

This Instrument was prepared by:
Mark G. Lawyer, P.A.
Plaza 7000 Building
7000 S.W. 62nd Avenue
South Miami, FL 33143

1582478

AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR
TORTUGA BEACH CLUB, A CONDOMINIUM

1582478

THIS AMENDMENT to the Declaration of Condominium for
TORTUGA BEACH CLUB, A CONDOMINIUM, made by HARAND, LTD., a Florida
Limited Partnership, (hereinafter referred to as "Developer").

WITNESSETH:

WHEREAS, the Developer executed on December 1, 1981,
and recorded on December 11, 1981, in Official Records Book
1566, at Page 2174, of the Public Records of Lee County,
Florida, the Declaration of Condominium for Tortuga Beach Club,
a Condominium, (hereinafter referred to as the "Declaration"); and

WHEREAS, the Developer has reserved the right in said
Declaration to develop the Condominium in Phases, pursuant to
Article XXIII, of said Declaration; and

WHEREAS, Articles XI, and XXIII, of the Declaration allows
the Developer to add Phase B, to the Condominium, by an Amendment,
without the consent of the Unit Owners, the Association, the owner
and holder of any lien encumbering a Condominium Unit or Unit Week
in the Condominium, or any other party; and

WHEREAS, the Developer has completed construction of Phase
B, as depicted on Exhibit No. 7, attached to the above-described
Declaration; and

WHEREAS, the Developer now wishes to amend said Declaration
to add Phase B, as depicted on Exhibit No. 7, attached to the
above-described Declaration to this Condominium, pursuant to
Articles XI, and XXIII, of the said Declaration.

NOW, THEREFORE, the Developer, in consideration of the
premises, does hereby amend the Declaration, in accordance with
the authority reserved unto the Developer in the Declaration, as
follows:

© MARK G. LAWYER - ALL RIGHTS RESERVED
© BY G. WOODWARD OF FLA.

1.) Exhibit No. 1, of the Declaration is hereby amended to include the legal description of the lands set forth on the survey exhibits attached to this Amendment, hereinafter referred to as "Survey Exhibits", and said lands are hereby submitted to the Condominium form of ownership, and made a part of the said Declaration just as fully as if incorporated in and filed with the Declaration in the first instance.

2.) Attached hereto and made a part hereof by reference are the amended pages to Exhibit No. 1, of the Declaration, said amended pages in the Survey Exhibits consisting of six (6) pages reflecting the completed construction of Phase B, and said pages shall be attached to and made a part of Exhibit No. 1, of the Declaration, just as fully as if incorporated in and filed with the Declaration in the first instance.

3.) Attached hereto and made a part hereof by reference and by reference made a part of the Declaration, is the substitute Exhibit No. 5. Substitute Exhibit No. 5, sets forth each Unit Owner's undivided interest in the Common Elements and each Unit Owner's share of the common expense and common surplus in the Condominium, and the substitute Exhibit No. 5, shall replace the original Exhibit No. 5, and be made a part of the Declaration, just as fully as if incorporated in and filed with the Declaration in the first instance.

This Amendment to the Declaration, when filed for record in the Public Records of Lee County, Florida, shall be incorporated by reference and made a part of the Declaration with like effect and to the same extent as though the matters set forth herein and set forth in the Exhibits attached hereto had originally constituted a part of the Declaration.

IN WITNESS WHEREOF, HARAND, LTD., a Florida Limited Partnership, has caused these presents to be signed in its name

1029-1007

by its General Partner, this 1st day of September, 1982.

Signed, sealed and delivered
in the presence of:

MARAND LTD., a Florida
Limited Partnership

By MARINER PROPERTIES, INC.,
a Florida Corporation,
General Partner

Mary Christina Shaper

Mary Christina Shaper

By: *Allen G. Ten Broek*

Allen G. Ten Broek,
President

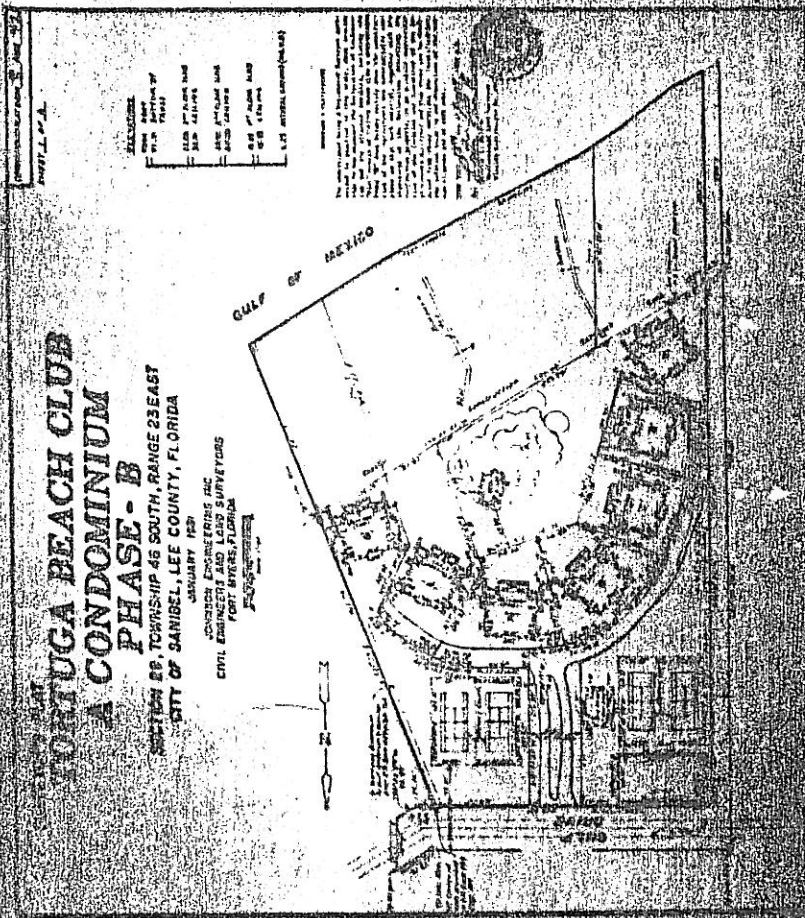
STATE OF FLORIDA)
) SS:
COUNTY OF LEE)

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared ALLEN G. TEN BROEK, as President of MARINER PROPERTIES, INC., a Florida Corporation, as General Partner of MARAND, LTD., a Florida Limited Partnership to be known to be the person described in and who executed the foregoing instrument and he acknowledged the execution thereof to be his free act and deed as such officer, for the uses and purposes therein mentioned; and affixed thereto in the official seal of said Corporation, and the said instrument is the act and deed of said Corporation.

WITNESS my hand and official seal, at the State and County aforesaid, this 1st day of September, 1982.

Mary Christina Shaper
Notary Public, State
of Florida

My Commission Expires:
I HEREBY PUBLIC STATE OF FLORIDA AT LARGE
BY COMMISSION EXPIRES DEC 31 1984
MARINER PROPERTIES, INC., INCORPORATED



**FORTUGA BEACH CLUB
A CONDOMINIUM
PHASE - B**

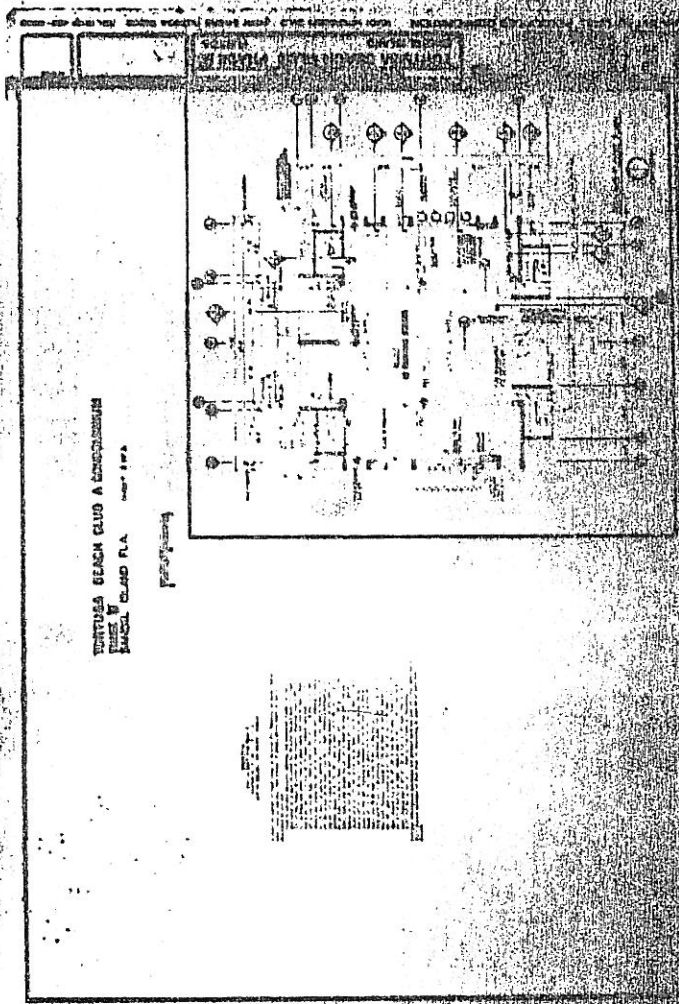
SECTION 22, TOWNSHIP 46 SOUTH, RANGE 23 EAST
CITY OF SANIBEL, LEE COUNTY, FLORIDA

JANUARY 1978
JOHN R. FORTUGA, INC.
CIVIL ENGINEERS AND ARCHITECTS
FORT MYERS, FLORIDA

SCALE
0 10 20 30 FEET

LEGEND
EXISTING
NEW
AS SHOWN AND AS SHOWN
AS SHOWN AND AS SHOWN
AS SHOWN AND AS SHOWN

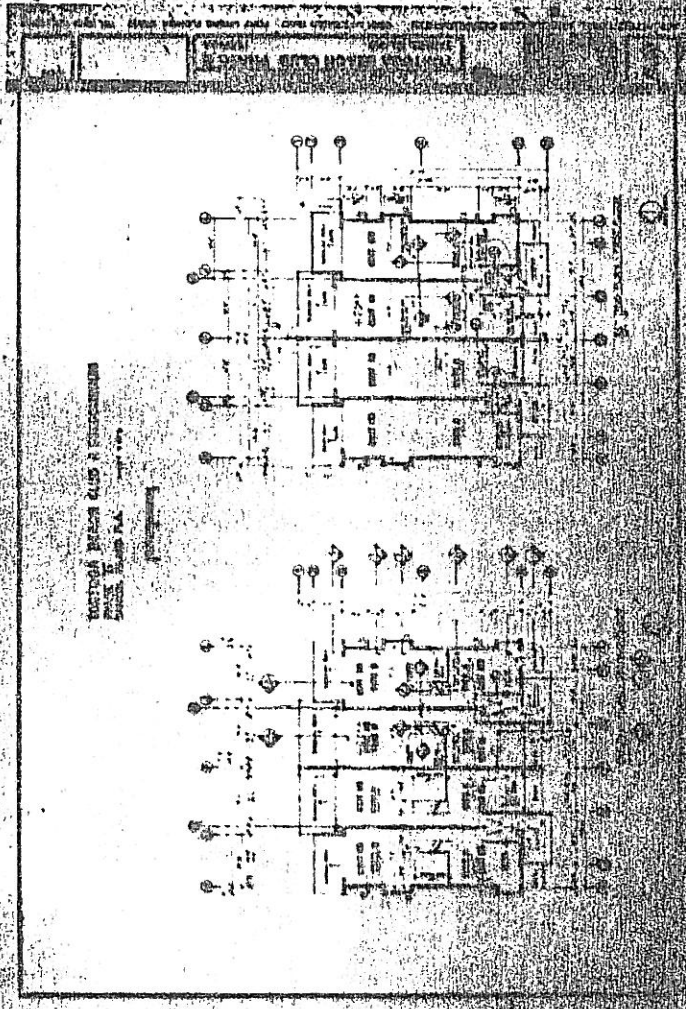
NOTE: THESE PLANS SHOW THE GENERAL LAYOUT OF THE BUILDING AND THE LOCATION OF THE CURTAIN WALLS. THE EXACT LOCATION OF THE CURTAIN WALLS WILL BE DETERMINED BY THE ARCHITECT AT THE TIME OF CONSTRUCTION.



TROPICANA BEACH CLUB A CONDOMINIUM
PLAN 1
SCALE 1/8" = 1'-0"

Architectural drawing showing a detailed section of the building plan, likely a unit or a specific area, with various rooms and structural elements.

As per security requirements

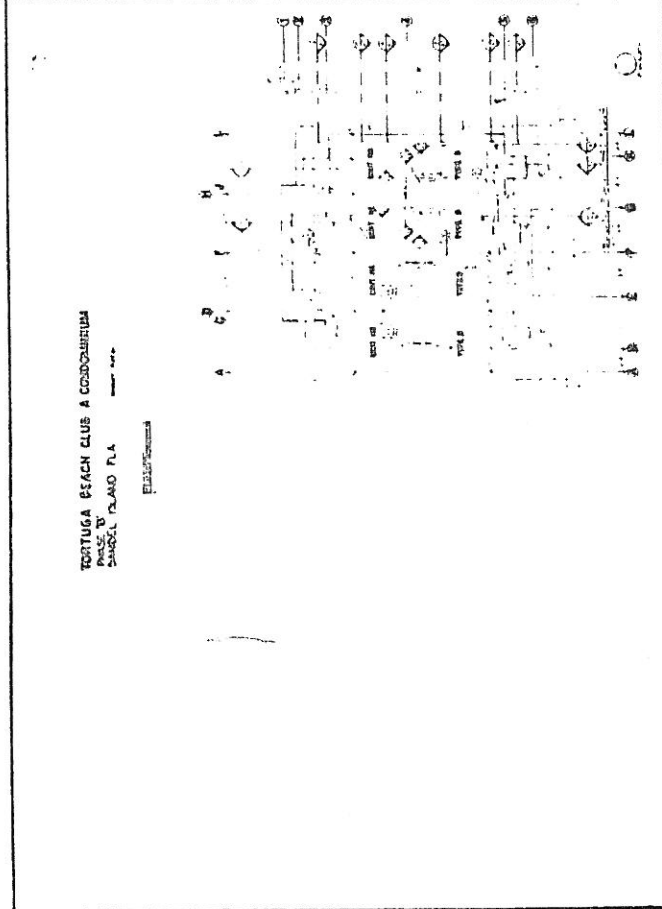


Architectural drawing of the building

1629-1551

ARCHITECTURAL REGULATIONS COMMISSION
HAWAII
TORTUGA BEACH CLUB PHASE C
SUBJECT: PLANS
PLANNED
NO. 1629-1551

5/17/88

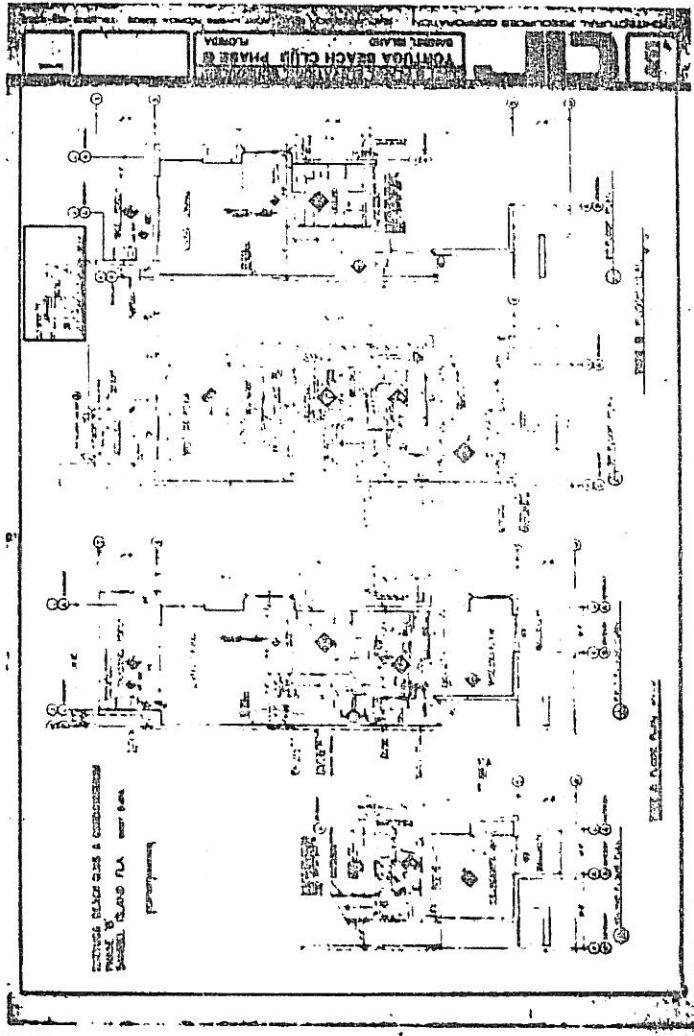


TORTUGA BEACH CLUB A CONDOMINIUM
PHASE C
SUBJECT: PLANS P.A.

PLANNED

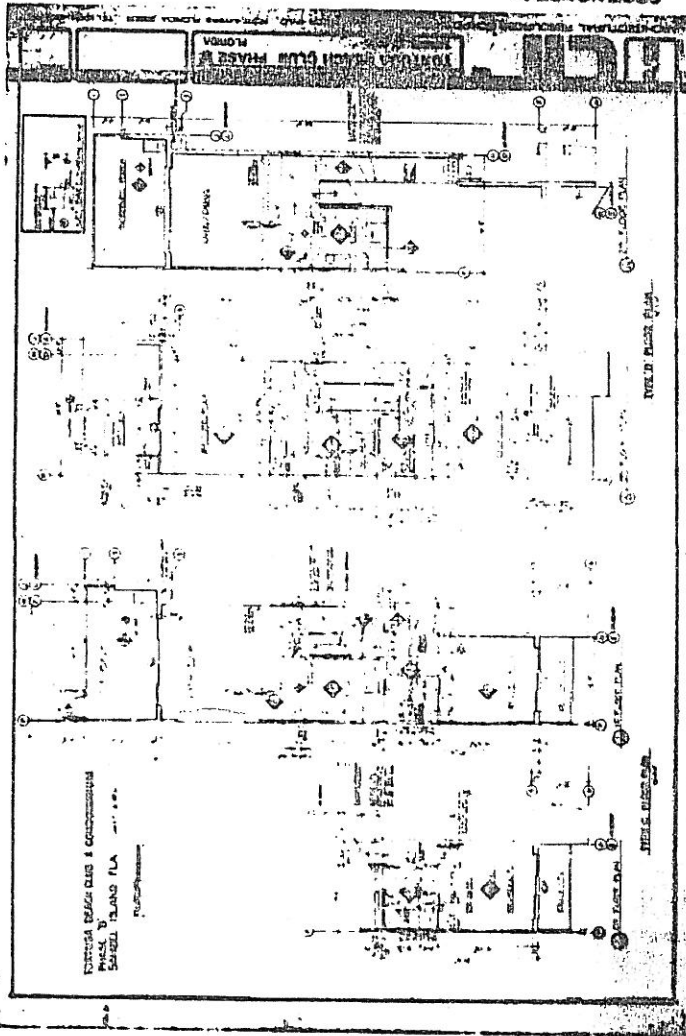


CONSTRUCTION PLANS 8 PAGE 4/6



1629-1050

47



ENTRADA DEPARTAMENTO 4 CONDOMINIO
PARQUE DE SHELBY ISLAND FLA

SEP 29 9 58 AM '77
LIFE SAFETY
CHICAGO

REVISIONS
BY
DATE