

This Instrument Prepared By:  
Katherine Hurst Miller, Esq.  
Wright & Casey, P.A.  
340 North Causeway  
New Smyrna Beach, FL 32169

**FOURTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF  
THE ORMOND HERITAGE, A CONDOMINIUM**

This Amendment to the Declaration of Condominium of The Ormond Heritage, A Condominium, (the "Amendment") is made this 27<sup>th</sup> day of July 2021, by the Ormond Heritage Condominium Management Association, Inc. ("Ormond Heritage"), a Florida not-for-profit corporation.

**WITNESSETH**

**WHEREAS**, the Declaration of Condominium of The Ormond Heritage, a Condominium, was originally recorded among the Official Records of Volusia County, Florida, in Official Records Book 4045, Page 4588, and was previously amended as recorded in Official Records Book 4065, Page 2390; Official Records Book 4098, Page 2971; and Official Records Book 4543, Page 1422 of the Public Records of Volusia County, Florida; and

**WHEREAS**, the Board of Directors proposed amendments to Section 13.3 of the Declaration; and

**WHEREAS**, the Declaration in Paragraph 13.2 states upon an amendment being proposed, the secretary of the Association shall call a special meeting of the members of the Association to be held not sooner than twenty days nor later than sixty days thereafter for the purpose of considering said amendment, and that such amendment must be approved by the affirmative vote of two-thirds of the total number of Association members entitled to vote; and

**WHEREAS**, a special meeting of the members was held for the purpose of considering the proposed amendments on July 7, 2021, and was continued until July 24, 2021; and

**WHEREAS**, the proposed amendments were approved by the affirmative vote of two-thirds of the total number of Association members entitled to vote.

**NOW, THEREFORE**, the Declaration of Condominium of The Ormond Heritage, a Condominium, as previously amended, is hereby amended as follows (Note: additions are indicated by underline; deletions by ~~strikeout~~):

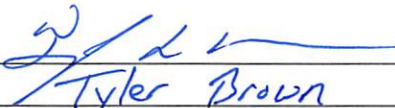
13.3 Limitations. No amendment to this Declaration amending Paragraph 9, entitled "Insurance", or any part thereof, including sub-paragraphs, shall be effective unless first mortgagees of record shall join in

~~the execution of any such amendment, nor shall any amendment to Paragraph 10.5 entitled Leasing of Units, or any part hereof, be effective unless Unit Owners of all Condominium Parcels join in the execution of any such amendment. Further, no amendment shall make any changes which would in any way affect any of the rights, privileges, or powers herein provided in favor or reserved to the Developer, unless the Developer shall join in the execution of any such amendment. Further, no amendment to Paragraph 14, entitled "Termination", or any part thereof, including sub-paragraphs, shall be effective unless the Unit Owners of all Condominium Parcels and the owners of all first mortgages of record on Condominium Parcels join in the execution of any such amendment. Further, no amendment to Paragraph 6, entitled, "Maintenance, Repair, or Replacement; Changes, Improvements and additions; Condominium Property", or any part thereof, including sub-paragraphs be effective unless the Unit Owners of all Condominium Parcels join in the execution of any such amendment.~~

IN WITNESS WHEREOF, Ormond Heritage has hereby duly adopted and executed this Amendment as set for in the Declaration of Condominium on the day and year first written above. Certified by the President and attested to by the Secretary of the Ormond Heritage.

#### CERTIFICATION

WE HEREBY CERTIFY that we are the President and the Secretary of The Ormond Heritage Condominium Management Association, Inc. and that the foregoing Amendment to the Declaration was adopted by the affirmative vote of two-thirds of the total number of Association members entitled to vote.

  
\_\_\_\_\_  
Tyler Brown  
(Name and signature of witness No. 1)

  
\_\_\_\_\_  
Taras Najdeck  
(Name and signature of witness No. 2)

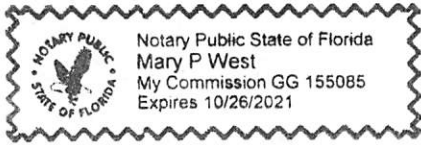
**The Ormond Heritage Condominium  
Management Association, Inc., a Florida  
not-for-profit corporation**

SIGNED   
\_\_\_\_\_  
N.G. CUTTER, PRESIDENT

STATE OF FLORIDA  
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 27<sup>th</sup> day of July 2021, by Nicholas G. Cutter, the President of Ormond Heritage Condominium Management Association., a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_ as identification.





NOTARY PUBLIC:

Sign: Mary West

Print: MARY WEST

State of Florida At Large

(Seal)

My Commission Expires: 10/28/2021

Title/Rank: Notary

Commission Number: 155085

Donald F. Donahue  
Donald F. Donahue  
(Name and signature of witness No. 1)

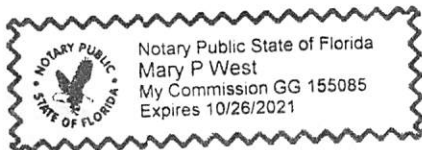
Taras Majdich  
Dan Mark  
(Name and signature of witness No. 2)

**The Ormond Heritage Condominium  
Management Association, Inc., a Florida  
not-for-profit corporation**

SIGNED Patricia A.C. Sample  
PATRICIA A.C. SAMPLE, SECRETARY

STATE OF FLORIDA  
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 29<sup>th</sup> day of July 2021, by Patricia A.C. Sample, the Secretary of Ormond Heritage Condominium Management Association., a Florida not-for-profit corporation, on behalf of the corporation. She is personally known to me or has produced \_\_\_\_\_ as identification.



NOTARY PUBLIC:

Sign: Mary West

Print: MARY WEST

State of Florida At Large

(Seal)

My Commission Expires:

Title/Rank: Notary

Commission Number: 155085