

AMENDMENT TO RULES & REGULATIONS – NON-SMOKING

This Amendment to Rules & Regulations – Non-Smoking (“Amendment”), effective August 1, 2008, amends and supplements the Rules & Regulations (“Rules & Regulations”) of The Shearwater Interval Owners Association and the Association of Apartment Owners of The Shearwater (the “Associations”) to provide for certain requirements associated with the non-smoking rules and regulations at The Shearwater condominium project (the “Resort”). Accordingly, the Association has determined it to be in the best interests of all owners and guests to adopt the following non-smoking rule:

No Owner or Guest shall smoke in any Unit, Common Elements or any other area not specifically designated as a smoking area. In the event of any violation of this provision, the Board of Directors, or Management Firm, reserves the right to assess the Occupant such a fee as may be determined by the Board of Directors from time to time.

Except as modified by this Amendment, all of the terms and conditions provided in the Rules & Regulations shall remain in full force and effect pursuant to the tenor thereof. Notwithstanding the forgoing, in the event of any conflict between the provisions of the Rules & Regulations and this Amendment, the terms of this Amendment shall govern and prevail.

This Amendment to Rules & Regulations – Non-Smoking has been APPROVED AND RATIFIED by the Board on this 15th day of October, 2014.

Acknowledged by:

By: Walter Stanton

Title: PRESIDENT