

ADDENDUM

Certification Deficiency in 2005 Amendment to Declaration of Covenants and Restrictions

(Whispering Woods of Coral Springs Homeowners Association, Inc.)

Background:

Upon further review of the Association's governing documents, a defect has been identified in the execution of the "Certificate of Amendments to the Declaration of Covenants and Restrictions of Whispering Woods of Coral Springs," recorded on April 26, 2005, in Official Records Book 39513, Page 821 of the Public Records of Broward County, Florida.

Findings:

Section 11.01 of the original Declaration of Covenants and Restrictions requires that any amendments not made directly by the Declarant must be "certified by the President and Secretary of the Association."

The 2005 Amendment was executed only by the President (Elvis Nail) and does not bear the required certification by the Secretary. This execution deviates from the certification requirements outlined in the governing documents. (See Exhibit A and Exhibit B.)

Recommendation:

The Committee recommends that the Board consult legal counsel regarding possible corrective actions, such as:

- Reaffirming or ratifying the 2005 Amendment through a properly executed certification by the current President and Secretary;
- Or, if necessary, re-adopting the amendment through a new membership vote compliant with the original Declaration and current Florida Statutes.

Exhibits:

- Exhibit A: Excerpt from 1984 Declaration — Section 11.01 (Amendments)
- Exhibit B: Signature Page of 2005 Amendment (President only)

DRAFT CORRECTIVE MOTION FOR BOARD CONSIDERATION:

"Motion to Ratify and Reaffirm Prior Amendment: The Board moves to ratify and reaffirm the amendments to the Declaration of Covenants and Restrictions adopted on March 28, 2005, and recorded on April 26, 2005, and to execute a corrected Certificate of Amendment certified by both the President and Secretary in compliance with Section 11.01 of the original Declaration. The Board further authorizes recording the corrected certificate in the public records of Broward County, Florida, and notifying all members accordingly."

Prepared for internal review and Board action consideration.