

RETURN TO: Berkshire by the Sea
126 N.Ocean Blvd.
Delray Beach FL 33483

MAY-25-1995 9:33am 95-165345
ORB 8761 Pg 1141
DOROTHY H. WILKEN, CLERK PB COUNTY, FL

THIRD AMENDMENT TO BY-LAWS OF
BERKSHIRE BY THE SEA A CONDOMINIUM ASSOCIATION, INC.

WHEREAS, the Declaration of Condominium of Berkshire By The Sea, a Condominium (the "Declaration") was recorded at Official Records Book 3478, at Page 1248, of the Public Records of Palm Beach County, Florida; and,

WHEREAS, The By-Laws of Berkshire By The Sea a Condominium Association, Inc. (the "By-Laws") are attached to the Declaration as Exhibit "C"; and,

WHEREAS, Article X of the By-Laws provides that if an Amendment to the By-Laws has received the unanimous approval of the full Board of Directors, then it shall be approved upon the affirmative vote of the voting members casting a majority of the total votes of the members of the Association; and,

WHEREAS, proper notice of the meeting has been given and all requirements for the adoption of this Amendment to the By-Laws have been met.

NOW, THEREFORE, the By-Laws of Berkshire By The Sea a Condominium Association, Inc. are hereby amended as follows:

- 1. Article III, Section 3 of the By-Laws is amended as follows:

Article III. Meeting of the Membership:

Section 3. Annual Meeting: the annual meeting shall be held within the first one hundred and twenty (120) days of the year, at a time and place to be determined by the Board for the purpose of electing Directors and transacting any other business authorized to be transacted by the members, provided, however, that if that day is a legal holiday, the meeting shall be held at the same hour on the next secular day following. At the annual meeting, the members shall elect by plurality vote (cumulative voting prohibited), a Board of Directors, and shall transact such other business as may properly be brought before the meeting.

The remaining provisions of Article III of the By-Laws remain unchanged.

IN WITNESS WHEREOF, Berkshire By The Sea a Condominium Association, Inc. has caused these presents to be executed in it's name by it's President this 22 day of May, 1995.

Signed, sealed and delivered in the presence of:

BERKSHIRE BY THE SEA A CONDOMINIUM ASSOCIATION, INC. a Florida Not-For-Profit Corporation

Eleanor Pastore
George R. Keddy

Attest: *George R. Keddy*
Secretary

BY: *[Signature]*
President

(CORPORATE SEAL)

STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS.

Before Me personally appeared Samuel Giuliano and George R. Keddy to me known and known to me to be the individuals described in and who executed the foregoing Amendment to the By-Laws for BERKSHIRE BY THE SEA A CONDOMINIUM ASSOCIATION, INC. as President and Secretary, respectively of the above named BERKSHIRE BY THE SEA CONDOMINIUM ASSOCIATION, INC. a Florida Not-For-Profit corporation, and severally acknowledged to and before me that they executed such instrument as President and Secretary, respectively of said Association, and that the seal affixed to the foregoing instrument is the seal of said Corporation, and it was affixed to said instrument by due and regular authority, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this 22 day of May, 1995.

My comm.  expires **ELEANOR PASTORE** **NOTARY PUBLIC** **STATE OF FLORIDA** **COMMISSION # 12345** **EXPIRES 2, 1998** **BONDED THROUGH TRAVELERS INSURANCE, INC.**

Eleanor Pastore