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Amendment to Declaration of Condominium  
of  
Tortuga Beach Club, A Condominium

This Amendment to the Declaration of Condominium of Tortuga Beach Club, a Condominium ("Amendment") is made this 3rd day of June, 1999 by Tortuga Beach Club Condominium Association, Inc.

In accordance with Article XI of the Declaration of Condominium of Tortuga Beach Club, A Condominium, which was initially recorded in Official Records Book 1566, Page 2174 of the Public Records of Lee County, Florida ("Declaration"), Tortuga Beach Club Condominium Association, Inc., by a proper vote of its members at a duly called and constituted meeting held on June 3, 1999, through this Amendment amends the Declaration to provide as follows (with additions underlined and deletions ~~struck through~~):

Article I, Section Y.4. is hereby added as follows:

4. "Association Property" includes, but is not limited to, all furnishings, fixtures, and personal property contained within each Unit committed to Interval Ownership that are not the property of individual Owners, along with any and all real or personal property acquired by the Association from time to time.

Article XVII, Section H. is hereby added as follows:

H. The Board of Directors, from time to time, without the vote of the Unit Owners, has the right and obligation to acquire, maintain, repair, alter, rearrange, improve, remove, replace, sell, transfer, convey, or otherwise dispose of any or all Association Property, as the same exists from time to time. All expenses associated with such actions by the Board of Directors respecting such Association Property shall be Common Expenses (or if such Association Property is contained in a Unit committed to Interval Ownership shall be assessed as Maintenance fees). This right shall be deemed to apply to Sections C.(4) and F. of Article XVII.

In witness whereof, this Amendment has been executed by the undersigned authorized officers of Tortuga Beach Club Condominium Association, Inc. this 14<sup>th</sup> day of October, 1999.

Witnesses:

[Handwritten Signature]

REGINALD D. BILLUPS  
Print Name

Betsy Cain

Betsy CAIN  
Print Name

Tortuga Beach Club Condominium Association,  
Inc.

By: [Handwritten Signature]  
RANPH L. KENDALL  
Print Name

As Its: President

Attest: [Handwritten Signature]  
KATHRYN B. SHOREY  
Print Name

As Its: Secretary

STATE OF FLORIDA )  
 ) SS.  
COUNTY OF LEE )

Before me, the undersigned authority authorized to take acknowledgments in the state and county aforesaid, appeared RALPH L. KENDALL and KATHRYN B. SHOREY known to me to be the President and Secretary of Tortuga Beach Club Condominium Association, Inc., a Florida non-profit corporation, and they acknowledged that they executed the foregoing Amendment to the Declaration of Condominium freely and voluntarily pursuant to due authority from Tortuga Beach Club Condominium Association, Inc. They are not personally known to me and did not take an oath.

Witness my hand and seal this 14<sup>th</sup> day of October, 1999

Cynthia K. Glasenapp  
CYNTHIA K. GLASENAPP  
(Notary Name Printed)  
Commission No. 586112

(NOTARY SEAL)

