

INSTR # 2014000253909, Doc Type RES, Pages 9, Recorded 12/15/2014 at 01:09 PM,
Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee \$78.00 Deputy
Clerk DMERCIER

UPON RECORDING RETURN TO:

Jennifer M. Lawton, Esq.
Broad and Cassel
7777 Glades Road, Suite 300
Boca Raton, FL 33434

ABOVE THIS LINE FOR RECORDER'S USE

**FOURTEENTH AMENDMENT TO THE
DECLARATION OF CONDOMINIUM
OF SORRENTO, A CONDOMINIUM**

THIS FOURTEENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF SORRENTO, A CONDOMINIUM (the "**Fourteenth Amendment**") is made this 15th day of December, 2014, by D.R. Horton, Inc., a Delaware corporation ("**Developer**").

WITNESSETH

WHEREAS, Developer recorded that certain Declaration of Condominium of Sorrento, a Condominium on October 24, 2013, as Instrument #2013000242074, as amended by that certain First Amendment to the Declaration of Condominium of Sorrento, a Condominium on February 4, 2014 as Instrument #2014000023545, as amended by that certain Second Amendment to the Declaration of Condominium of Sorrento, a Condominium on February 4, 2014 as Instrument #2014000023550, as amended by that certain Third Amendment to the Declaration of Condominium of Sorrento, a Condominium on February 4, 2014 as Instrument #2014000023578, as amended by that certain Fourth Amendment to the Declaration of Condominium of Sorrento, a Condominium on March 24, 2014 as Instrument #2014000058917, as amended by that certain Fifth Amendment to the Declaration of Condominium of Sorrento, a Condominium on March 24, 2014 as Instrument #2014000058925, as amended by that certain Sixth Amendment to the Declaration of Condominium of Sorrento, a Condominium on April 3, 2014 as Instrument #2014000067728, as amended by that certain Seventh Amendment to the Declaration of Condominium of Sorrento, a Condominium on April 3, 2014 as Instrument #2014000067736, as amended by that certain Eighth Amendment to the Declaration of Condominium of Sorrento, a Condominium on July 7, 2014 as Instrument #2014000141026, as amended by that certain Ninth Amendment to the Declaration of Condominium of Sorrento, a Condominium on July 8, 2014 as Instrument #2014000141935, as amended by that certain Tenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on August 25, 2014 as Instrument #2014000175653, as amended by that certain Eleventh Amendment to the Declaration of Condominium of Sorrento, a Condominium on October 22, 2014 as Instrument #2014000217158, as amended by that certain Twelfth Amendment to the Declaration of Condominium of Sorrento, a Condominium on October 23, 2014 as Instrument #2014000218517, and as further amended by that certain Thirteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on November 17, 2014 as Instrument #2014000234884, all in the Public Records of Lee County, Florida (as may be amended from time to time, the "**Declaration**"); and

4812-048-2037.1
1/15/2015

WHEREAS, pursuant to Section 3.2 of the Declaration, Developer reserved the right to unilaterally amend the Declaration from time to time to add to the Condominium all or portions of the additional property described in Exhibits "1.1" through "1.52" to the Declaration and to designate all or portions of such added property as Units, Common Elements, Limited Common Elements, or a combination thereof, and to change each Unit's percentage of undivided interest in the Common Elements and liability for Common Expenses; and

WHEREAS, Developer desires to amend the Declaration to add to the Condominium the real property described as "Phase 15" in Exhibit "A" attached to this Fourteenth Amendment and to change each Unit's percentage of undivided interest in the Common Elements and liability for Common Expenses to reflect the addition of Units to the Condominium; and

WHEREAS, Developer desires to amend the Declaration to add the final survey and floor plans for Phase 15, Building 15 and to add a certificate stating that Phase 15, Building 15 of the Condominium is now substantially complete pursuant to Fla. Stat. § 718.104(4)(c);

NOW, THEREFORE, the Declaration is hereby amended as set forth below. Except as provided herein, capitalized terms shall have the meaning ascribed to them in the Declaration.

1. The Declaration is hereby amended to add the Phase 15 land, as more particularly described in Exhibit "A" attached hereto and made a part hereof, to the Condominium.
2. The survey exhibit pages for Phase 15 in Exhibit "4" to the Declaration are hereby replaced in their entirety with the certified as-built survey, plot plan and floor plans of Phase 15, Building 15 as set forth in Exhibit "B" attached hereto and made a part hereof.
3. The formula for allocating to Units in Phase 15 and for reallocating to Units previously submitted to the Condominium a percentage of undivided interest in the Common Elements and liability for Common Expenses shall be one divided by the total number of Units within the Condominium, i.e., 52 Units, such that each Unit shall be allocated an equal and undivided interest in the Common Elements.
4. Each Unit in Phase 15 is allocated one vote in the Association on all matters which Unit Owners are entitled to vote.

[SIGNATURE AND ACKNOWLEDGMENT ON FOLLOWING PAGE]

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IN WITNESS WHEREOF, the undersigned Developer hereby executes this Fourteenth Amendment by and through its representatives as of the date and year first above written.

Witnessed By:

Rebecca Sarver
Print Name: REBECCA SARVER

Kay Plein
Print Name: Kay Plein

DEVELOPER:

D.R. HORTON, INC., a Delaware corporation

By: _____
Name: Jonathon Pentecost
Title: Division President

STATE OF FLORIDA)

COUNTY OF LEE) ss

The foregoing instrument was acknowledged before me this 15th day of December, 2014, by Jonathon Pentecost, as Division President of D.R. Horton, Inc., a Florida corporation on behalf of the company. He is personally known to me and did not take an oath.

[NOTARIAL SEAL]

By: Kay Plein
Name: Kay Plein

Serial Number, if any: _____
My Commission Expires: _____



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EXHIBIT "A"

Legal Description of Phase 1.7

4827-5787-0366 4
774846073

SORRENTO
A CONDOMINIUM
 LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA
 EXHIBIT "1.15"
 PHASE 15

LEGAL DESCRIPTION:

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST, BEING A PART OF LANDS DESCRIBED IN INSTRUMENT NUMBER 2012000195147, OF THE PUBLIC RECORDS OF SAID LEE COUNTY, SAID LANDS ALSO BEING A PORTION OF PARCEL 14 OF PARKLANDS LEE, DULY RECORDED IN PLAT BOOK 79, PAGES 84 THROUGH 98, OF THE PUBLIC RECORDS OF SAID LEE COUNTY, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LANDS DESCRIBED IN INSTRUMENT NUMBER 2012000195147, OF THE PUBLIC RECORDS OF SAID LEE COUNTY, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF SAID PARCEL 14 OF PARKLANDS LEE, DULY RECORDED IN PLAT BOOK 79, PAGES 84 THROUGH 98, OF PUBLIC RECORDS OF SAID LEE COUNTY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 43.00 FEET FOR 10 WHICH A RADIAL LINE BEARS N 66°05'21" E; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°47'47" FOR 17.86 FEET; THENCE S 60°06'52" E FOR 52.44 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 445.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°10'03" FOR 94.50 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 337.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°41'40" FOR 233.47 FEET; THENCE S 27°24'45" W FOR 496.13 FEET; THENCE N 62°35'15" W FOR 162.00 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N 62°35'15" W FOR 117.17 FEET; THENCE N 27°24'45" E FOR 88.00 FEET; THENCE S 62°35'15" E FOR 117.17 FEET; THENCE S 27°24'45" W FOR 88.00 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED PARCEL CONTAINS 0.237 ACRES, MORE OR LESS.

NOTE:

SEE SHEET 3 OF 3 FOR PLOT PLAN.

Banks Engineering

Professional Engineers, Planners & Land Surveyors
 FORT MYERS ♦ FORT CHARLOTTE ♦ SARASOTA
 PROFESSIONAL ENGINEERING CERTIFICATE NUMBER 15670
 10010 SUN VALLEY CRESS PARKWAY
 FORT MYERS, FLORIDA 33908
 (239) 939-5490

EXHIBIT "1.15" - PHASE 15 LEGAL DESCRIPTION
SORRENTO, A CONDOMINIUM
 LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
1-22-13	15030	LEGAL PLANS	AMV	RMR	N/A	1	3	4-48-26

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EXHIBIT "B"

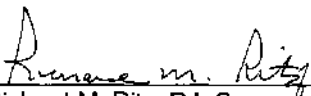
Certified As-Built for Phase 7, Building 7

4827-5787-069 1
374654077

CERTIFICATE OF SURVEYOR
AS TO PHASE 15 OF SORRENTO

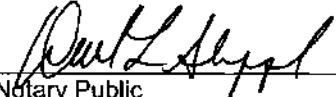
Before me, the undersigned authority, duly authorized to administer oaths and take acknowledgments, personally appeared Richard M. Ritz known by me to me to be the person hereinafter described does hereby certify as follows:

1. That he is a duly registered and duly licensed land surveyor, authorized to practice under the laws of the State of Florida.
2. That the construction of all improvements constituting Phase 15 of Sorrento, a Condominium are substantially complete so that the material, together with the provisions of the declaration describing the condominium property, is an accurate representation of the location and dimensions of the improvements and so that the identification, location and dimensions of the common elements and of each unit can be determined from these materials.


Richard M. Ritz, R.L.S.
Registered Land Surveyor
Florida Certification No. LS 4009
State of Florida

Sworn to and Subscribed before me this 15th day of December, 2014.

MY COMMISSION EXPIRES:


Notary Public



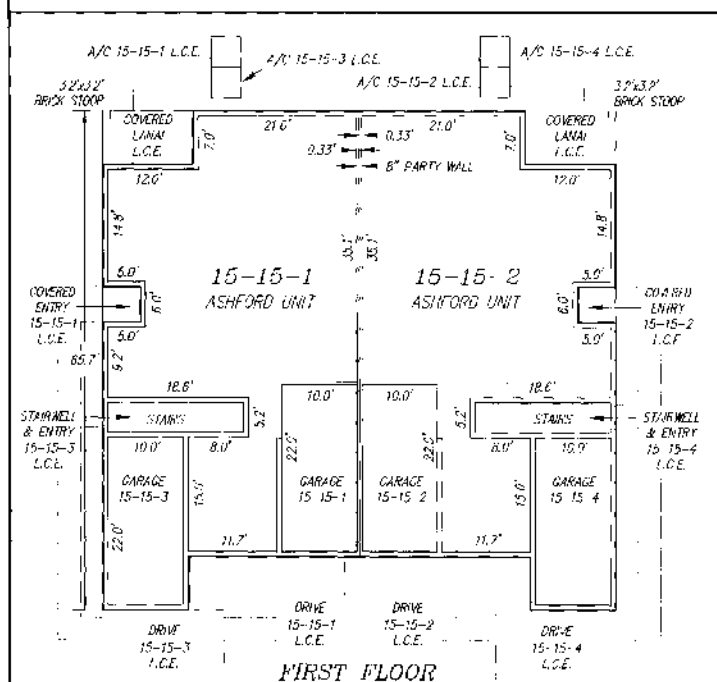
DAVID L. SHEPPARD
Printed Name

S:\Jobs\130x\1303D\Surveying\Condominium\Substantially Complete\Phase 15\1303D Certificate of Substantial Completion by Surveyor PH-15.rtf

SORRENTO A CONDOMINIUM

LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

EXHIBIT "4"
UNIT FLOOR PLAN

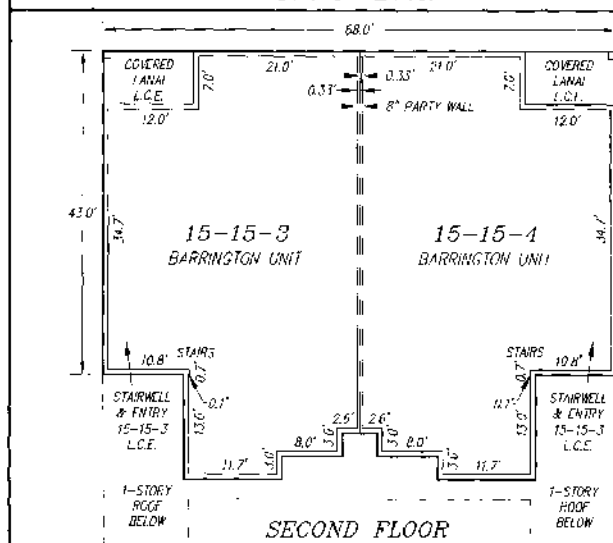


NOTES

1. ALL DISTANCES SHOWN ARE IN FEET AND DIMENSIONS
MAJOR UNLESS OTHERWISE SHOWN.
2. 1-1-1 INDICATES FIRST FLOOR, BUILDING NUMBER
AND LOT NUMBER IN SURVEY. A CORNERSTONE.
3. CL INDICATES COMMON ELEMENT AS DEFINED BY THE
DECLARATION.
4. L.C.E. INDICATES LIMITED COMMON ELEMENT AS DEFINED
IN THE DECLARATION.
5. A.C. INDICATES AIR CONDITIONING.

GENERAL NOTES

- 2.3 UNIT BOUNDARIES EACH UNIT SHALL INCLUDE THAT PART OF THE CONCRETE STRUCTURE WHICH IS ITS OWN AND THE FOLLOWING BOUNDARIES:
- (a) UPPER AND LOWER BOUNDARIES THE UPPER AND LOWER BOUNDARIES OF THE UNIT SHALL BE THE FOLLOWING BOUNDARIES EXTENDED TO THE UNIT'S OWN STRUCTURE WITH THE PARALLEL BOUNDARIES.
 - (b) UPPER BOUNDARIES THE UPPER BOUNDARY OF A UNIT SHALL BE THE UNFINISHED LOWER SURFACE OF ITS CONCRETE CEILING. THE UNIT SHALL INCLUDE ANY DRUMPL ATTACHED TO HOOD FRAMES WITHIN THE CEILING.
 - (c) LOWER BOUNDARIES THE LOWER BOUNDARY OF THE UNIT SHALL BE THE HORIZONTAL PLANE OF THE UNFINISHED UPPER SURFACE OF THE FLOOR OF THE UNIT.
 - (d) VERTICAL BOUNDARIES EXCEPT AS PROVIDED IN SUBSECTIONS (i) AND (ii) ABOVE, NO PART OF THE HORIZONTAL STAIRWELL ADJACENT FLOORS OR NONSTRUCTURAL PARTIAL WALLS SHALL BE CONSIDERED A BOUNDARY OF THE UNIT.
 - (e) PARALLEL WALL BOUNDARIES THE PARALLEL BOUNDARIES OF THE UNIT SHALL BE THE VERTICAL PLANE OF THE UNFINISHED INTERIOR SURFACES OF THE WALLS BOUNDING THE UNIT EXTENDED TO THEIR PLANE INTERSECTIONS WITH EACH OTHER AND WITH THE UPPER AND LOWER BOUNDARIES EXCEPT AS PROVIDED BELOW.
 - (f) EXCLUSIONS WHERE THERE ARE FEATURES IN ANY BOUNDARY WALLS WHICH ARE NOT PART OF ANY ROOMS, DOORS, OR WINDOWS AND WHICH ARE NOT BOUNDARIES SHALL BE EXTENDED TO INCLUDE THE ROOMS, RECESSES AND OTHER FEATURES LOCATED IN SUCH STRUCTURES INCLUDING ALL SHOWN OR KNOWN CABSINS AND RECESSES STOPPING BELOW. EXCEPT WITH A WINDOW OPERATED BY GLASS INTERIOR FINISHED INBOARD, THE INTERIOR SURFACES OF DOORS FACING DOWN OR UPWARD SHALL BE PART OF THE UNIT. EXCEPT WHERE COMMON ENTRANCE OR PASSAGES OF PARTIAL NONSTRUCTURED PARTITION TO THE EXTERIOR, THE STRUCTURAL COMPONENTS OF THE BUILDING SHALL EXPRESSLY EXCLUDED FROM THE UNIT AND ARE HEREBY DEEMED COMMON ELEMENTS.



0' 10' 20'

GRAPH SCALE (° = 30')

Banks Engineering

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ PORT CHARLOTTE ♦ SARASOTA
 LORCA CONSULTANTS, DESIGN NUMBER 18 0002
 12514 SW 47th Avenue
 FORT MYERS, FLORIDA 33956
 (239) 936-5490

EXHIBIT "4" - UNIT FLOOR PLAN
SORRENTO, A CONDOMINIUM
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-7-9)
1-22-58	13030	SMO. BR. HW	AW	RWB	1"=20'	2	3	4-48-26

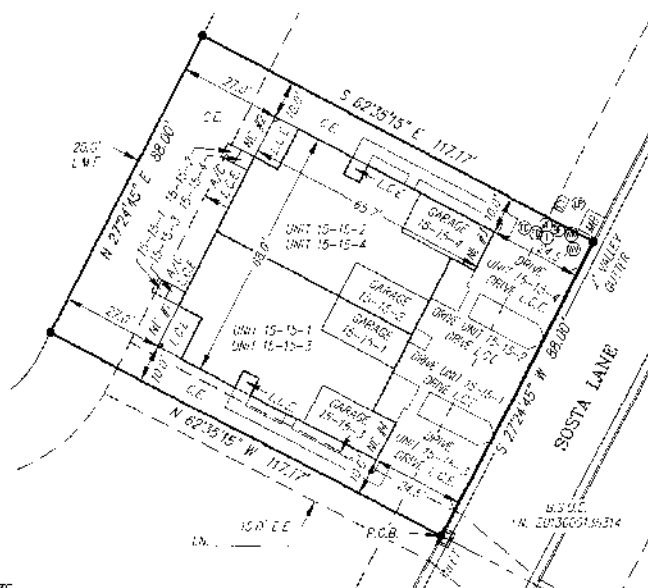
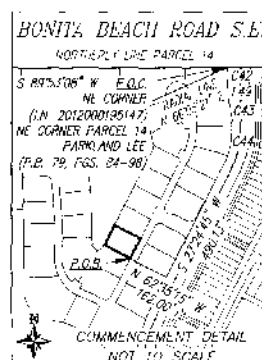
SORRENTO
A CONDOMINIUM
LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
EXHIBIT "4"
PHASE 15 PLOT PLAN

LEGEND:

[illegible]

LINE TABLE

LINE	BEARING	DISTANCE
149	S 00°06'52" E	52.44'



BUILDING CORNER COORDINATE TABLE

CORNER (NE #)	NORTHING	EASTING
NE #1	N 509849.83	E 503227.23
NE #2	N 509910.20	E 503252.60
NE #3	N 509879.47	E 503310.84
NE #4	N 509819.60	E 503285.58

NOTE:

SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C42	43.00'	23°47'47"	17.86'	17.73'	S 12°0'45" E
C43	445.00'	12°40'03"	94.50'	94.32'	S 06°11'53" E
C44	331.00'	39°41'40"	233.47'	228.83'	S 07°33'55" W

Banks Engineering

Professional Engineers, Planners & Land Surveyors
FORT MYERS • FORT CHAPOTT • SARASOTA
FLORIDA DUNEDIN • COLUMBIA • SUNNER • LEE RICH
1051 SIX MILE CYPRESS PARKWAY
FORT MYERS, FL 33904
(813) 332-8400

EXHIBIT "4" - PHASE 15 PLOT PLAN
SORRENTO, A CONDOMINIUM
LEE COUNTY, FLORIDA

DATE	SUBJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
1-22-13	13030	13030 PN-15 SS	AMV	MMR	1"=40'	3	3	4-48-26

NOTES:

ALL PORTIONS OF THE CONCORDIUM NOT INCLUDED WITHIN THE
LIMITS OF THE 1941 AND EXAMINER COMMENTS (C-1) WERE
OTHERWISE SILENT

EACH DRIVEWAY LABELED AS "DRIVE" ON LAYOUT "A" SHALL BE A TRAILING COMMONWEALTH AGREEMENT (I.E.) RESERVED FOR THE EXCLUSIVE USE OF THE ADJ. OWNER OF THE ADJACENT LOT TO WHICH IT DEVELS. THE DRIVEWAY SHALL BE MAINTAINED BY THE ASSOCIATION. ANY SPACE LOCATED BETWEEN DRIVEWAYS SHALL BE COMMON ELEMENTS (I.E.).

AND SPLITTER, AIRCRAFT, INSTRUMENT, STANDARD, PUMP, AND
CONDITIONER, OR OTHER FEATURES DESIGNED TO SERVE A SINGLE
UNIT, BUT LOCATED OUTSIDE THE UNIT'S BOUNDARIES, ARE
TREATED AS COMMON ELEMENTS (C.O.E.) ALLOCATED EXCLUSIVELY TO
THE (UNIT) THEY SERVE.

00081982-6 6705 5 45346G

40. DISTANCE BETWEEN TWO POINTS AND DEGREE OF FREEDOM

DATE OF LAST FIELD WORK: 12-9-2014