meeting was duly noticed in accordance with the Florida Statutes; and,

WHEREAS, not less than two-thirds of the voting interests of the membership who were present in person or via proxy at that Meeting approved the proposed amendment to the Declaration.

NOW THEREFORE, the Association does hereby state as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. All present and future Members of the Association shall be bound by the amendment to the Declaration.

New language is indicated by underlined type. Deleted language is indicated by ~~strikethrough~~ type.

**A new Section 21 of Article IV of Declaration is added as follows:**

21. Subject to the provisions of Section 720.306(1)(h)(4) and (5), Florida Statutes, Lots acquired after the effective date of this amendment, which shall be the date the amendment is recorded in the public records, shall not be rented or leased for a period of twenty-four (24) months following the acquisition of title to the Lot. The date of acquisition of title to a Lot shall be established by the date of recordation of a deed or other instrument of conveyance in the Public Records of Sarasota County, Florida. For purposes of this Declaration, lease and rent shall be synonymous and mean any lease, rental, occupancy, licensing, or similar agreement, written or otherwise, between an Owner and a person or entity permitting that person or entity to occupy the Owner's Lot in return for the payment of a fee, gratuity, or emolument, providing a service, or agreeing to a reciprocal occupancy with or to the Owner. Internet-based non-Owner occupancy

arrangements made through services such as Airbnb and HomeAway are included in the definition of Lease and are therefore subject to the foregoing restriction on leasing for twenty-four (24) months after acquisition and also the general lease restrictions set forth in subsection (20) of this Article VI.

**All other sections remain unchanged.**

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 26 day of January, 2023.

Eva Ducharme  
Witness Signature

Eva Ducharme  
Printed Name

[Signature]  
Witness Signature

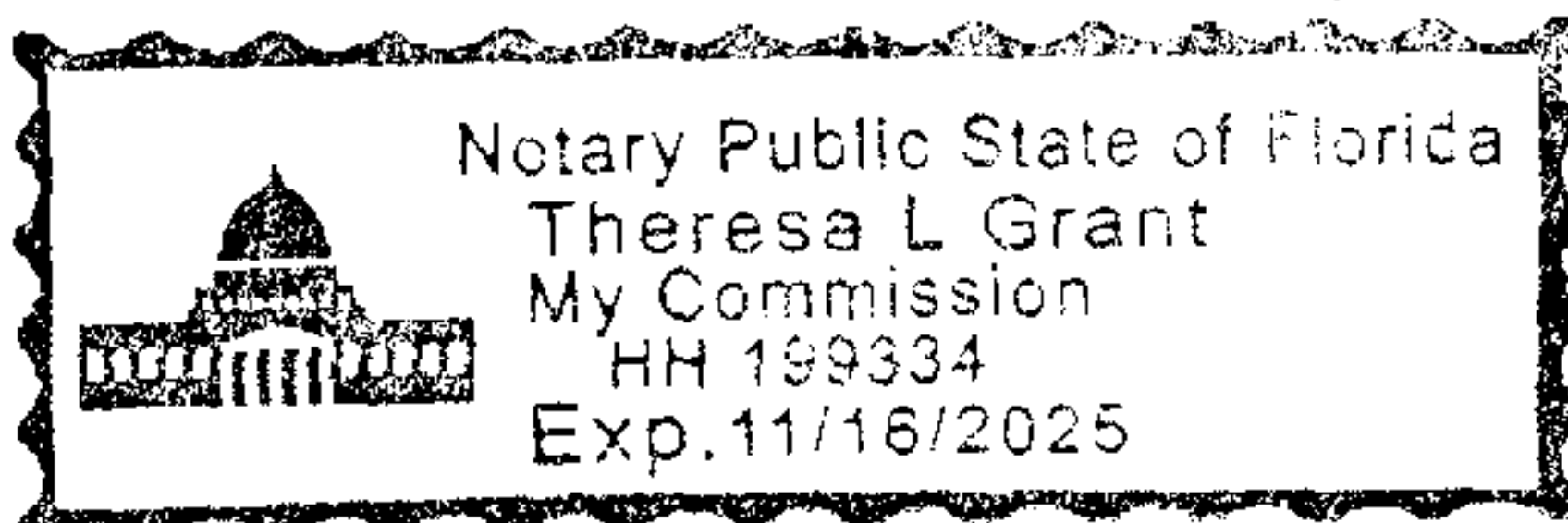
CHAD SELLIG  
Printed Name

BENEVA PINES HOMEOWNERS ASSOCIATION, INC.

By: [Signature]  
Amanda Harrison, President

STATE OF FLORIDA  
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 26 day of January 2023, by Amanda Harrison, as President, of Beneva Pines Homeowners Association, Inc., a Florida corporation, on behalf of the corporation, who  is personally known to me or  has produced Florida Drivers Lic as identification.



[Signature]  
Notary Public, State of Florida

Eva Ducharme  
Witness Signature

Eva Ducharme  
Printed Name

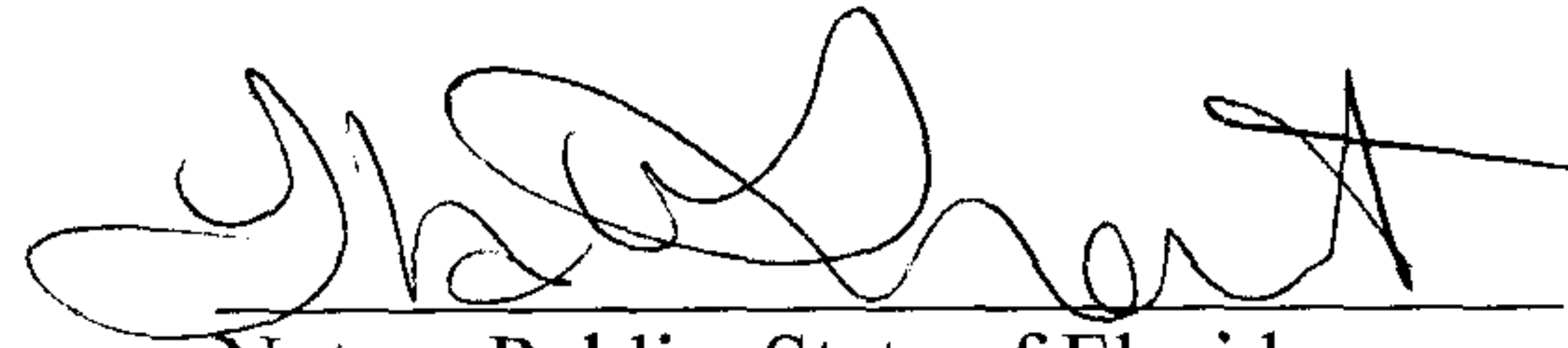
[Signature]  
Witness Signature

CHAD SELLIG  
Printed Name

[Signature]  
Attest: Gudrun Novak, Secretary

STATE OF FLORIDA  
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 26 day of January 2023, by Cudrun Nawak as Secretary of Beneva Pines Homeowners Association, Inc., a Florida corporation, on behalf of the corporation, who is personally known to me or has produced Florida Drivers LIC as identification.

  
Notary Public, State of Florida

