

PREPARED BY AND RETURN TO:  
RICHARD M. KLITENICK  
RICHARD M. KLITENICK, P.A.  
1009 SIMONTON STREET  
KEY WEST, FL 33040  
305-292-4101  
RECORDING PAID: \_\_\_\_\_

\_\_\_\_\_[Space above this line for recording data]\_\_\_\_\_

## CERTIFICATE OF AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF THE WILLIAM FLEMING HOUSE, A CONDOMINIUM

WHEREAS, the Declaration of Condominium of **THE WILLIAM FLEMING HOUSE, A CONDOMINIUM** was duly recorded in Official Records Book 919 at Page 2060, et. seq., and re-recorded in Official Records Book 920 at Page 1720, et. seq., all of the Public Records of Monroe County, Florida (the "Declaration"); and,

WHEREAS, **THE WILLIAM FLEMING HOUSE CONDOMINIUM ASSOCIATION, INC.**, a Florida not for profit corporation, (the "Association") is the entity responsible for the operation and management of The William Fleming House Condominium (the "Condominium"); and,

WHEREAS, at the Special Meeting of the Membership & Directorate of the Condominium and Association held on September 17 2018, the requisite percentage of the membership approved an amendment to the Declaration, which amendment is attached hereto and made a part hereof as Exhibit "A".

NOW, THEREFORE, the undersigned hereby certifies that the Amendment to the Declaration attached hereto as Exhibit "A", is a true and correct copy of the amendments approved by the membership.

Signed, sealed and delivered in our presence:

**THE WILLIAM FLEMING HOUSE CONDOMINIUM  
ASSOCIATION, INC.**, a Florida not-for-profit  
corporation

By: \_\_\_\_\_

William Haack, President

Witness #1 signature

Print name: BARBARA G. WEIKEL

Witness #1 signature

Print name: Danyel Clynes

STATE OF FLORIDA  
COUNTY OF MONROE

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements **WILLIAM HAACK**, who is personally known to me; or, who produced \_\_\_\_\_, as identification, to be the same person who is the named Officer described in the foregoing Certificate, and he acknowledged to me that he executed the same freely and voluntarily for the purposes therein expressed, with all requisite corporate authority.

WITNESS my hand and official seal at Key West, Florida on this 17 day of September, 2018.

(STAMP/SEAL)



Notary Public State of FL MARY E. TURSO  
Commission Expires: 5/16/21

EXHIBIT "A" TO CERTIFICATE OF AMENDMENT  
TO THE DECLARATION OF CONDOMINIUM  
OF  
THE WILLIAM FLEMING HOUSE, A CONDOMINIUM

ADOPTED SEPTEMBER 11, 2018

The Amendments made to the Declaration of Condominium were limited to a revision to Section XXIV of the Declaration, as follows (with revisions shown as **bold, italic & underlined**):

XXIV. Limited Common Elements.

- A. Each unit owner shall maintain the limited common elements adjacent to and appurtenant to his unit.
- B. Unit owners which have the exclusive use of balconies described in the Declaration as limited common elements, shall be allowed to install a properly permitted heating, ventilating and air-conditioning system ("HVAC"), including, but not limited to ductless "split unit systems", on the balconies.
- C. Any such HVAC systems installed on balconies shall also be considered limited common elements; however, the cost for installation, maintenance, repair and replacement of any and all such units shall be borne exclusively by the unit owner which has exclusive use of the limited common element on which the unit is installed
- D. Prior to applying to the City of Key West and any other required government agency for a permit to install an HVAC system on any limited common element, the unit owner shall first submit the same to the Board of Directors for approval. The submission shall include a detailed description of the proposed installation. The Board shall approve or deny such a request within thirty (30) days of receipt of the same. The Board shall use its discretion in determining whether the proposed HVAC unit meets the character, quality and design of the Condominium.