800

This document prepared by and after recording return to: Karen Whitehead Baker & Hostetler LLP Post Office Box 112 Orlando, Florida 32802

INSTR # 4782558 OR BK 03203 PG 3840

RECORDED 12/28/99 02:44 PM CHARLIE GREEN CLERK OF COURT LEE COUNTY RECORDING FEE 15.00 DEPUTY CLERK A Janke

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 316 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 14th day of October, 1999.

Witnesses:

Tortuga Beach Club Condominium Association, Inc.

REGINALD D. BILLUS

Print Name

Betsy Cain

As Its: President

Attest: Jathyan Shorey

KATHRYN B. SHORRY

As Its: Secretary

-2-

STATE OF FLORIDA)	
COUNTY OF LEE) SS.	
Before me, the undersigned authority authorized to take acknowledgments in the state and county aforesaid, appeared RALPH L. KENDALL and KATHEVED 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 are not personally known to me and did did not take an oath.	
Witness my hand and seal this 14th day of October, 1999	
(NOTARY SEAL)	Cynthia K. GLASENAPP (Notary Name Printed) Commission No. 586/12
	CYNTHIA K. GLASENAPP COMMISSION # CC 586112 EXPIRES SEP 17, 2000 BONDED THRU ATLANTIC BONDING CO., INC.

 $MMT3853 \ \ 22922 \ \ \ O0002 \ \ Declaration\ Amendments \ \ \ \ Tortuga Beach Club-Amendment\ \ \ \ \ \ 11/20/98$