

INSTR # 2014000023550, Doc Type DOC, Pages 8, Recorded 02/04/2014 at 01:14 PM,
Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee \$69.50 Deputy
Clerk LAMBROSIO

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 _____

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

THIS SECOND AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF SORRENTO, A CONDOMINIUM (the "Second Amendment") is made this 4 day of ~~January~~ ^{February}, 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 ~~January 14~~ ^{February 14}, 2014 as Instrument # ~~2014000023545~~ all in the Public Records of Lee County, Florida (as may be amended from time to time, the "Declaration"); and

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 6" in Exhibit "A" attached to this Second 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 6, Building 6 and to add a certificate stating that Phase 6, Building 6 of the Condominium is now substantially complete pursuant to Fla. Stat. § 718.104(4)(c);

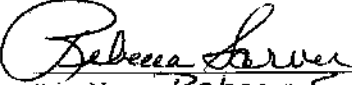
NOW, THEREFORE, the Declaration is hereby amended as set forth below. Except as provided herein, capitalized terms shall have the meaning ascribed to them in the Declaration.

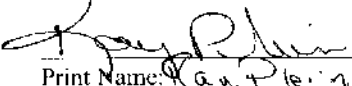
9826-1228-5847 1
5748510171

1. The Declaration is hereby amended to add the Phase 6 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 6 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 6, Building 6 as set forth in Exhibit "B" attached hereto and made a part hereof.
3. The formula for allocating to Units in Phase 6 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. 12 Units, such that each Unit shall be allocated an equal and undivided interest in the Common Elements.
4. Each Unit in Phase 6 is allocated one vote in the Association on all matters which Unit Owners are entitled to vote.

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

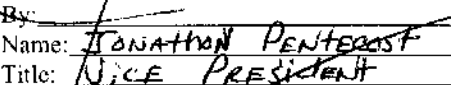
Witnessed By:


 Print Name: REBECCA SARVER


 Print Name: Kay Plein

DEVELOPER:

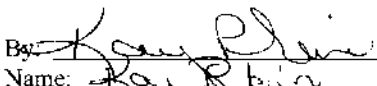
D.R. HORTON, INC., a Delaware corporation

By: 
 Name: JONATHAN PENTECOST
 Title: VICE PRESIDENT

STATE OF FLORIDA)
) ss
 COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 4th day of February, 2014, by Jonathon Pentecost, as Vice 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: 
 Name: Kay Plein

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



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EXHIBIT "A"

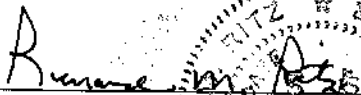
Legal Description of Phase 1.6

4736 4228 - 546 1
374450072

CERTIFICATE OF SURVEYOR
AS TO PHASE 6 OF SORRENTO

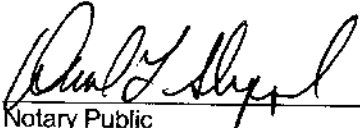
Before me, the undersigned authority, duly authorized to administer oaths and take acknowledgments, personally appeared Richard M. Ritz known by me to be the person hereinafter described does hereby certify as follows:

1. That he is a registered land surveyor, authorized to practice in the State of Florida, pursuant to section 718.104(4)(e) Florida Statutes.
2. That the construction of all improvements constituting Phase 6 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. 18,4009
 State of Florida

Sworn to and Subscribed before me this 21ST day of January, 2014.

MY COMMISSION EXPIRES:


 Notary Public

DAVID L. SHEPPARD
 Printed Name



S:\Jobs\1301\1303D\Surveying\Condominium\Substantially Complete\Phase 6\1303D Certificate of Substantial Completion by Surveyor_PH-6.rtf

SORRENTO
A CONDOMINIUM
 LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA
 EXHIBIT "1.6"
 PHASE 6

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 26 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 AND TO WHICH A RADIAL LINE BEARS N 66°05'21" E; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°47'47" FOR 17.26 FEET; THENCE S 00°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 127°0'03" 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 149.55 FEET; THENCE N 62°35'15" W FOR 27.83 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N 62°35'15" W FOR 195.17 FEET; THENCE S 27°24'45" W FOR 91.33 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 22.50 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°04'57" FOR 35.77 FEET; THENCE N 26°19'49" E FOR 29.33 FEET; THENCE S 62°35'15" E FOR 67.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 23.56 FEET; THENCE N 27°24'45" E FOR 69.50 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED PARCEL CONTAINS 0.216 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
 FLORIDA BUSINESS CERTIFICATION NUMBER 3 5690
 10511 S K MLE CYPRESS PARKWAY
 FORT MYERS, FLORIDA 33905
 (239) 936-5440

EXHIBIT "1.6" - PHASE 6 LEGAL DESCRIPTION
SORRENTO, A CONDOMINIUM
 LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
1-22-15	1303D	LEGAL DESCRIPTION	AW	RMR	N/A	1	3	4-48-26

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EXHIBIT "B"

Certified As-Built for Phase 6, Building 6

1826-1328-5847, v 1

4826-4228-5847, v 1
154050073

