

INSTR # 2015000033815, Doc Type DOC, Pages 9, Recorded 02/18/2015 at 12:31 PM,
Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee \$78.00 Deputy
Clerk ALUCKEY

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

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

THIS SEVENTEENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF SORRENTO, A CONDOMINIUM (the "Seventeenth Amendment") is made this 17th day of February, 2015, 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, as amended by that certain Thirteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on November 17, 2014 as Instrument #2014000234884, as amended by that certain Fourteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on December 15, 2014 as Instrument #2014000253909, as

1817.4668-7009 1
37185.0073

amended by that certain Fifteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on December 15, 2014 as Instrument #2014000254067, and as further amended by that certain Sixteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on February __, 2015 as Instrument #~~201500030986~~, 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 10" in Exhibit "A" attached to this Seventeenth 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 10, Building 10 and to add a certificate stating that Phase 10, Building 10 of the Condominium is now substantially complete pursuant to Fla. Stat. § 718.104(4)(e);

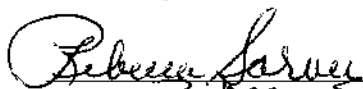
NOW, THEREFORE, the Declaration is hereby amended as set forth below. Except as provided herein, capitalized terms shall have the meaning ascribed to them in the Declaration.


1. The Declaration is hereby amended to add the Phase 10 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 10 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 10, Building 10 as set forth in Exhibit "B" attached hereto and made a part hereof.
3. The formula for allocating to Units in Phase 10 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. 64 Units, such that each Unit shall be allocated an equal and undivided interest in the Common Elements.
4. Each Unit in Phase 10 is allocated one vote in the Association on all matters which Unit Owners are entitled to vote.

[SIGNATURE AND ACKNOWLEDGMENT ON FOLLOWING PAGE]

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

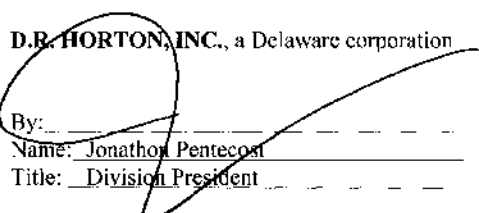
Witnessed By:


Print Name: REBECCA SARVER


Print Name: Kay Plein

DEVELOPER:

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

By: 
Name: Jonathon Pentecost
Title: Division President


STATE OF FLORIDA)

) ss

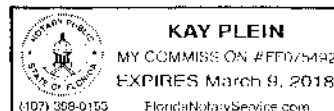
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 17th day of February, 2015, 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: 
Name: Kay Plein

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



INSTR # 2015000033815 Page Number: 4 of 9

EXHIBIT "A"

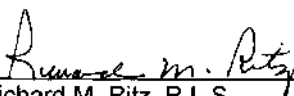
Legal Description of Phase 1.10

4817-0668-7000 ;
J148157077

CERTIFICATE OF SURVEYOR
AS TO PHASE 10 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 10 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.

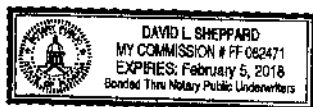

Richard M. Ritz, R.L.S.
Registered Land Surveyor
Florida Certification No. LS 4009
State of Florida

Sworn to and Subscribed before me this 16th day of February, 2015.

MY COMMISSION EXPIRES:


Notary Public

DAVID L. SHEPPARD
Printed Name



S:\Jobs\13xx\1303D\Surveying\Condominium\Substantially Complete\Phase 10\1303D Certificate of Substantial Completion by Surveyor_PH-10.rtf

SORRENTO
A CONDOMINIUM
 LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA
EXHIBIT "1.10"
PHASE 10

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 FOR 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 17.86 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 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 583.90 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 105.17 FEET; THENCE S 27°24'45" W FOR 76.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 51.50 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°21'01" FOR 10.20 FEET; THENCE S 62°35'15" E FOR 106.17 FEET; THENCE N 27°24'45" E FOR 86.13 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED PARCEL CONTAINS 0.208 ACRES, MORE OR LESS.

NOTE:

SEE SHEET 2 OF 3 FOR PLOT PLAN.

Banks Engineering

Professional Engineers, Planners & Land Surveyors
 FORT MYERS • PORT CHARLOTTE • SARASOTA
 1100 16 HIGHLANDS CIRCLE, SUITE 100, FORT MYERS, FL 33901
 941-939-1100 • 941-939-1101
 FAX: 941-939-1102

EXHIBIT "1.10" - PHASE 10 LEGAL DESCRIPTION
SORRENTO, A CONDOMINIUM
 LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	CHECKED	SCALE	SHEET	OF	FILE NO. (S 1-4)
1-22-13	13030	13030.PL000	AMV	RMR	N/A	1	3	4-48-26

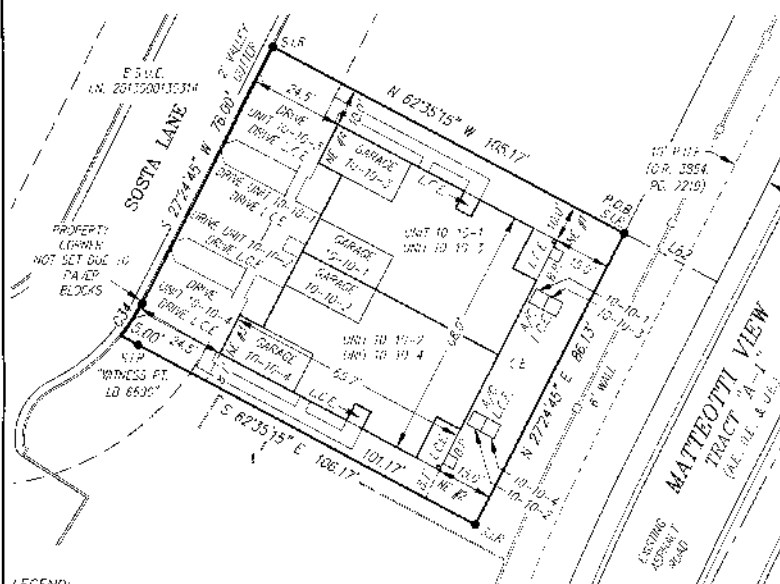
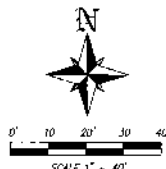
INSTR # 2015000033815 Page Number: 7 of 9

EXHIBIT "B"

Certified As-Built for Phase 10, Building 10

4837-0664-7009 1
37485-0073

SORRENTO
A CONDOMINIUM
LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
EXHIBIT "4"
PHASE 10 PLOT PLAN



NOTES

ALL PORTIONS OF THE CONDOMINIUM NOT INCLUDED
WITHIN THE LIMITS OF THE UNIT ARE COMMON
ELEMENTS (E.G., WALLS, ROOFS, STAIRS, ETC.)

EACH ELEMENTARY IS LABELED AS "DRIVE" OR "EXPRESS"
("A" SHALL BE A LIMITED COMMON ELEMENT (L.C.E.)
RESERVED FOR THE EXCLUSIVE USE OF THE UNIT
OWNER OF THE ASSOCIATED UNIT TO WHICH IT
SERVES. THE OWNERS SHALL BE MANAGED BY
THE ASSOCIATION. ANY SPACE LOCATED BETWEEN
UNITS SHALL BE COMMON ELEMENTS (C.E.)

ANY VEHICLE TAKING GOODS OR SERVICES, POWER, AIR CONDITIONER, OR OTHER FEATURES DEPENDENT ON SUCH A SINGLE UNIT, BUT LOCATED OUTSIDE THE UNIT'S BOUNDARIES, THE UNITED STATES AIRMANS (U.S.A.) ALLICATED EXCLUSIVELY TO THE UNITED STATES.

20050412 1455 3 459.472

At the same time, the 1992 and 1994 Decedents' Estates

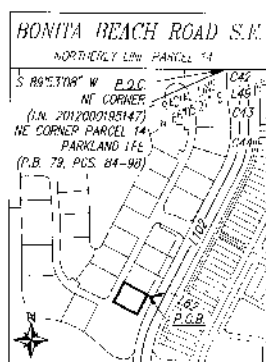
DATE OF ASSESSMENT: 2-12-2015

BUILDING CORNER COORDINATE TABLE

CORNER (NE #)	NORTHING	EASTING
NE #1	4509852.41	1503300.74
NE #2	4509897.12	1503324.41
NE #3	4509862.34	1503321.14
NE #4	4509862.70	1503307.45

LEGEND:

P.C.	RECORDS PAGE
W.S.	RECORDS PAGE
H.S.	RECORDS PLT ROOM
H.S.	RECORDS BRICK FAD
A.S.	RECORDS AIR COMMANDER
G.S.	RECORDS CLERKSHIP ELEMENT
G.S.	RECORDS UTILITY ELEMENT
E.E.	RECORDS ACCESS ELEMENT
A.S.	RECORDS DRUMHEAD LASHING
H.S.	RECORDS DELIVERY SERVICES
G.C.S.	RECORDS POINT OF DELIVERY
H.S.	RECORDS INFORMATION NUMBER
S.S.	RECORDS POINT OF DELIVERY
P.C.	RECORDS OFFICIAL RECORDS BOOK
P.C.	RECORDS POINT OF COMMUNICATION
L.C.	RECORDS CLERKSHIP INFORMATION
H.S.	RECORDS REGISTERED LASHING
S.S.	RECORDS LASHING LASHING
L.S.	RECORDS LASHING LASHING
H.S.	RECORDS CLERKSHIP LASHING
L.C.S.	RECORDS CLERKSHIP LASHING
S.S.	RECORDS CLERKSHIP LASHING



COMMENCEMENT DETAIL
NOT TO SCALE

NOTE:

SEE ALSO: 1-800-333-LEADS; DISSEM-INFO

LINE TABLE

LINE	BEARING	DISTANCE
L49	S 00°06'32" E	52.44'
162	N 62°35'15" W	27.83'
L152	S 27°24'45" W	583.90'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C34	51.50'	112°01'	10.23'	10.19'	S 33°05'16" W
C42	43.00'	23°47'47"	1.86'	17.23'	S 12°00'45" E
C43	445.00'	12°10'03"	94.50'	94.52'	S 06°11'53" E
C44	337.00'	39°41'40"	232.47'	228.83'	S 07°31'55" W

Banks Engineering

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ FORT CHARLOTTE ♦ SARASOTA
FLORIDA BUSINESS GROUP CHARTER NUMBER 181661
"LET'S GET IT DONE RIGHT" (407) 935-1001
FOR KINGS FLOOR, 32406
(202) 636-5490

EXHIBIT "4" - PHASE 10 PLOT PLAN
SORRENTO, A CONDOMINIUM
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-F)
1-22-13	1303D	1303D MH-10.DR	AMV	RMR	1"=40'	2	3	4-48-26

