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This Instrument Prepared By:
Kathy A. Sturgis, of
Peper, Martin, Jensen,
Maichel and Hetlage
2125 First Street
Fort Myers, Florida 33901

RECORD VERIFIED -- Barbara T. Scott, Clerk
By TINA SCHIANO *TS*

SECOND AMENDMENT TO
DECLARATION OF CONDOMINIUM
VENETIAN ISLES CONDOMINIUM


WHEREAS, ROUND FLAT TUBES OF FLORIDA, INC., a Florida corporation (hereinafter referred to as the "Developer") has recorded a Declaration of Condominium for Venetian Isles Condominium, on February 20, 1986, in O. R. Book 852, Pages 1715 through 1763 inclusive, and a First Amendment thereto recorded in O.R. Book 948, Pages 116 through 118 inclusive, both of the Public Records of Charlotte County, Florida (said Declaration of Condominium and First Amendment thereto collectively being hereinafter referred to as the "Declaration"), and has recorded a survey, plot plan and graphic description of improvements for Venetian Isles Condominium, in Condominium Book 6, Pages 22A through 22E inclusive, and a First Amended Survey, Plot Plan and Graphic Description of Improvements recorded in Condominium Book 7 Pages 62A through 62B inclusive, in the Public Records of Charlotte County, Florida (collectively hereinafter referred to as the "Survey"); and

WHEREAS, the Declaration submitted to condominium ownership the land constituting Phases I and II of Venetian Isles Condominium, more particularly described in the Declaration and Survey; and

WHEREAS, Articles III.B. through III.E. of the Declaration provide that the Declaration may be amended by adding additional phases described therein to Condominium Ownership, the Developer now desires to add one (1) such additional phase to the Condominium (heretofore consisting of the land and improvements thereon located in Phases I and II), by submitting the real property described as Phase III, in Paragraph One (1) below, to condominium ownership; and

WHEREAS, the Developer has substantially completed the construction of one (1) building constituting improvements on the real property hereinafter described in Paragraph One below, said building containing a total of twelve (12) Condominium Units;

NOW THEREFORE, pursuant to Article III.B. of the Declaration, the Developer hereby executes this Second Amendment to the Declaration (hereinafter referred to as the "Second Amendment") for the purposes of adding Phase III to the condominium formed when the hereinabove

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described land, comprising Phase I and subsequently Phase II of Venetian Isles Condominium, was submitted to condominium ownership, and by this Second Amendment the Declaration is hereby amended adding the following provisions thereto:

1. The legal description of the additional real property hereby submitted to condominium ownership as Phase III of Venetian Isles Condominium is as follows:

A portion of Block 180, Punta Gorda Isles, Section 14, according to the Plat thereof as recorded in Plat Book 8, Pages 9A thru 9Q of the Public Records of Charlotte County, Florida, being more particularly described as follows:

From the Northwest corner of Lot 13, of said Block 180, run South $56^{\circ}34'57''$ East, along the Northerly line of said Lot 13, a distance of 198.44 feet; thence South $11^{\circ}44'34''$ West, a distance of 90.00 feet, to a point on a circular curve concave Westerly having as elements, a central angle of $82^{\circ}10'45''$, a radius of 250.0 feet, and a chord bearing of South $40^{\circ}51'27''$ West; thence Southwesterly along said curve, a distance of 358.58 feet to the Point of Beginning of the lands herein described.

Thence continue along said curve having as elements a central angle of $61^{\circ}51'02''$, a radius of 250.0 feet, and a chord bearing of North $67^{\circ}07'39''$ West; thence Northwesterly along said curve, a distance of 269.87 feet; thence run North $53^{\circ}47'53''$ East, a distance of 132.23 feet; thence South $67^{\circ}07'39''$ East, a distance of 16.05 feet; thence North $22^{\circ}52'21''$ East, a distance of 40.00 feet; thence North $58^{\circ}57'30''$ East, a distance of 25.51 feet, to a point on the Southerly right-of-way line of White Ibis Court said point on a circular curve concave having as elements a central angle of $29^{\circ}24'52''$, a radius of 50.0 feet, and a chord bearing of South $45^{\circ}44'56''$ East, thence Southeasterly along said curve a distance of 25.67 feet; thence leaving said curve run South $29^{\circ}32'38''$ West, a distance of 31.58 feet; thence South $67^{\circ}07'39''$ East, a distance of 58.02 feet; thence North $51^{\circ}01'18''$ East, a distance of 7.75 feet; thence South $38^{\circ}58'42''$ East, a distance of 20.00 feet; thence South $51^{\circ}01'18''$ West, a distance of 19.73 feet; thence South $08^{\circ}03'10''$ East, a distance of 132.23 feet, to the Point of Beginning.

Said lands containing 0.714 Acres, more or less.

Said lands situate, lying and being in Charlotte County, Florida.

2. The Developer hereby declares that the property described hereinabove in Paragraph One is Condominium Property and is an addition to Venetian Isles Condominium and Developer hereby submits said property to condominium ownership pursuant to Chapter 718 Florida Statutes and upon the terms, conditions, restrictions and limitations set forth in this Second Amendment and in the Declaration.

3. The principal improvements of that portion of the Land constituting Phase III consist of one building containing twelve (12) residential Units, said Units being numbered 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36.

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Units 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 each have two (2) bedrooms and two (2) baths and are approximately 1200 square feet in size. The above described Units are shown on the Second Amended Survey, Plot Plan and Graphic Description of Improvements for Venetian Isles Condominium recorded in Condominium Book 8, Pages 56A through 57B, of the Public Records of Charlotte County, Florida (the "Second Amended Survey").

4. Pursuant to the Declaration the Developer hereby declares that each Unit Owner of a Unit in Venetian Isles Condominium Phases I, II and III shall own as an appurtenance to his Condominium Unit an undivided one thirty-sixth (1/36th) interest in the Common Elements of the real property, heretofore and herewith submitted to condominium ownership, said real property being that land more particularly described as Phases I, II and III of Venetian Isles Condominium as set forth in paragraphs A, B and C of Article III of the original Declaration of Condominium for Venetian Isles. Each Unit Owner shall be liable for a proportionate one thirty-sixth (1/36th) share of the Common Expenses, to the extent of his interest in the Common Elements, and each Unit Owner shall be entitled to receive this same proportionate share of the Common Surplus unless otherwise provided in the Bylaws.

5. Filed simultaneously herewith in Condominium Book 8, Pages 56A through 57B, of the Public Records of Charlotte County, Florida is the Second Amended Survey showing the Units, Common Elements and Limited Common Elements in Phase III of the Condominium, and their location and approximate dimensions in sufficient detail to identify them; said Second Amended Survey being made a part hereof by reference thereto.

6. The Developer expressly incorporates herein by reference thereto, all provisions, covenants and conditions of the Declaration and the Survey, as the same are defined herein.

7. Any capitalized terms in this Second Amendment not defined herein shall have the meaning ascribed to them in the Declaration and any exhibits thereto.

IN WITNESS WHEREOF, Developer has executed this Second Amendment to the Declaration of Condominium of Venetian Isles Condominium, a condominium, this 16th day of FEBRUARY, 1989.

Signed, sealed and delivered in the presence of:

ROUND FLAT TUBES OF FLORIDA, INC.

Barbara V. Weber
(1st Witness)

By: A. Al-Arnasi
Abraham Al-Arnasi, President

Barbara Sue Edman
(2nd Witness)

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