

3924549

DR2683 PG0893

DOCUMENT PREPARED BY  
Dennis P. Cronin, Esquire  
BOND, SCHOENECK & KING, P.A.  
1167 Third Street South  
Naples, FL 33940

46.58

AMENDMENT TO DECLARATION OF CONDOMINIUM FOR  
GOLFVIEW AT SUMMERWIND, A CONDOMINIUM  
ADDING PHASE 3

RECORD VERIFIED - CHARLE GREEN, CLERK  
BY: HELEN CARROLL, D.C.

KNOW ALL MEN BY THESE PRESENTS that COMMUNITY DEVELOPMENT - WESTBURY GATEWAY JOINT VENTURE, a Florida joint venture, the Developer described in that certain Declaration of Condominium of Golfview at Summerwind, a condominium, (which Declaration was recorded at O.R. Book 2530, Pages 0108 et seq. of the Public Records of Lee County, Florida) and the owner and holder of all the property described in Exhibit "A" of said Declaration of Condominium of Golfview at Summerwind, a condominium as "Phase 1" property on the date of the execution of said Declaration of Condominium, and as the present owner and holder of the property described on the Exhibit "A" attached to this Amendment and made a part hereof, which property is designated "Phase 3" property on said Exhibit hereto, in accordance with the provisions of Section 12.2 of said Declaration entitled "Amendment of Declaration," and with the requirements of the Condominium Act of the State of Florida, do declare and submit to condominium ownership, the property described as "Phase 3" on the Exhibit hereto, declaring and making said Phase 3 a part of the Condominium and Condominium Property of Golfview at Summerwind, a condominium.

THE SHARE OF THE COMMON ELEMENTS, COMMON EXPENSE AND COMMON SURPLUS attributable to each Unit upon the addition of Phase 3 is established on Exhibit "B" attached hereto and made a part hereof, and which designation is in accordance with and as an amendment to Exhibit "E" to the Declaration of Condominium above described as originally set forth.

THE ESTIMATED OPERATING BUDGET upon the addition of Phase 3 is established on Exhibit "C" attached hereto and made a part hereof, and which designation is an amendment to Exhibit "H" to the Declaration of Condominium above described as originally set forth.

DR2683 PG0894

THE GRAPHICS OF THE BUILDINGS contained in Phase 3 are set forth in Exhibit "D" to the Declaration of Condominium above described as originally set forth, consisting of Building "3".

IN WITNESS WHEREOF, COMMUNITY DEVELOPMENT - WESTBURY GATEWAY JOINT VENTURE, a Florida joint venture, has caused this AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF GOLFVIEW AT SUMMERWIND, A CONDOMINIUM, ADDING PHASE 3 to be executed by its duly authorized officer and its seal to be affixed this 1<sup>st</sup> day of March, 1996.

WESTBURY GATEWAY, INC., a Florida corporation, on behalf of itself and as Managing General Partner of COMMUNITY DEVELOPMENT-WESTBURY/ GATEWAY JOINT VENTURE, a Florida joint venture

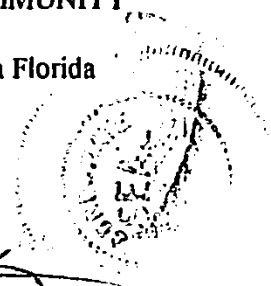
Signed, Sealed and Delivered in the presence of:

Kimberly A. Spink  
Printed Name: Kimberly A. Spink

Trudy A. Smith  
Printed Name: TRUDY A. SMITH

[Corporate Seal]

By David N. Sexton  
David N. Sexton, Vice President



STATE OF FLORIDA  
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of March, 1996, by DAVID N. SEXTON, as Vice President of WESTBURY GATEWAY, INC., a Florida corporation, on behalf of itself and as Managing General Partner of COMMUNITY DEVELOPMENT-WESTBURY/GATEWAY JOINT VENTURE. He is personally known to me.

Trudy A. Smith  
Notary Public

TRUDY A. SMITH

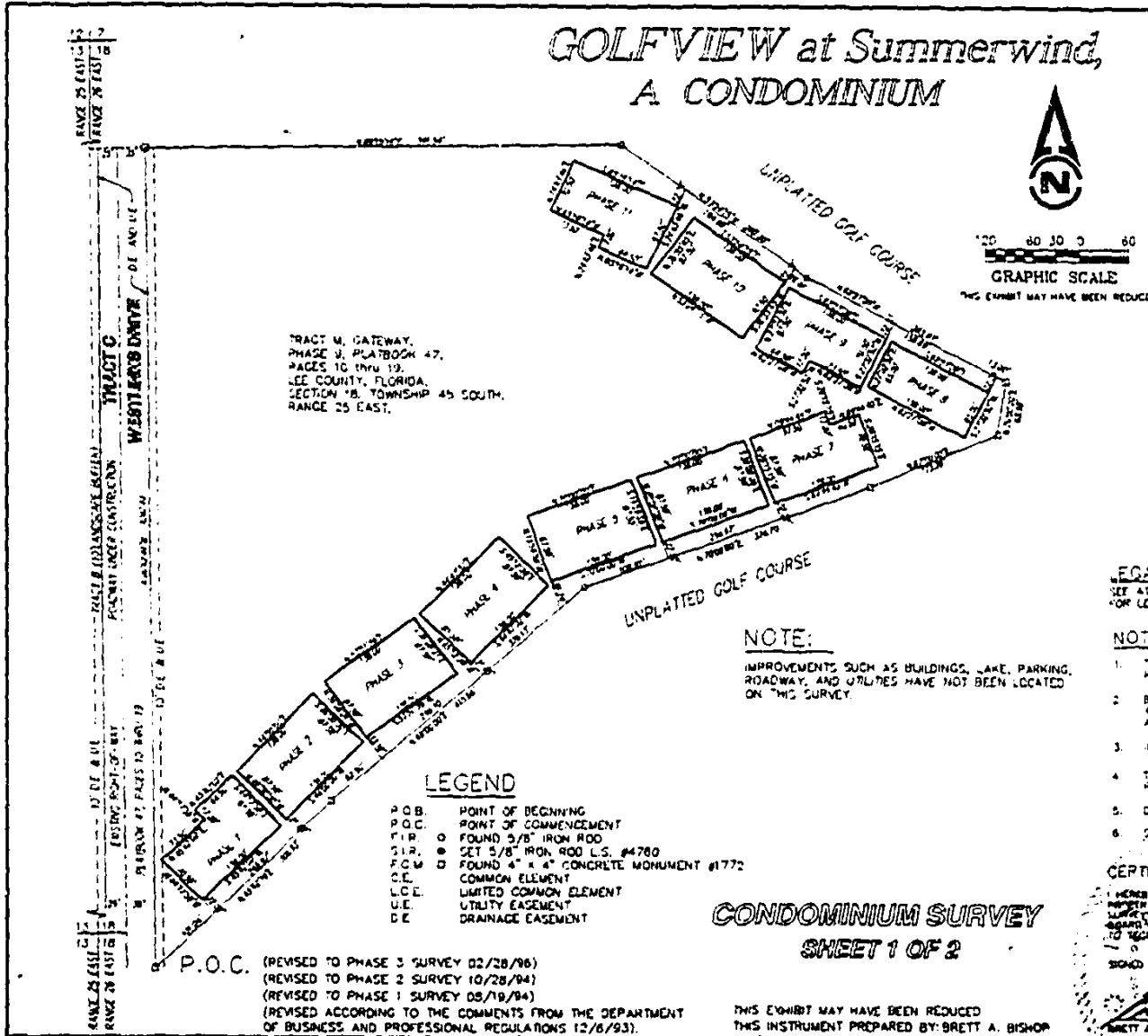
Printed Name of Notary Public

My Commission Expires:



# GOLFVIEW at Summerwind, A CONDOMINIUM

CONDOMINIUM BOOK \_\_\_\_\_ PAGE \_\_\_\_\_



TRACT M, GATEWAY,  
PHASE 3, PLATBOOK 47,  
PAGES 10 THRU 19,  
LEE COUNTY, FLORIDA,  
SECTION 18, TOWNSHIP 45 SOUTH,  
RANGE 25 EAST.

**NOTE:**  
IMPROVEMENTS SUCH AS BUILDINGS, LAKE, PARKING,  
ROADWAY, AND UTILITIES HAVE NOT BEEN LOCATED  
ON THIS SURVEY.

**LEGEND**

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- I.P. ○ FOUND 5/8" IRON ROD
- S.I.P. ● SET 5/8" IRON ROD L.S. #4780
- F.C.M. □ FOUND 4" x 4" CONCRETE MONUMENT #1772
- C.E. COMMON ELEMENT
- L.C.E. LIMITED COMMON ELEMENT
- U.E. UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT

**CONDOMINIUM SURVEY  
SHEET 1 OF 2**

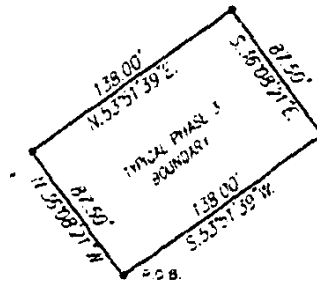
P.O.C. (REVISED TO PHASE 3 SURVEY 02/28/86)  
(REVISED TO PHASE 2 SURVEY 10/28/84)  
(REVISED TO PHASE 1 SURVEY 05/19/84)  
(REVISED ACCORDING TO THE COMMENTS FROM THE DEPARTMENT  
OF BUSINESS AND PROFESSIONAL REGULATIONS 12/6/93).

THIS EXHIBIT MAY HAVE BEEN REDUCED  
THIS INSTRUMENT PREPARED BY: BRETT A. BISHOP



0 30 60  
GRAPHIC SCALE  
THIS EXHIBIT MAY HAVE BEEN REDUCED

NOTE: SET IRON ROD AT  
EACH CHANGE OF DIRECTION  
AND/OR CORNER OF THE  
PHASE 3 BOUNDARY.



**DETAIL**

PHASE BOUNDARIES AND BUILDING ENVELOPE  
NOT TO SCALE

**LEGAL DESCRIPTION**

SEE ATTACHED SHEET 2 OF 2  
FOR LEGAL DESCRIPTION

**NOTES**

1. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
2. BEARINGS SHOWN HEREON REFER TO GATEWAY, PHASE 3, ACCORDING TO THE PLAT THEREON RECORDED IN PLATBOOK 47 AT PAGES 10 THRU 19, LEE COUNTY, FLORIDA.
3. IMPROVEMENTS OTHER THAN THOSE SHOWN WERE NOT LOCATED.
4. THIS SURVEY NOT VALID WITHOUT SURVEYORS SIGNATURE AND RAISED SEAL.
5. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
6. SEE PLOT PLAN FOR IMPROVEMENTS.

**CERTIFICATION**

I HEREBY CERTIFY THAT THIS CONDOMINIUM SURVEY OF THE HEREON DESCRIBED PROPERTY WAS SURVEYED UNDER MY RESPONSIBLE CHARGE ON 02/28/86 THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS, CHAPTER 61G17-6, F.A.C. PURSUANT TO SECTION 475.027, FLORIDA STATUTES.

SIGNED 03/01/86

*Brett A. Bishop*  
BRETT A. BISHOP STATE OF FLORIDA, L.S.#4780

**BRETT A. BISHOP**  
PROFESSIONAL LAND SURVEYOR  
10010 E.C.O. 41, SUITE 4  
N.W.A.L.S. #166-01 33843 (941) 597-1315

**BOUNDARY SURVEY**  
GOLFVIEW at Summerwind  
A CONDOMINIUM

DATE  
03/01/86  
DRAWN BY  
JOW  
PROJECT #  
0325

**BRETT A. BISHOP**  
Professional Land Surveyor  
14848 Old 41  
Suite 4  
Naples, FL 33923  
Tel. 941-597-1315

DR2683 PG0896

**GOLFVIEW AT SUMMERWIND,  
A Condominium  
Phase 3  
Building 3**

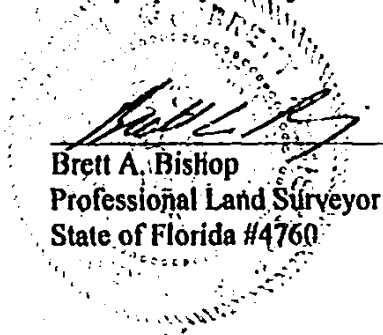
A portion of Tract M, Gateway Phase 9, according to the Plat thereof recorded in Plat Book 47 at Pages 10 through 19 of the Public Records of Lee County, Florida being more particularly described as follows:

Commence at the Southwest corner of Tract M, Gateway, Phase 9, according to the plat thereof recorded in Plat Book 47 at Pages 10 through 19 of the Public Records of Lee County, Florida;

thence run N 45°42'-19E for a distance of 306.93 feet;  
thence run N 49°-00-00E for a distance of 82.90 feet;  
thence run to the N 36°-08-21W for a distance of 33.16 feet to the  
**Point of Beginning** of the Parcel of land herein described;  
thence continue N 36°-08-21W for a distance of 87.50 feet;  
thence run N 53°-51-39E for a distance of 138.00 feet;  
thence run S 36°-08-21E for a distance of 87.50 feet;  
thence run S 53°-51-39W for a distance of 138.00 feet to the  
**Point of Beginning**, containing 0.277 acres, more or less.

Bearings hereon refer to Gateway, Phase 9, according to the plat thereof recorded in Plat Book 47, Pages 10 through 19 inclusive of the Public Records of Lee County, Florida.

This property is subject to easements, reservations or restrictions of record.



Date: 03/01/96

Exhibit "A"  
Sheet 2 of 2

Amendment to Declaration of Condominium for  
Golfview at Summerwind, a condominium

Adding Phase 3

AMENDMENT TO EXHIBIT "E" TO THE DECLARATION

As a result of the addition of Phase 3 to this condominium, which has been accomplished by the Amendment to which this Exhibit "B" is attached, there are now Twenty-four (24) units in and declared to be a part of this Condominium. In accordance with the formula set forth in Exhibit "E" to the Declaration of Condominium as originally recorded, the share of common elements, common expense and common surplus attributable to each unit of Phase 3 (which Phase is now part of this Condominium) is one/twenty-fourth (1/24).

This is an amendment and addition to Exhibit "E".

PERCENTAGE OF OWNERSHIP OF COMMON ELEMENTS AND  
PERCENTAGE SHARE OF COMMON EXPENSES

<u>Unit No.</u>	<u>PERCENTAGE OWNERSHIP OF COMMON ELEMENTS</u>	<u>PERCENTAGE SHARE OF COMMON ELEMENTS</u>
ALL UNITS IN PHASE 1 AND 2	1/16	1/16
ALL UNITS AFTER RECORDING OF PHASES 1, 2 AND 3	1/24	1/24

EXHIBIT "B" TO THE AMENDMENT

OR2683 PG0897

ESTIMATED OPERATING EXPENSES  
GOLFVIEW AT SUMMERWIND  
(PHASE 3 FIRST 12 MONTHS)  
PHASE 3 TOTAL UNITS 24

January 1, 1996, through December 31, 1996

<u>Expense Item</u>	<u>Monthly</u>	<u>Quarterly</u>	<u>Annually</u>
Administration of Association	41.52	124.56	498.24
Management Fees	120.00	360.00	1,440.00
Landscape Maintenance	*		
Grounds & Pool Maintenance	*		
Rent for Commonly Used Facilities	N/A	N/A	N/A
Taxes on Association Property of Lease Area	N/A	N/A	N/A
Lake Maintenance	*		
Insurance	173.76	521.28	2,085.12
Electricity (Common Element)	110.39	331.17	1,324.68
Gas	N/A	N/A	N/A
Water & Sewer	591.00	1,773.00	7,092.00
Irrigation Water	*		
Elevator Maintenance	N/A	N/A	N/A
Garbage Pickup	*		
Pest Control	*		
Security Provisions	N/A	N/A	N/A
Legal & Audit Expenses	11.28	33.84	135.36
Fees Payable to Secretary of State	18.75	56.25	225.00
Operating Capital	N/A	N/A	N/A
Miscellaneous	N/A	N/A	N/A
Annual Fees, Division of Land Sales Condominiums & Mobile Homes	8.00	24.00	96.00
Fee to Summerwind Master Assoc.	1,764.00	5,292.00	21,168.00
Gateway Green Community Assoc.	1,519.92	4,559.76	18,239.04
EQUIPMENT & SUPPLIES	N/A	N/A	N/A

\* Master Association Budget

Exhibit "C" to the Amendment

DR2683 PG0898

Reserves:

Roof Replacement\*\*

Estimated life - 20 years

Current estimated replacement cost - \$64,506.00	268.76	806.28	3,225.12
--	--------	--------	----------

Current Balance -0-

Estimated Remaining Life - 20 years

Building Repainting\*\*

Estimated life - 5 years

Current Estimated cost - \$12,300.00	205.00	615.00	2,460.00
--------------------------------------	--------	--------	----------

Current Balance -0-

Estimated Remaining Life - 5 years

Pavement Resurfacing\*

Estimated life - 15 years

Current estimated cost - \$00	*		
-------------------------------	---	--	--

Current Balance -0-

Estimated Remaining Life - 15 years

Pool and Spa Refurbishment\*

Estimated life - 10 years

Current estimated cost - \$00	*		
-------------------------------	---	--	--

Current Balance -0-

Estimated Remaining Life - 10 years

TOTALS (with Reserves)	4,832.38	14,497.14	57,988.56
------------------------	----------	-----------	-----------

NOTE: \*Master Association Budget

\*\*These budget items are reserves mandated by statutes unless waived by the unit owners.

TOTALS (without Reserves)	4,358.62	13,075.86	52,303.44
---------------------------	----------	-----------	-----------

OR2683 PG0899

\*\*These budget items are reserves mandated by statutes unless waived by the unit owners.

ESTIMATED MONTHLY, QUARTERLY AND ANNUAL  
MAINTENANCE EXPENSES OF UNIT OWNERS

Unit No. Expenses	Percentage Share of Common Expenses	Monthly Maintenance Expenses	Quarterly Maintenance Expenses	Annual Maintenance Expenses
One Twenty- fourth	1/24			
Without Reserves		181.61	544.83	2,179.32
With Reserves		201.35	604.05	2,416.20

DR2683 PG0900

THE AMOUNTS SET FORTH ABOVE ARE EXPECTED TO BE THE INITIAL ASSESSMENTS, BUT THEY ARE NOT GUARANTEED.



**ESTIMATED OPERATING EXPENSES**  
**GOLFVIEW AT SUMMERWIND**  
**(PHASE 3 - FIRST 12 MONTHS)**  
**PHASE 3 TOTAL UNITS WITH GARAGES 20**  
**January 1, 1996, through December 31, 1996**

<u>Expense Item</u>	<u>Monthly</u>	<u>Quarterly</u>	<u>Annually</u>
Administration of Association	0.00	0.00	0.00
Management Fees	0.00	0.00	0.00
Maintenance	0.00	0.00	0.00
Rent for Recreational and other Commonly Used Facilities	0.00	0.00	0.00
Taxes upon Association Property	*	*	*
Taxes upon Leased Area	0.00	0.00	0.00
Insurance	0.00	0.00	0.00
Security Provisions	N/A	N/A	N/A
Other Expenses	0.00	0.00	0.00
Operating Capital	N/A	N/A	N/A
Annual Fees, Division of Land Sales Condominiums & Mobile Homes	0.00	0.00	0.00
Fee to Summerwind Master Assoc.	0.00	0.00	0.00
Gateway Green Community Assoc.	0.00	0.00	0.00
Roof Replacement Garage** Estimated Life - 20 years Current estimated replacement cost - \$15,232.80 Current Balance -0- Estimated Remaining Life - 20 Years	63.47	190.41	761.64
Garage Repainting** Estimated life - 5 years Current estimated replacement cost - \$2,323.64 Current Balance -0- Estimated Remaining Life - 5 years	38.73	116.18	464.73
<b>TOTALS (Reserves for Garages)</b>	<b>102.20</b>	<b>306.59</b>	<b>1,226.37</b>

\* Master Association Budget

THE AMOUNTS SET FORTH ABOVE ARE EXPECTED TO BE THE INITIAL ASSESSMENTS, BUT THEY ARE NOT GUARANTEED

Schedule 1 to Exhibit "C"

DR2683 PG0901

ESTIMATED MONTHLY, QUARTERLY AND ANNUAL  
MAINTENANCE EXPENSES OF UNIT OWNERS

HARLIE GREEN LEE CTY FL.  
96 MAR -6 AM 11:54

Number of Units with Garages	Percentage Share of Common Expenses	Monthly Maintenance Expenses	Quarterly Maintenance Expenses	Annual Maintenance Expenses
One-Twentieth	1/20			
Reserves for Garages		5.11	15.33	61.32

THE AMOUNTS SET FORTH ABOVE ARE EXPECTED TO BE THE INITIAL ASSESSMENTS, BUT  
THEY ARE NOT GUARANTEED.

OR2683 PG0902