

month in which the closing of the purchase and sale of the first condominium unit occurs, provided that the Developer shall be obligated to pay that portion of the common expenses incurred during the aforesaid period which exceeds the sum of:

20.2.1 The amount assessed against other unit owners; and

20.2.2 The funds collected by the Developer and turned over to the Association to initially fund the Association.

20.3 Amendment

Notwithstanding anything herein to the contrary, the provisions of this section shall not be subject to any amendment until the Developer has sold all of the units in VILLA D'ESTE SECTION B, a condominium.

21. RECREATIONAL FACILITIES

Under the provisions of Article III F of the Declaration of Condominium of VILLA D'ESTE, SECTION A, a Condominium, recorded in Official Record Book 1057, Page 1362, et. seq., of the Public Records of Sarasota County, Florida, VILLA D'ESTE SECTION B, a Condominium, was granted an easement and right for the use of all of the recreational facilities of VILLA D'ESTE, SECTION A, a Condominium, which recreational facilities include, by way of illustration but not by limitation, the swimming pool, bathhouse and tennis court, and an easement over the common elements of VILLA D'ESTE, SECTION A, for the purpose of ingress and egress to the aforesaid recreational facilities. These easements and right for the use of the aforesaid recreational facilities has now been confirmed and ratified by agreement between VILLA D'ESTE ASSOCIATION, INC., a non-profit Florida corporation, which is responsible for the operation of VILLA D'ESTE, SECTION A, a Condominium, and VILLA D'ESTE SECTION B CONDOMINIUM ASSOCIATION, INC., a non-profit Florida corporation, which is responsible for the operation of VILLA D'ESTE SECTION B, a Condominium. This agreement is set forth in Exhibit "E" attached hereto and made a part hereof.

The recreational facilities shall continue to be administered by VILLA D'ESTE ASSOCIATION, INC. and it shall be responsible for establishing and administering the budget for the operation and maintenance of the aforesaid recreational facilities. 36/66 of the expenses for the operation and maintenance of the recreational facilities shall be paid by the VILLA D'ESTE SECTION B CONDOMINIUM ASSOCIATION as a part of the common expenses assessed to the unit owners. The use of the recreational facilities shall be subject to such rules and regulations as may be approved by the Boards of Directors of the respective Associations.

22. TERMINATION

The condominium may be terminated in the following manner in addition to the manner provided in the Condominium Act:

22.1 Destruction

In the event that it is determined in the manner elsewhere provided that the condominium building shall not be reconstructed because of major damage, the condominium plan of ownership will be thereby terminated without agreement.

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