

Prepared by and return to:
Brett M. Paben, Esquire
Lobeck & Rowe, P.A.
2033 Main Street, Suite 403
Sarasota, Florida 34237
(941) 955-5622

CERTIFICATE OF AMENDMENT

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

**BYLAWS
RIVIERA DUNES MASTER ASSOCIATION, INC.**

We hereby certify that the attached Amendments to The Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes and the Bylaws for Riviera Dunes Master Association, Inc. (which Declaration was originally recorded at Official Records Book 1616, Page 4557 et seq. of the Public Records of Manatee County, Florida, as amended) were approved at a meeting of the membership held on August 19, 2025, by the affirmative vote of not less than seventy percent (70%) of the voting representatives of the Association who cast their vote, which is sufficient for adoption pursuant to Article XVI of the Master Declaration and Article X of the Bylaws.

DATED this 28th day of August, 2025.

Witnesses:

sign: Charles Threlkeld
print: Charles Threlkeld
sign: Mark Keadle
print: Mark Keadle

Witnesses:

sign: _____
print: _____
sign: _____
print: _____

RIVIERA DUNES MASTER
ASSOCIATION, INC.

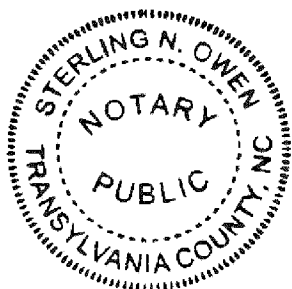
By: Deborah Sperry
Deborah Sperry, President

Attest: _____
Art Mombert, Treasurer & Acting Secretary

(Corporate Seal)

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

The foregoing instrument was acknowledged before me this 25th day of August, 2025, by Deborah Sperry, as President of Riviera Dunes Master Association, Inc., a Florida corporation, on behalf of the corporation. She is personally known to me or has produced FLDL as identification.



NOTARY PUBLIC

sign

A handwritten signature of Sterling N. Owen, consisting of a stylized, cursive script.

print

Sterling N. Owen

State of North Carolina at Large (Seal)

My Commission expires: 6-29-29

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by Art Mombert as Treasurer & Acting Secretary of Riviera Dunes Master Association, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification.

NOTARY PUBLIC

sign

print

State of Florida at Large (Seal)

My Commission expires:

Prepared by and return to:
Brett M. Paben, Esquire
Lobeck & Rowe, P.A.
2033 Main Street, Suite 403
Sarasota, Florida 34237
(941) 955-5622

CERTIFICATE OF AMENDMENT

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

**BYLAWS
RIVIERA DUNES MASTER ASSOCIATION, INC.**

We hereby certify that the attached Amendments to The Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes and the Bylaws for Riviera Dunes Master Association, Inc. (which Declaration was originally recorded at Official Records Book 1616, Page 4557 et seq. of the Public Records of Manatee County, Florida, as amended) were approved at a meeting of the membership held on August 19, 2025, by the affirmative vote of not less than seventy percent (70%) of the voting representatives of the Association who cast their vote, which is sufficient for adoption pursuant to Article XVI of the Master Declaration and Article X of the Bylaws.

DATED this 8 day of 28, 2025.

Witnesses:

sign: Chelsey B Branch
print: Chelsey B Branch
sign: Juli M Marabie
print: Juli M Marabie

Witnesses:

sign: _____
print: _____
sign: _____
print: _____

RIVIERA DUNES MASTER
ASSOCIATION, INC.

By: _____
Deborah Sperry, President

Attest: Art Mombert
Art Mombert, Treasurer & Acting Secretary

(Corporate Seal)

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by Deborah Sperry, as President of Riviera Dunes Master Association, Inc., a Florida corporation, on behalf of the corporation. She is personally known to me or has produced _____ as identification.

NOTARY PUBLIC

sign _____

print _____
State of North Carolina at Large (Seal)
My Commission expires:

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 28th day of August, 2025, by Art Mombert as Treasurer & Acting Secretary of Riviera Dunes Master Association, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced FCDL as identification.

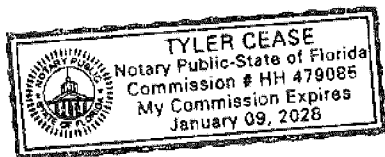
NOTARY PUBLIC

sign _____

print TYLER CEASE

State of Florida at Large (Seal)

My Commission expires: January 9th, 2028



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

[Additions are indicated by underline; Deletions are indicated by ~~strike through~~.]

ARTICLE 1
DEFINITIONS

1.05. Assessment Index and Index Points

(a) "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.

(b) Each Lot shall have one (1) Index Point and each Parcel shall have twenty (20) Index Points per acre thereof (exclusive of roadways, stormwater systems, and common area property –serving more than one (1) Lot or Parcel) ~~as determined by Declarant for purposes of Assessments and voting rights~~ 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.

(c) Each Lot or Parcel shall share in the Common Expenses and have voting rights on a proportionate basis determined by its number of Index Points.

(d) The determination of acreage in each Parcel and the number of Lots shall be adjusted as needed to reflect any changes as provided herein, as an administrative matter by the Master Association Board of Directors concurrent with the adoption of the annual budget, effective on the first day of the next calendar year. This shall be an objective determination, with Lots created upon the recording of a condominium or subdivision plat and the remeasurement or elimination of a Parcel also determined based on such creation of Lots and by City approval of a site plan providing for roadways, stormwater systems and common area property within a Parcel which serves more than one (1) Lot or Parcel, and in the creation of a mixed use development, as provided herein. Until so adjusted, the allocations shall be as provided in Exhibits A and B in the Eighth Amendment to this Master Declaration, provided however that after that first adjustment, said Exhibits A and B are hereby repealed.

(e) Index Point changes that occur as a result of changes in land use, in the manner provided herein, shall not require an amendment to this Master Declaration adopted in accordance with Section 16.05 hereof or approvals in accordance with section

720.306(1)(c), Florida Statutes, as such Index Point changes are permitted by the Master Declaration as originally recorded.

~~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).~~

ARTICLE 9-A MARINA PARCEL REGULATIONS AND COVENANTS

~~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.~~

~~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.~~

ARTICLE 2 THE PROPERTY

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, as amended, with the exception and exclusion of Parcels 15, 16 and 17 as described on Exhibit A. 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 2581600369 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 the 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.~~

ARTICLE 3

MEMBERSHIP IN THE MASTER ASSOCIATION

3.02 Voting Rights. . .

(a) Regular Membership. Regular Members who own Lots are entitled to one vote for each Lot; provided, however, that multiple owners of a Lot have collectively only one vote for such Lot. Regular Members who own Parcels are entitled to one vote for each Index Point assigned to such Parcel at the time such vote is taken. The voting rights of Regular Members are delegated as provided by the Master Declaration and Bylaws. In the event that a vacant parcel is developed and individual lots or condominium units are created on such parcel, upon issuance of a certificate of occupancy for any such lot or condominium unit on such parcel, the Parcel's Index Points in regard to the number of voting interests assigned to the Parcel shall no longer be computed based upon acreage, but shall thereafter be computed on the basis of one Index Point per lot or condominium unit developed or to be developed on such parcel. At the time of the recording of this provision, the voting rights of lots and condominium units shall be converted to one (1) vote per lot or unit, and the commercial, retail, or vacant parcels shall be based upon acreage as set forth on Exhibit 1 to this document.

ARTICLE 5
COVENANT FOR ASSESSMENTS

5.05 Sharing of Common Expenses

(a) Regular Common Expenses. In the event that a parcel is developed and individual lots or condominium units are created upon such parcel, upon issuance of a certificate of occupancy for any such lot or condominium unit on such parcel, the Parcel's Index Points in regard to share of common expenses shall no longer be computed based on acreage, but shall thereafter be computed on the basis of one Index Point per lot or condominium unit developed or to be developed on such parcel. At the time of the recording of this provision, the share of common expenses of lots and condominium units shall be one (1) share per lot or unit, and the commercial, retail, or vacant parcels shall be assessed on acreage as set forth in Exhibit 1 to this document.

AMENDMENT
BY-LAWS
OF
RIVIERA DUNES MASTER ASSOCIATION, INC.

ARTICLE V

5.02 Election of Directors: The election of Directors shall be conducted in the following manner:

- (a) Election of Directors shall be held at the annual meeting of the Members. The Master Association shall provide Owners with a first notice of the date of the election at least sixty (60) days before the election is scheduled to occur. Any Owner may nominate himself or herself to be a candidate for the Board of Directors by notifying the Master Association in writing of his or her intent to be a candidate at least forty (40) days prior to the scheduled date of the election. A candidate's eligibility to serve shall be determined in accordance with Fla. Stat. §720.306, as amended from time to time, and in accordance with these Bylaws. The Master Association shall provide a second notice of the election to Delegate Members and to Parcel Owners at least fourteen (14) days before the election is scheduled to occur advising of the date, time, and location of the election and the names of candidates who have nominated themselves to run for the Board of Directors and who have been determined to be eligible to serve if elected. The second notice of the election which is sent to Delegate Members only, and not to other Parcel Owners, shall also enclose a limited proxy form to be used by Delegate Members who may not be physically present at the annual meeting, to

vote in the election of directors by proxy. Candidate nominations may not be taken from the floor at the annual meeting. Voting in the election of directors shall be by ballot cast in person by a Delegate Member or by the person appointed for that purpose by limited proxy. An election of directors is not required unless there are more candidates than director positions available. If an election is not required, then the names of the persons who will be serving on the Board of Directors shall be announced at the earliest feasible time, and new directors elected by acclamation will be seated as members of the Board of Directors on the date and time when the election was scheduled to occur whether or not a quorum is present. Candidates shall be elected by a plurality of votes cast. Candidates who are elected to the Board of Directors shall serve until their successors are qualified and take their positions on the Board of Directors. ~~Other nominations may be made from the floor, and nominations for additional directorships, if any, created at the meeting shall be made from the floor.~~

...

- (f) ~~When Developer membership terminates and the Developer Member is deemed to be a Regular Member, pursuant to Section 3.02 of the Covenants, then the Developer shall call a special meeting within sixty (60) days after such date, as provided in the Covenants. At such special meeting all Regular Members shall elect a Board of Directors. At the first election following turnover of the Association to the members from the Developer, The Board shall be comprised of seven (7) members as follows: two (2) Directors owning single-family residential homes or town homes constructed on platted lots, elected by Delegate voters representing single-family residential homes or town homes constructed on platted lots; three (3) Directors owning condominium units elected by Delegate voters representing condominium units (whether multi-family or marina units); and two (2) one (1) Directors owning commercial and/or vacant parcels elected by Delegate voters representing the commercial and vacant parcels; and one (1) at large Director elected by all Delegate voters; provided that not more than one Director within a category/class shall be a member of the same condominium association or homeowners' association or an owner of the same Parcel. In the event that there are insufficient candidates of a particular category of Lots or Parcels as described above, the Board shall have the authority to appoint an individual to such vacancy to serve the term of such vacancy. In order to assure a degree of continuity on the Board by electing approximately one-half of the Board in any given election, the board shall have the authority to set the length of terms for three (3) of the Directors shall be elected in even numbered years at the first election to one (1) year terms, and the remaining four (4) Directors shall be elected in odd numbered years, each to a serve terms of two (2) years term. The Board of Directors shall have the authority to adopt election procedures as may be necessary to maintain and/or re-establish this stagger. Furthermore, in even numbered years, one Director shall be elected by the single-family homes and town homes category/class, one~~

Director shall be elected by the condominium category/class, and one Director shall be elected by the commercial and vacant parcels category/class. In odd numbered years, one Director shall be elected by the single-family homes and town homes category/class, two Directors shall be elected by the condominium category/class, and one Director shall be elected by the commercial and vacant parcels category/class. ~~It is the intent of this provision that after the first election by the Delegate voters, in order to preserve a degree of continuity on the board by electing approximately one-half of the board in any given election, three (3) Directors will be elected in even numbered years and four (4) directors will be elected in odd numbered years.~~ Notwithstanding any other provision of these Bylaws or another governing document, amendment of this subsection 5.02(f) requires the affirmative vote of not less than seventy percent (70%) of all voting rights of the Master Association.