

3700

AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR
FORTUGA BEACH CLUB, A CONDOMINIUM
1615173

1981 1 302

THIS AMENDMENT to the Declaration of Condominium for
FORTUGA BEACH CLUB, A CONDOMINIUM, made by HARARD, 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 Fortuga 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 C, 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 Book
in the Condominium, or any other party; and

WHEREAS, the Developer has completed construction of Phase
C, as depicted on Exhibit No. 3, attached to the above-described
Declaration; and

WHEREAS, the Developer now wishes to amend said Declaration
to add Phase C, as depicted on Exhibit No. 9, 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 onto the Developer in the Declaration, as
follows:

Prepared BY: MARK C. LANGER PA
7000 S.W. 62nd Ave
South Miami Beach, Florida 33143

© 1981 HARARD, LTD. ALL RIGHTS RESERVED
IN THE STATE OF FLORIDA

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 C, 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 hereinafter and set forth in the Exhibits attached hereto has originally constituted a part of the Declaration.

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

H 1051 n 394

By its General Partner, this 20th day of December, 1952.

Signed, sealed and delivered
in the presence of:

NARAND LTD., a Florida
Limited Partnership

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

Robert P. Fisher
Marion O. Hault

By: Allen G. Van Brock
Allen G. Van Brock,
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. VAN BROCK, as President of MARINER PROPERTIES, INC., a Florida Corporation, as General Partner of NARAND, LTD., a Florida Limited Partnership to me 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 is 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 20th day of December, 1952.

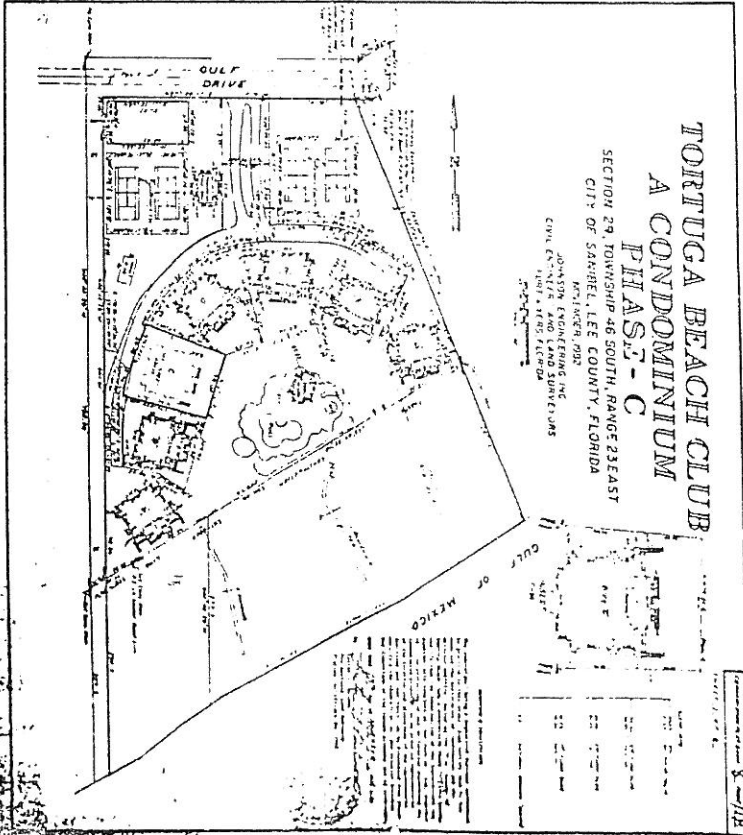
Marion O. Hault
Notary Public, State
of Florida

My Commission Expires:

Henry Polite, State of Florida at Large
My Commission Expires DEC. 15, 1953

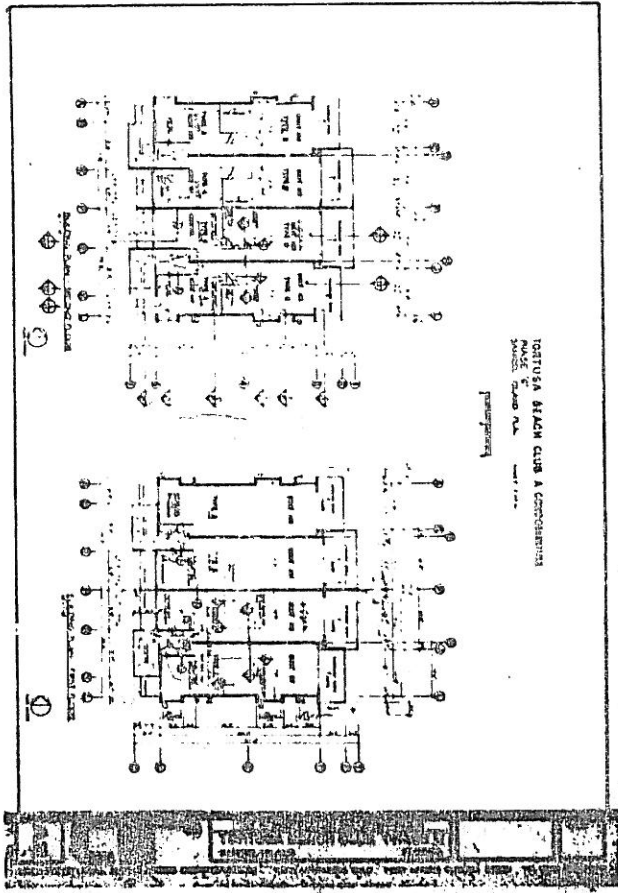
W 1651 re 335

THE STATE OF FLORIDA
Department of Banking and Finance
Division of Banking and Finance
1971



1/18

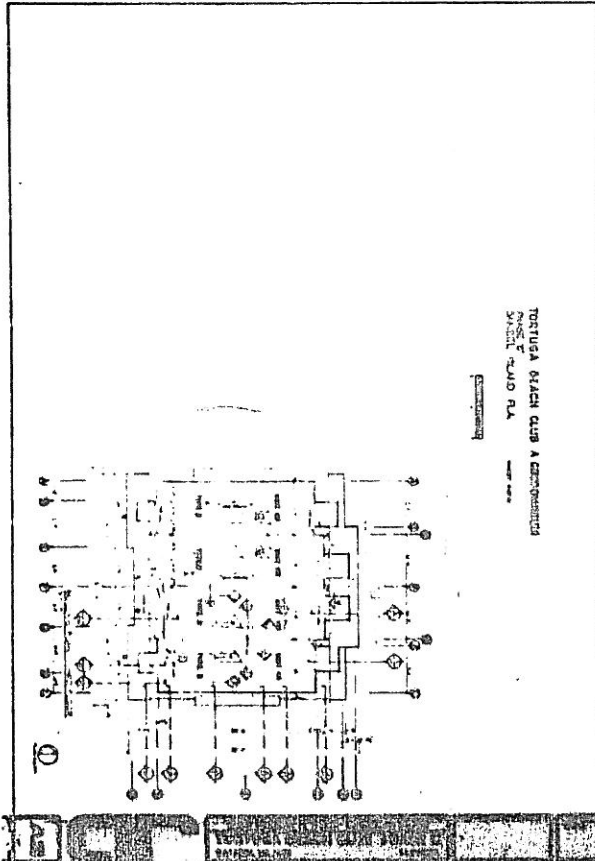
H 1651 re 397



ISTHMIAN MATCH CLUB & COMPTROLLER'S OFFICE
PAGE 5
SCALE: 1/4" = 1'-0"

COMPTROLLER'S OFFICE 3' x 11' 0"

№ 1051 к 308



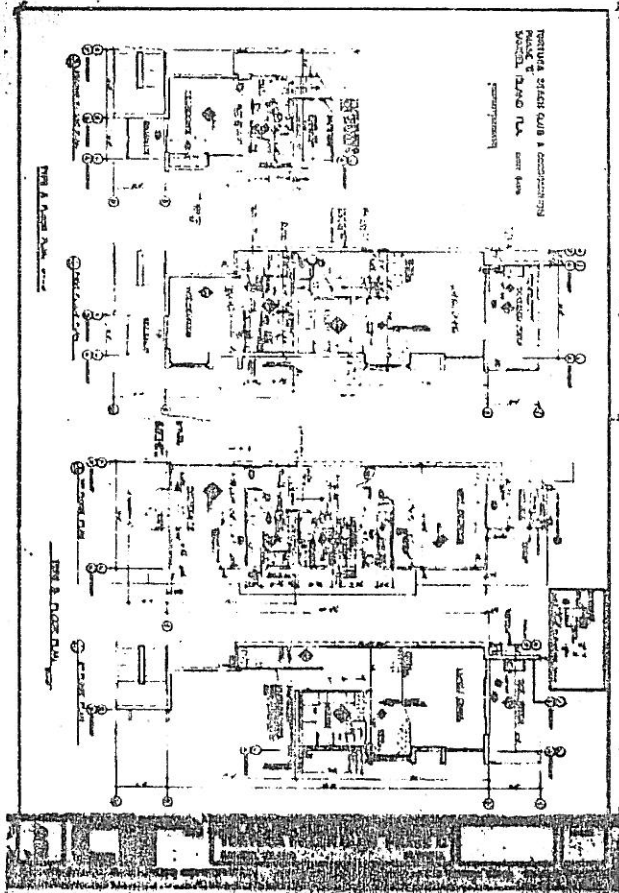
ПРОЕКТ
ПОСТРОЕНИЯ
КОМПЛЕКСА
КОММУНАЛЬНЫХ
КОМНАТ
И
ОБЩЕСТВЕННЫХ
ПОМЕЩЕНИЙ

ПРОЕКТИРОВАНИЕ: 3-4/121

ПРОЕКТ
ПОСТРОЕНИЯ
КОМПЛЕКСА
КОММУНАЛЬНЫХ
КОМНАТ
И
ОБЩЕСТВЕННЫХ
ПОМЕЩЕНИЙ

АРХИТЕКТУРА: И.И. КОЗЛОВ

1551 a 239

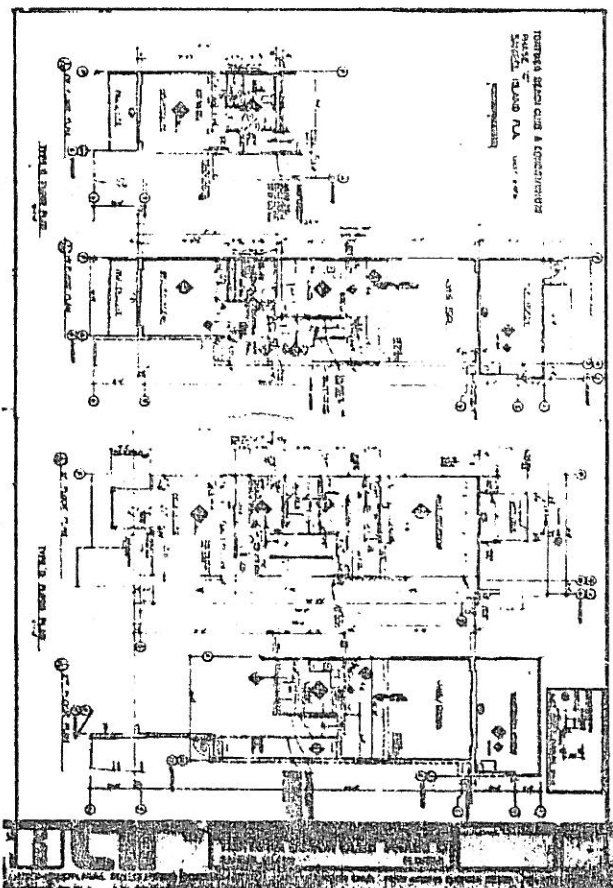


PROGETTO ARCHITETTICO 8 April 1922

EXHIBIT 1001

Dec 21 11 30 AM '92
RECORDED IN OFFICE
OF THE CLERK OF THE
COURT

CLERK OF COURT
J. H. ...



CONSTRUCTION DRAWING
NO. 123

EXHIBIT 1001

EXHIBIT 1001

EXHIBIT 1001