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**COR AMND/RESTATE/CORRECT OR O/D RESIGN
CAPTAIN'S QUARTERS HOMEOWNER'S ASSOCIATION, INC.**

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**ARTICLES OF AMENDMENT TO ARTICLES OF INCORPORATION
OF CAPTAIN'S QUARTERS HOMEOWNER'S ASSOCIATION, INC.**

Pursuant to the provisions of Section 617.1006, Florida Statutes, this Florida Not-For-Profit Corporation adopts the following amendments to the Articles of Incorporation.

Article IV is hereby amended to add the following:

- J. To operate, maintain and manage the surface water or stormwater management systems(s) in a manner consistent with the Suwannee River Water Management District permit no. 4-91-00089 requirements and applicable District rules, and to assist in the enforcement of the Declaration which relate to the surface water or stormwater management system.
- K. To levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system.

Article XII is hereby amended to add the following:

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water of stormwater management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027, F.A.C., and be approved by the Suwannee River Water Management District prior to such termination, dissolution or liquidation.

Article XVI is hereby added as a new article and includes the following:

ARTICLE XVI
SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MISCELLANEOUS PROVISIONS

- A. For purposes of this Instrument "surface water or stormwater management system" means a system which is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb,

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inhibit, treat, use or reuse water to prevent or reduce flooding, overdrainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges.

- B. The Association shall be responsible for the maintenance, operation and repair of the surface water or stormwater management system. Maintenance of the surface water or stormwater management system(s) shall mean the exercise of practices which allow the systems to provide drainage, water storage, conveyance or other surface water or stormwater management capabilities as permitted by the Suwannee River Water Management District. Any repair or reconstruction of the surface water or stormwater management system shall be as permitted or, if modified, as approved by the Suwannee River Water Management District.
- C. In addition to the purposes described herein, assessments shall also be used for the maintenance and repair of the surface water or stormwater management system including but not limited to work within retention areas, drainage structures and drainage easements.
- D. The Association shall have a perpetual non-exclusive easement over all areas of the surface or stormwater management system for access to operate, maintain or repair the system. By this easement, the Association shall have the right to enter upon any portion of any lot which is a part of the surface water or stormwater management system, at a reasonable time and in a reasonable manner, to operate, maintain or repair the surface water or stormwater management system as required by the Suwannee River Water Management District permit. Additionally, the Association shall have a perpetual non-exclusive easement for drainage over the entire surface water or stormwater management system. No person shall alter the drainage flow of the surface water or stormwater management system, including buffer areas or swales, without the prior written approval of the Suwannee River Water Management District.
- E. Any amendment to the Declaration which alters any provision relating to the surface water or stormwater management system, beyond maintenance in its original condition, including the water management portions of the common areas, must have the prior approval of the Suwannee River Water Management District.

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- F. The Suwannee River Water Management District shall have the right to enforce, by a proceeding at law or in equity, the provisions contained in the Declaration which relate to the maintenance, operation and repair of the surface water or stormwater management system.
- G. The Developer has constructed a Drainage Swale upon each Lot for the purpose of managing and containing the flow of excess surface water, if any, found upon such lot from time to time. Each lot owner, including builders, shall be responsible for the maintenance, operation and repair of the swales on the lot. Maintenance, operation and repair shall mean the exercise of practices, such as mowing and erosion repair, which allow the swales to provide drainage, water storage, conveyance or other stormwater management capabilities as permitted by the Suwannee River Water Management District. Filling, excavation, construction of fences or otherwise obstructing the surface water flow in the swales is prohibited. No alteration of the Drainage Swale shall be authorized and any damage to any Drainage Swale, whether caused by natural or human-induced phenomena, shall be repaired and the Drainage Swale returned to its former condition as soon as possible by the Owner(s) of the Lot(s) upon which the Drainage swale is located.

The Amendments were adopted November 10, 2009 and shall be effective upon filing with the Florida Department of State.

The Amendments were adopted by the members and the number of votes cast for the amendments were sufficient for approval.

IN WITNESS WHEREOF, the Corporation has caused these Amendments to be signed in its name by its President and its corporate seal to be affixed this 10 day of NOVEMBER, 2009.

CAPTAIN'S QUARTERS HOMEOWNER'S
ASSOCIATION, INC., a Florida
corporation

By: *Norm C Taylor*
Name: NORMAN C TAYLOR
Title: PRESIDENT

[Corporate Seal]