

Prepared by and Return to:  
Karen E. Maller, Esq.  
Powell, Carney, Maller, P.A.  
200 Central Avenue, Suite 1210  
St. Petersburg, FL 33701

***EIGHTH AMENDMENT TO THE MASTER DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR RIVIERA DUNES***

This Eighth Amendment to the Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes ("Eighth Amendment") is made this 24<sup>th</sup> day of March 2021, and is made with reference to the following:

***WHEREAS***, the Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes ("Master Declaration") was executed on November 23, 1999 and recorded in O.R. Book 1616, beginning at Page 4557, in the Public Records of Manatee County, Florida; and

***WHEREAS***, the Master Declaration has been amended:

1. On April 23, 2001 by the First Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes, recorded in O.R. Book 1677, beginning at Page 1378, in the Public Records of Manatee County, Florida; and
2. On June 26, 2001 by the Second Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes, recorded in O.R. Book 1688, beginning at Page 4355, in the Public Records of Manatee County, Florida; and
3. On April 4, 2003 by the Third Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes, recorded in O.R. Book 1818, beginning at Page 5706, in the Public Records of Manatee County, Florida; and
4. On October 20, 2003 by the Fourth Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes, recorded in O.R. Book 1874, beginning at Page 5122, in the Public Records of Manatee County, Florida; and
5. On August 16, 2005 by the Fifth Amendment (incorrectly identified as the Third Amendment) to Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes, recorded in O.R. Book 2051, beginning at Page 2109, in the Public Records of Manatee County, Florida; and
6. On December 20, 2007 by the Sixth Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes, recorded in O.R. Book 2240, beginning at Page 1925, in the Public Records of Manatee County, Florida; and
7. On June 19, 2013 by the Seventh Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes, recorded in O.R. Book 2481, beginning at Page 1485, in the Public Records of Manatee County, Florida; and

**WHEREAS**, pursuant to Section 16.05 of Article 16, of the Master Declaration, at a duly called meeting of the Delegate Members of Riviera Dunes Master Association, Inc., the Master Declaration, as amended, was further amended by this Eighth Amendment by an approval vote of not less than seventy percent (70%) of all Members of Riviera Dunes Master Association, Inc., as evidenced by Delegate Voting.

**NOW, THEREFORE**, pursuant to said Delegate Vote, the Master Declaration, as amended, is further amended as follows:

(~~Strikethroughs~~ are deletions; underlined words are additions or changes:

1. Section 1.05 of the Master Declaration titled "Assessment Index" is amended as follows:

1.05. "Assessment Index" means the number of Index Points assigned to each Lot or Parcel to establish the share of Common Expense to be borne by such Lot or Parcel. Each Lot shall have one Index Point and each Parcel shall have twenty (20) Index Points ~~per full developable acre thereof~~ (exclusive of roadways, stormwater systems, and common area property [once determined] serving more than one (1) Lot or Parcel) as determined by Declarant for purposes of Assessments and voting rights, except ~~those areas identified on the attached Exhibit A as parcels 4 and 18 which~~ shall not be assigned Index Points. Parcel 14A has been adjusted to account for the storm water pond. Bel Mare East property, parcel ID #2581600959, has been adjusted as common area property and will not be allocated index points or voting rights. Index Points shall not be reduced for any acre listed on Exhibits A and B except in accordance with Manatee County zoning and land use regulations or by any future amendment to the Master Declaration. A partial developable acre shall be allocated the corresponding percentage of the twenty (20) Index Points (e.g., one-half acre would be allocated ten (10) Index Points).

2. (i) Section 9-A.01 of the Master Declaration Second Amendment, titled "Description of Marina Parcel" and Section 9-A.01 of the Mater Declaration Fifth Amendment titled "Description of Marina" are deleted in their entirety, and the following is substituted; (the following language is substantial rewording. (See governing documents for deleted text):

9-A.01 Description of the Marina Parcel. The Marina Parcel shall hereafter consist of all that real property identified and legally described in **Exhibit "A"** to the Second Amendment and **Exhibit "B"** to the Fifth Amendment, each of which is incorporated herein by this reference. The Marina Parcel, as expanded by this Fifth Amendment, shall thereafter be considered a "Parcel" as such term is defined at Article 1.34 of the Master Declaration, and shall thus be separate and distinct from the Harbor, shall not be considered a part of the Exclusive Common Area known as the Harbor, and shall not be included within any definition or other description of the Harbor

or bound by any covenants, restrictions, regulations pertaining to the Exclusive Common Area and/or the Harbor except as same may affect a Parcel or unless otherwise specifically set forth elsewhere in the Declaration.

(ii) Based upon the foregoing, the following Marina Parcels are allocated the following Index Points for determination of voting and assessment obligations, to wit:

- a. The Marina parcel identified as parcel number 2581600639 in the Manatee County Property Appraiser's records, shall be deemed to have 2.3670 acres with twenty (20) Index Points allocated per acre, for a total of forty-seven (47) Index Points.
  - b. The Marina parcel identified as parcel number 2581600509 in the Manatee County Property Appraiser's records, shall be deemed to have 2.0 acres with twenty (20) Index Points allocated per acre, for a total of forty (40) Index Points.
  - c. Marina parcels identified as parcel numbers 2581608959; 2581618309, and 2581614909 in the Manatee County Property Appraiser's records, contain a total of two hundred nineteen (219) taxable boat slip condominium units with one (1) Index Point allocated per boat slip unit, for a total of two hundred nineteen (219) Index Points.
3. Section 2.01 of the Master Declaration Third Amendment titled "Existing Property" is amended as follows:

2.01. Existing Property.

(a) The real property subject to this Master Declaration is described on Exhibit A attached to the initial Master Declaration recorded in O.R. Book 1616, beginning on Page 4557, in the Public Records of Manatee County, Florida hereto and made a part hereof, with the exception that and exclusion of Parcels 15, 16 and 17 as described on Exhibit A have been excluded. However, it is acknowledged that Parcel 15 as depicted in the first page of Exhibit 1 to the Sixth Amendment to the Master Declaration (which consists of a 2.4806 acre parcel also identified as parcel number 2581600639 in the Manatee County Property Appraiser's public record) is not the same Parcel 15 excluded from the Master Declaration and is part of the property governed by the Master Declaration and entitled to the assignment of Assessment Index points as are other Parcels. By virtue of this Eighth Amendment to the Master Declaration, the Parcel identified as Parcel 15 on the first page of Exhibit 1 to the Sixth Amendment is hereby labeled and identified as Parcel 14B.

(b) Effective the date of this Eighth Amendment the real property subject to this Master Declaration is described on Exhibit A attached hereto and made a part hereof. The current Assessment Index allocating Index Points among the depicted real property currently subject to the Master Declaration is listed in Exhibit B attached hereto and made a part hereof. Effective the date of this Eighth Amendment, the attached Exhibit A depicting the real property subject to the Master Declaration and the attached Exhibit B containing the current Assessment Index allocating Index Points supersedes all prior real property depictions and Assessment Index contained in the Master Declaration as previously amended.

4. Section 10.02 of the Master Declaration Fourth Amendment titled "Architectural Control Committee" is amended as follows:

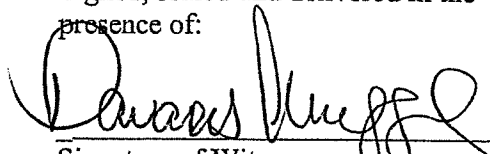
10.02. Architectural Control Committee. Architectural Review shall be implemented by the ACC. The ACC shall consist of not less than three (3), nor more than seven (7) members, except as provided below. If the Board chooses to appoint a separate ACC from the Board, members of the ACC shall serve terms established by the Board. five members. The members shall be Michael A. Fernandez, Dennis D. Bradford, and C. Timothy Vining, and two other members selected by Declarant prior to the turnover date and thereafter, two other members shall be appointed by the board. In the event C. Timothy Vining ceases to serve as a member of the ACC, his replacement shall be selected by Riviera Dunes Partners, LLC, or its successors, that is assigned this right).

5. All references to the Third Amendment to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Riviera Dunes recorded in O.R. Book 02051, Pages 2109 through 2112, Public Records of Manatee County, Florida, are deleted, and substituted for the word "Third" is the word "Fifth," since the described amendment is in fact the Fifth Amendment to the Master Declaration.

**[Remainder of Page Intentionally Left Blank]**

**IN WITNESS WHEREOF**, this Eighth Amendment has been executed by Riviera Dunes Master Association, Inc., on the day and year first above written.

Signed, sealed and delivered in the presence of:

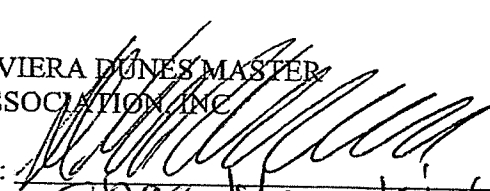
  
Signature of Witness

Davarious Huggins  
Printed Name of Witness

  
Signature of Witness

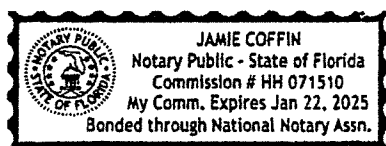
Kerry Clark  
Print Name of Witness

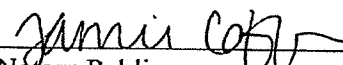
RIVIERA DUNES MASTER ASSOCIATION, INC.

By:   
Name: Shay Hawkinsberry  
Title: President

STATE OF FLORIDA  
COUNTY OF MANATEE

The foregoing was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 7 day of April, 2021, by Shay Hawkinsberry, as President of RIVIERA DUNES MASTER ASSOCIATION, INC., on behalf of the Association, who ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.



  
Notary Public  
Print Name of Notary Jamie Coffin  
My Commission Expires: 01/22/2025

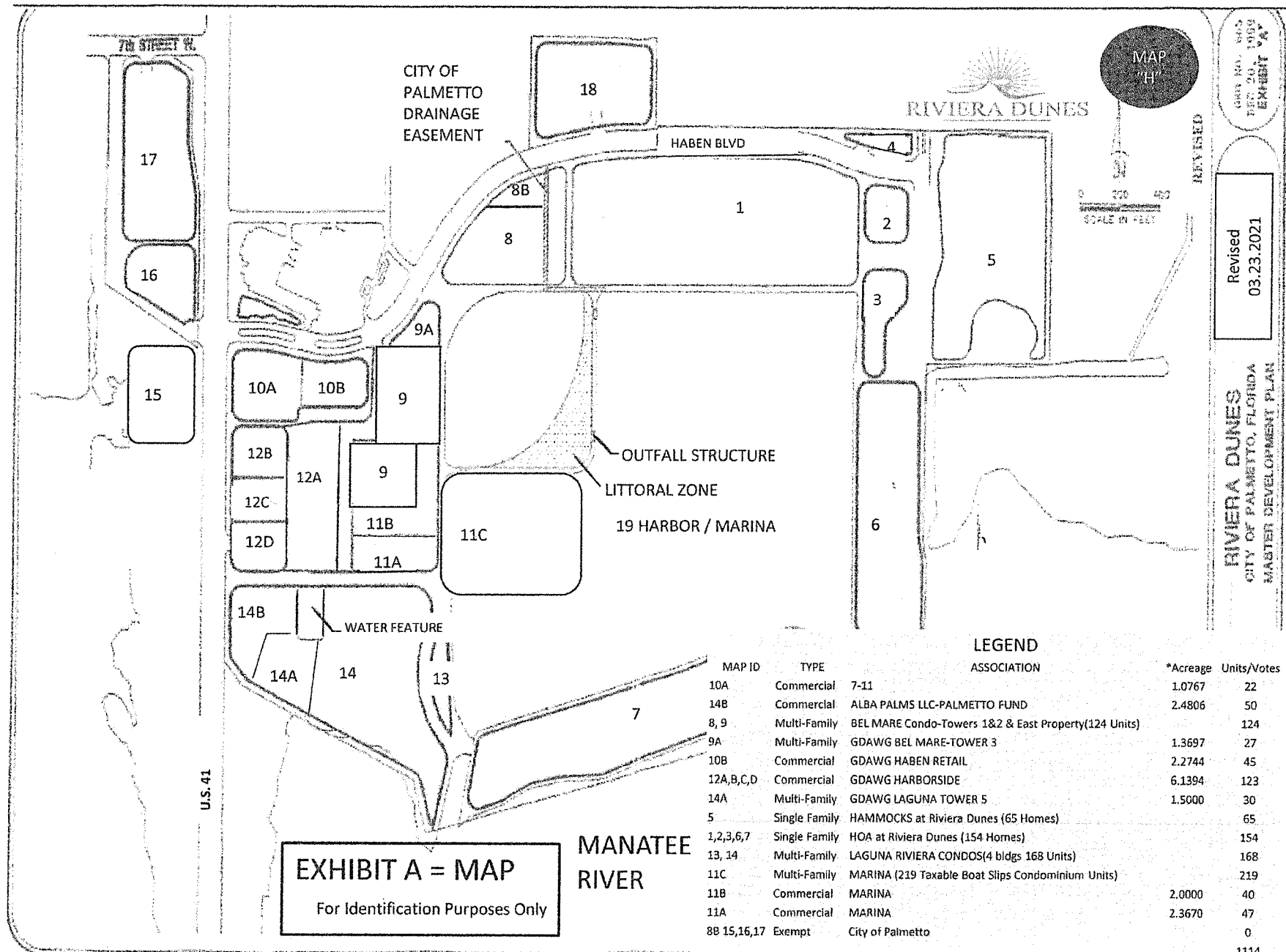


EXHIBIT B

MAP ID	TYPE	ASSOCIATION	*Acreage	Units/Votes
10A	Commercial	7-11	1.0767	22
14B	Commercial	ALBA PALMS LLC-PALMETTO FUND	2.4806	50
8, 9	Multi-Family	BEL MARE Condo-Towers 1&2 & East Property(124 Units)		124
9A	Multi-Family	GDAWG BEL MARE-TOWER 3	1.3697	27
10B	Commercial	GDAWG HABEN RETAIL	2.2744	45
12A,B,C,D	Commercial	GDAWG HARBORSIDE	6.1394	123
14A	Multi-Family	GDAWG LAGUNA TOWER 5	1.5000	30
5	Single Family	HAMMOCKS at Riviera Dunes (65 Homes)		65
1,2,3,6,7	Single Family	HOA at Riviera Dunes (154 Homes)		154
13, 14	Multi-Family	LAGUNA RIVIERA CONDOS(4 bldgs 168 Units)		168
11C	Multi-Family	MARINA (219 Taxable Boat Slips Condominium Units)		219
11B	Commercial	MARINA	2.0000	40
11A	Commercial	MARINA	2.3670	47
8B 15,16,17	Exempt	City of Palmetto		0
				1114