

Heritage Pointe Master Association, Inc.  
c/o Sentry Management, Inc.  
6330 Techster Blvd., #1  
Fort Myers, FL 33966

May 4, 2017

TO: Unit Owners  
FROM: Board of Directors  
RE: **Amendment to Rules and Regulations; Resolution Regarding Authorizing Electronic Voting and Participation for Association Meetings and Elections**

Dear Members of the Association:

At the Board of Directors' organizational meeting following the Annual Members' Meeting held March 20, 2017, the Board of Directors adopted the following:

- Amendment to Rules and Regulations banning smoking in or within fifteen (15) feet of the Community Center, swimming pool, pool deck, and spa
- Resolution Regarding Authorizing Electronic Voting and Participation for Association Meetings and Elections.

The new rule and policy are effective as of the date of adoption. A copy of the smoking rule is enclosed for your information. The electronic voting resolution is available upon request.

At the May 3, 2017 Special Members' Meeting, the Association Membership also approved the Proposed Amendments to the Declarations of Condominium banning smoking in or within fifteen (15) feet of any Condominium Building, including in, under or around the stairways and stairwells, storage unit/room, lanais, patios or balconies (the text of the changes was included with your Annual Meeting Notice Package). The amendments to the Declarations are in the process of being recorded in the Public Records of Lee County, Florida. Copies will be available upon request.

Very truly yours,



Joyee Jager, President  
For the Board of Directors

Prepared by and returned to:

Becker & Poliakoff, P.A.  
James Robert Caves, III, Esquire  
12140 Carissa Commerce Court, Suite 200  
Fort Myers, FL 33966

**CERTIFICATE OF AMENDMENT  
DECLARATIONS OF CONDOMINIUM  
FOR**

**TERRACE I AT HERITAGE POINTE, A CONDOMINIUM  
TERRACE II AT HERITAGE POINTE, A CONDOMINIUM  
TERRACE III AT HERITAGE POINTE, A CONDOMINIUM  
TERRACE IV AT HERITAGE POINTE, A CONDOMINIUM  
TERRACE V AT HERITAGE POINTE, A CONDOMINIUM  
TERRACE VI AT HERITAGE POINTE, A CONDOMINIUM**

I HEREBY CERTIFY that the following amendments to the Declarations of Condominium of Terrace I at Heritage Pointe, a Condominium; Terrace II at Heritage Pointe, a Condominium; Terrace III at Heritage Pointe, a Condominium; Terrace IV at Heritage Pointe, a Condominium; Terrace V at Heritage Pointe, a Condominium; and Terrace VI at Heritage Pointe, a Condominium were duly adopted by the Association membership at the duly noticed Special Members' Meeting of the Association on the 3<sup>rd</sup> day of May 2017. Said amendments were approved by a proper percentage of voting interests of the Association. The Declaration of Condominium for Terrace I at Heritage Pointe, a Condominium, is recorded at O.R. Book 4126, Page 4368 *et seq.*; the Declaration of Condominium for Terrace II at Heritage Pointe, a Condominium, is recorded at O.R. Book 4216, Page 2147 *et seq.*; the Declaration of Condominium for Terrace III at Heritage Pointe, a Condominium, is recorded at O.R. Book 4416, Page 586 *et seq.*; the Declaration of Condominium for Terrace IV at Heritage Pointe, a Condominium, is recorded at O.R. Book 4477, Page 387 *et seq.*; the Declaration of Condominium for Terrace V at Heritage Pointe, a Condominium, is recorded at O.R. Book 4569, Page 3708 *et seq.*; the Declaration of Condominium for Terrace VI at Heritage Pointe, a Condominium, is recorded at O.R. Book 4781, Page 2771 *et seq.*; and the Declaration of Covenants, Conditions and Restrictions for Heritage Pointe is recorded at O.R. Book 4126, Page 4281 *et seq.*, all of the Public Records of Lee County, Florida.

Additions indicated by underlining.

Deletions indicated by ~~striking through~~.

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LAW OFFICES

BECKER & POLIAKOFF, P.A.  
SIX MILE CORPORATE PARK • 12140 CARISSA COMMERCE COURT, SUITE 200 • FORT MYERS, FL 33966  
TELEPHONE (239) 433-7707

**Amendment: Article 12.8 (NEW), Declarations of Condominium for Terraces I, II, III, IV, V and VI**

**12. USE RESTRICTIONS.** The use of the units and the common elements shall be in accordance with the following provisions, and with Section 5 of the Master Association Declaration, as long as the Condominium exists:

(Article 12.1 through Article 12.7 Remain Unchanged)

12.8 Smoking. No person shall engage in smoking in or on within fifteen (15) feet of any condominium building. This means that smoking is not permitted in, under or around the stairways and stairwells, storage unit/room, lanais, patios or balconies. Smoking is permitted inside Units provided all windows and doors are kept closed. Smoking shall mean inhaling, exhaling, burning, carrying or possessing any lighted substance, including cigarettes, cigars or pipes. The use of "electronic" or "vapor" cigarettes, cigars, pipes, or similar apparatus, are likewise defined as smoking and likewise prohibited in the aforementioned areas.

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WITNESSES:  
(TWO)

HERITAGE POINTE MASTER  
ASSOCIATION, INC.

Lawrence C. Adams  
Signature  
LAWRENCE C. ADAMS  
Printed Name

BY: Joyce E Jager  
Joyce Jager, President

Date: 5-4-17

(CORPORATE SEAL)

[Signature]  
Signature  
Darvice M Wyatt  
Printed Name

STATE OF Florida )  
COUNTY OF Lee ) SS:

The foregoing instrument was acknowledged before me this 4 day of May 2017, by Joyce Jager as President of Heritage Pointe Master Association, Inc., a Florida Corporation, on behalf of the corporation. She is personally known to me or has produced (type of identification) \_\_\_\_\_ as identification.



Sylvie M T Gauthier  
Notary Public  
Sylvie M T Gauthier  
Printed Name

My commission expires: 2-16-2019  
ACTIVE: 9549699\_2