



Marina Bay Club

13105 Vanderbilt Drive
Naples, FL. 34110
Office: (239) 592-1118

Email: MarinaBayClub@SandcastleCM.com Visit us at www.mbcnaples.com/

TO: All Homeowners

RE: Recorded Documents for Marina Bay Club of Naples Condominium Association, Inc. Please see attached with this notice the **Smoking Prohibited** Certificate of Amendment, which was recorded in the Circuit Court of Collier County Florida on April 7, 2017.

Effective with the receipt of this letter there will be no smoking permitted at the Marina Bay Club. The only place smoking will be permitted is in your unit with the windows and doors closed. Therefore, smoking is not permitted anywhere at Marina Bay Club including on the lanais, in the parking areas, garages, pool area, etc. Marina Bay Club will be almost entirely smoke free except for in the privacy of your own unit.

Please read the Certificate of Amendment to your Condominium Documents carefully and include it with your files and ensure that your family and guests are aware of this new policy.

For the Board of Directors

Prepared by:
S. Kyla Thomson, Esq.
Goede, Adamczyk & DeBoest, PLLC
8950 Fontana Del Sol Way, 1st Floor
Naples, Florida 34109
239-331-5100

**CERTIFICATE OF AMENDMENT
TO THE DECLARATION OF CONDOMINIUM
FOR
MARINA BAY CLUB OF NAPLES,
A CONDOMINIUM**

I HEREBY CERTIFY that the following amendments to the Declaration of Condominium of Marina Bay Club of Naples, a Condominium were duly adopted by the Association at the duly noticed Annual Members meeting on the 21st day of March, 2017. Said amendments were adopted by the necessary votes of the Membership.

The original Declaration of Condominium of Marina Bay Club of Naples, a Condominium, and the By-Laws, including the legal description of the Collier County, Florida real property subject to this amendment was recorded in Official Records Book 1619 Page 1422, of the Public Records of Collier County, Florida.

*Additions are underlined
Deletions are ~~stricken through~~*

Section 9.13 of the Association's Declaration is hereby amended as follows:

9.13. Smoking Prohibited.

(A) Definitions

- (1) "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form.
- (2) "Electronic Smoking Device" means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-cigarillo, e-pipe, e-hookah, or vape pen, or any other product name or descriptor.

- (B) Smoking is prohibited on all Common Elements of Association. Without limiting the generality of the foregoing, this prohibition applies to all Common Areas.

including Limited Common Elements, of the Association, whether indoors or outdoors, including, without limitation lanais, terraces, garages, private streets, walkways, the pool area, stairways, hallways, and landscaped areas of the condominium. The smoking prohibition shall apply to all forms of smoking, including the use of electronic smoking devices. Notwithstanding the said prohibition against smoking, the Board of Directors may designate (or remove from designation) an outdoor area for smoking, provided the smoking area(s) shall not cause secondhand smoke to drift into indoor Common Elements or Limited Common Elements.

- (C) Smoking within the Units is not prohibited but the windows and doors of the Unit must be closed and sealed in order to prevent secondhand smoke from drifting into the Common Elements or Limited Common Elements
- (D) This restriction shall apply to all Unit Owners, family members, tenants, residents, guests, business invitees, and visitors of the Association.
- (E) This restriction is effective immediately upon recording as to all Common Elements and Limited Common Elements.
- (F) Any Owner who sells his Unit shall specifically disclose to all potential buyers and realtors that smoking is prohibited on all Common Elements and Limited Common Elements. Any Owner who rents or otherwise allows someone other than the Owner to reside within or occupy the Unit shall disclose to all persons who reside within his Unit, prior to their occupancy or residency, that smoking is prohibited on all Common Elements and Limited Common Elements.
- (G) Each Owner is responsible for the actions of all other persons residing within or visiting his/her Unit and shall be subject to a violation of this Section if any such person is found to be smoking on the Common Elements or Limited Common Elements.

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MARINA BAY CLUB OF NAPLES,
CONDOMINIUM ASSOCIATION, INC.
A Florida not for profit corporation

Witnesses:

Amy L. Stuber
(sign)

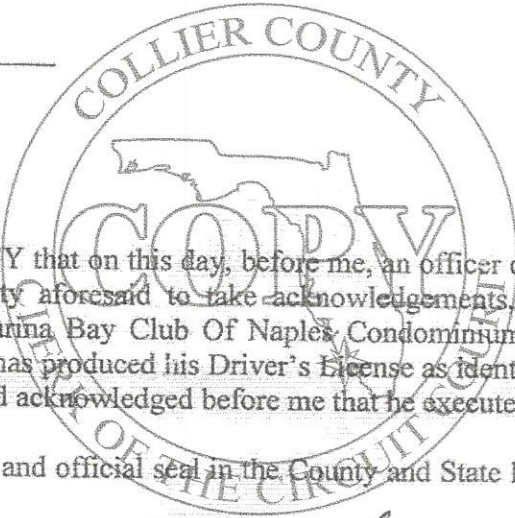
Amy L. Stuber
(print)

Eric Salung
(sign)

ERIC SALUNG
(print)

Ron Young
By: Ron Young
Title: President

STATE OF FLORIDA
COUNTY OF COLLIER



I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Ron Young, as President of Marina Bay Club Of Naples Condominium Association, Inc. who is personally known to me or has produced his Driver's License as identification and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 27th day of March, 2017.

Julia A. Scharff
Notary Public, State of Kentucky
My commission expires: 08/13/2019

Notary Public, State at Large, KY
My commission expires Aug. 13, 2019

