

CONDOMINIUM DOCUMENTS FOR
GULF AIRE OF VENICE CONDOMINIUM
ASSOCIATION, INC.

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Presented by:

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NOTE: *The documents in this set were compiled from the public records and furnished by the Florida Department of State and Lawyers Title Insurance Corporation, and those agencies are solely responsible for the accuracy and completeness of the compilation. This document set was sealed when compiled.*

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NOTICE TO THE READER

A few applicable statutory and rule provisions of which you should be aware are:

*A condominium is created by recording a declaration in the public records of the county where the land is located, executed and acknowledged with the requirements for a deed. [Section 718.104(2), Florida Statutes (1994).]*¹

The declaration must contain or provide for the following matters: [Section 718.104(4), Florida Statutes (1994).]

(j) *The document or documents creating the association,² which may be attached as an exhibit.*

(k) *A copy of the bylaws, which shall be attached as an exhibit.³*

*An amendment of a declaration is effective when properly recorded in the public records of the county where the declaration is recorded. [Section 718.110(3), Florida Statutes (1994).]*⁴

*No amendment to the articles of incorporation or bylaws is valid unless recorded with identification on the first page thereof of the book and page of the public records where the declaration of each condominium operated by the association is recorded.⁵ [Section 718.112(1)(b), Florida Statutes (1994).]*⁶

Beginning April 1, 1992, each association must prepare and maintain as part of its official records, a completed Frequently Asked Questions and Answers Sheet substantially conforming to DBR Form 33-032,⁷ as referenced in rule 61B-17.0011, Florida Administrative code.⁸ The association shall update the information provided in the answers to the Frequently Asked Questions and Answers Sheet and prepare a revised sheet every 12 months beginning from when the sheet was last revised. The answers to the questions may be summary in

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1. *For this document, see Index Tab 2 of this book.*
 2. *The documents creating the association are the articles of incorporation. For this document, see Index Tab 4 of this book.*
 3. *For this document, see Index Tab 6 of this book.*
 4. *If the declaration amendment was not recorded, it is not contained in this book. For applicable amendments, see Index Tab 3 of this book.*
 5. *To be effective, amendments to the articles of incorporation must also be filed with the Florida Department of State; Fla. Stat. §607.1006 (1994); §617.1006 (1994). For applicable amendments to the articles of incorporation, see Index Tab 5 of this book, and for applicable amendments to the bylaws, see Index Tab 7 of this book.*
 6. *If the articles of incorporation or bylaw amendment was not recorded, it is not contained in this book.*
 7. *This form has undergone a number change and is now BPR Form 33-032.*
 8. *For a sample of this form, see Index Tab 1 of this book.*

nature, in which case the answer shall refer to identified portions of the condominium documents. [Section 61B-23.002(9)(a), Florida Administrative Code (1994).]⁹

From the inception of the association, the association shall maintain each of the following items, when applicable, which shall constitute the official records of the association: [Section 718.111(12)(a), Florida Statutes (1994).]

2. A photocopy of the recorded declaration of condominium of each condominium operated by the association and of each amendment to each declaration.¹⁰

3. A photocopy of the recorded bylaws of the association and of each amendment to the bylaws.¹¹

4. A certified copy of the articles of incorporation of the association, or other documents creating the association, and of each amendment thereto.¹²

5. A copy of the current rules of the association.¹³

14. A copy of the current Question and Answer Sheet as described by s. 718.504.¹⁴

The official records of the association shall be maintained within the state. The records of the association shall be made available to a unit owner within 5 days after receipt of written request by the board or its designee. This paragraph may be complied with by having a copy of the official records of the association available for inspection or copying on the condominium property or association property. [Section 718.111(12)(b), Florida Statutes (1994).]

. . . The association shall maintain an adequate number of copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing as well as the Question and Answer Sheet provided for in s. 718.504 on the condominium property to ensure their availability to unit owners and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the same. [Section 718.111(12)(c), Florida Statutes (1994).]

. . Each prospective purchaser who has entered into a contract for the purchase of a condominium unit shall be entitled, at the seller's expense, to a current copy of the declaration of condominium, articles of incorporation of the

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9. The Sheet should be completed locally and substituted for the sample shown in Index Tab 1 of this book.
 10. For these documents, see Index Tabs 2 and 3 of this book.
 11. For these documents, see Index Tabs 6 and 7 of this book.
 12. For these documents, see Index Tabs 4 and 5 of this book.
 13. This document, if it exists, should be placed behind Index Tab 8 of this book.
 14. For a sample of this form, see Index Tab 1 of this book.

association, by laws, and rules of the association, as well as a copy of the Question and Answer Sheet provided for by s. 718.504. [Section 718.503(2)(a), Florida Statutes (1994).]

The creation, approval process, and subsequently filing and recording of amendments to the condominium documents in order to ensure their effectiveness, is subject to additional requirements not mentioned above, and is a matter best left to qualified condominium counsel.