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**AMENDMENT TO DECLARATION OF CONDOMINIUM FOR**  
**SANTA LUZ, A CONDOMINIUM**  
**SUBMITTING PHASE 5**

This Amendment to Declaration of Condominium is made this 28<sup>th</sup> day of September, 2014, by SANTA LUZ, LLC, a Florida limited liability company (the "Developer").

WHEREAS, pursuant to Section 3(C) of the Declaration, the Developer has retained the right to submit to the condominium form of ownership by amendment to the Declaration; and

WHEREAS, the Developer desires to submit Phase 5 of the Condominium to the condominium form of ownership as set forth herein.

NOW, THEREFORE, the Developer hereby amends the Declaration as follows:

1. Recitals. The above recitals are true and correct and are incorporated herein by reference.
2. Submission. Developer hereby submits the real property described as Phase 5 on Exhibit "A" attached hereto, together with all improvements from time to time erected or installed thereon, to the condominium form of ownership and use in the manner provided for in the Florida Condominium Act (Chapter 718, Florida Statutes), subject to the reservations, easements, restrictions and conditions contained in the Declaration and herein. The real property described as Phase 5 on Exhibit "A" attached hereto, together with all improvements from time to time installed thereon, is described and shall be known as Phase 5 of the Condominium.
3. Identification of Phase 5. Phase 5 does not contain any Units, but consists of the recreational facilities that shall become Common Elements of the Condominium.
4. Survey, and Graphic Description of Improvements. The Plot Plan, survey of the land constituting Phase 5, the Surveyor's Certificate of Substantial Completion of Phase 5, and graphic description of the improvements of Phase 5 is attached hereto as part of Exhibit "B".

5. Future Phases. Any depiction of other phases on the attached Exhibits which have not previously been submitted to the Declaration are for illustration purposes only, and no other phases besides Phase 5 are being submitted to the condominium form of ownership by this Amendment.

6. Ratification. Except as herein amended, all of the terms and conditions of the Declaration, as amended, are confirmed and ratified, and shall remain in full force and effect.

WITNESSES:

SANTA LUZ, LLC  
a Florida limited liability company

Sheri Grassi  
Signature of Witness #1

By: PLC MANAGEMENT, LLC, a Florida  
limited liability company  
Its: Manager

Sheri Grassi  
Printed Name of Witness #1

By: Peter Takos  
Peter Takos, Manager

Joseph Passamani  
Signature of Witness #2

Joseph Passamani  
Printed Name of Witness #2

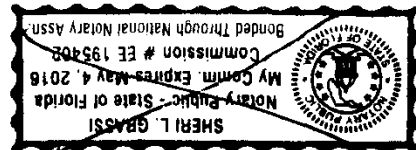
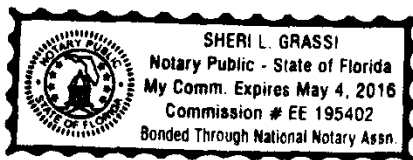
STATE OF FLORIDA  
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 28 day of September, 2014, by PETER TAKOS, the Manager of PLC Management, LLC, a Florida limited liability company, the Manager of Santa Luz, LLC, a Florida limited liability company, who is X personally known to me or \_\_\_ who produced a driver's license as identification.

Sheri Grassi  
Notary Public

Printed Name: Sheri Grassi  
Commission No. \_\_\_\_\_  
Expiration Date: \_\_\_\_\_

(SEAL)





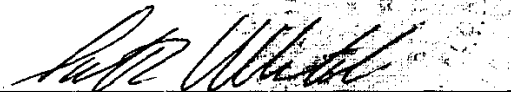
# Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard  
Fort Myers, Florida 33919-5910  
email – fmooffice@bwik.net  
(Ph) 239-481-1331 (Fax) 239-481-1073

Surveyor's Certification  
for  
Santa Luz, a Condominium  
Section 18, Township 45 South, Range 26 East  
Lee County, Florida  
(Recreation Area, Phase V)

I, Scott C. Whitaker, Professional Surveyor and Mapper, hereby certify that the construction of the improvements of the Recreation Area, Phase V, Santa Luz, a Condominium as shown on the attached Exhibit "B" dated 9/11/14 is substantially complete so that these materials, together with the provisions of the Declaration of Condominium describing the condominium property as relates to survey matters only, is an accurate representation of the location and dimensions of the improvements and so that the identification, location and dimensions of the common elements can be determined from these materials and that all planned improvements, including but not limited to landscaping, utility services and access to the common element facilities have been substantially completed.

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)

  
\_\_\_\_\_  
Scott C. Whitaker, P.S.M. 4324

STATE OF FLORIDA  
COUNTY OF LEE

BEFORE ME, the undersigned officer, personally appears Scott C. Whitaker of Bean, Whitaker, Lutz & Kareh, Inc., personally known to me and who did not take an oath, and who is known to me to be the person described in and who executed the foregoing instrument, and acknowledged to me and before me that he executed said instrument in the capacity and for the purposes therein expressed this 11<sup>th</sup> day of September, 2014.

SEAL



  
\_\_\_\_\_  
Notary Public

41188\_CERT\_PH V\_RECREATION AREA

PRINCIPALS:  
SCOTT C. WHITAKER, PSM, PRESIDENT  
JOSEPH L. LUTZ, PSM  
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:  
JAMES A. HESSLER, PSM  
CHRISTEN A. MOORE, PSM  
ROBERT L. CARMELIA, PSM  
STEPHEN F. SHAWLES II, PSM  
MUNIR R. SULEH, PE, MSEE



# Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard  
Fort Myers, Florida 33919-5910  
email – fmoffice@bwlk.net  
(Ph) 239-481-1331 (Fax) 239-481-1073

Description of a Parcel of Land  
Lying in  
Section 18, Township 45 South, Range 26 East  
Lee County, Florida  
(Santa Luz - Proposed Phase V)  
- Recreation Area -

A tract or parcel of land situated in the State of Florida, County of Lee, lying in Section 18, Township 45 South, Range 26 East, and being part of Tract "L" of Gateway Phase 9 as recorded in Plat Book 47 at Pages 10-20, Public Records of Lee County, Florida and further described as follows:

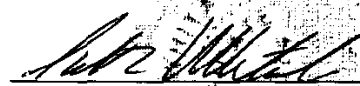
Commencing at the southwest corner of said Tract "L", said point lying on the east right-of-way line of Westlinks Drive (60 feet wide); thence N00°40'44"W along the west line of said Tract "L" and said east right-of-way line for 190.78 feet to the Point of Beginning; thence N89°56'06"E for 34.33 feet; thence S81°32'03"E for 50.56 feet; thence N89°56'06"E for 129.30 feet to the beginning of a curve concave to the south having a radius of 1117.50 feet; thence continue easterly along said curve through a central angle of 01°51'16" for 36.17 feet; thence N32°44'54"W for 254.72 feet; thence S81°32'13"W for 115.51 feet to said west line of Tract "L" and said east right-of-way line of Westlinks Drive; thence S00°40'44"E along said west line and said east right-of-way line for 189.45 feet to the Point of Beginning.

Parcel contains 0.86 acres (37,487 square feet), more or less.

Bearings are based on the recorded plat with the east right-of-way line of Westlinks Drive bearing N00°40'44"W.

Subject to easements, restrictions, reservations and rights-of-way (recorded and unrecorded, written and unwritten).

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)

  
\_\_\_\_\_  
Scott C. Whitaker, P.S.M. 4324

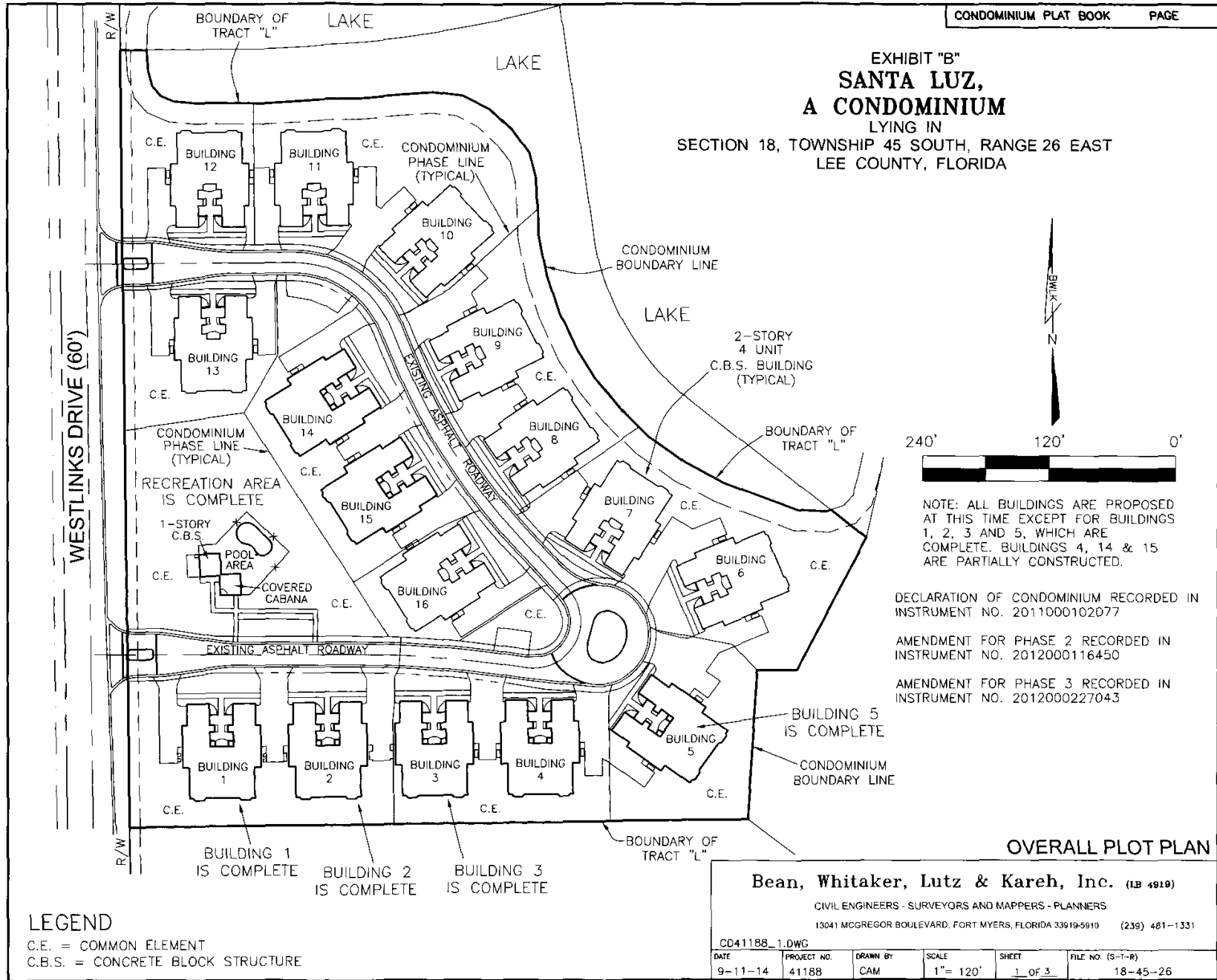
41188\_DESC\_PHASE V 11/8/10

PRINCIPALS:  
SCOTT C. WHITAKER, PSM, PRESIDENT  
JOSEPH L. LUTZ, PSM  
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

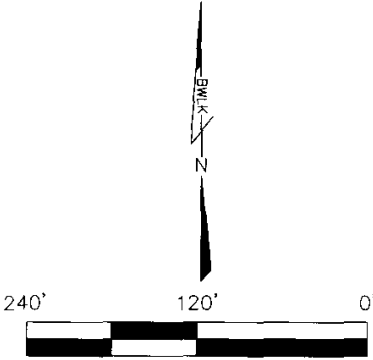


ASSOCIATES:  
JAMES A. HESSLER, PSM  
CHRISTEN A. MOORE, PSM  
ROBERT L. CARMELIA, PSM  
STEPHEN F. SHAWLES II, PSM  
MUNIR R. SULEH, PE, MSEE



CONDOMINIUM PLAT BOOK PAGE

EXHIBIT "B"  
**SANTA LUZ,**  
**A CONDOMINIUM**  
 LYING IN  
 SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST  
 LEE COUNTY, FLORIDA



NOTE: ALL BUILDINGS ARE PROPOSED AT THIS TIME EXCEPT FOR BUILDINGS 1, 2, 3 AND 5, WHICH ARE COMPLETE. BUILDINGS 4, 14 & 15 ARE PARTIALLY CONSTRUCTED.

DECLARATION OF CONDOMINIUM RECORDED IN INSTRUMENT NO. 2011000102077  
 AMENDMENT FOR PHASE 2 RECORDED IN INSTRUMENT NO. 2012000116450  
 AMENDMENT FOR PHASE 3 RECORDED IN INSTRUMENT NO. 2012000227043

BUILDING 5 IS COMPLETE  
 CONDOMINIUM BOUNDARY LINE

BUILDING 1 IS COMPLETE  
 BUILDING 2 IS COMPLETE  
 BUILDING 3 IS COMPLETE

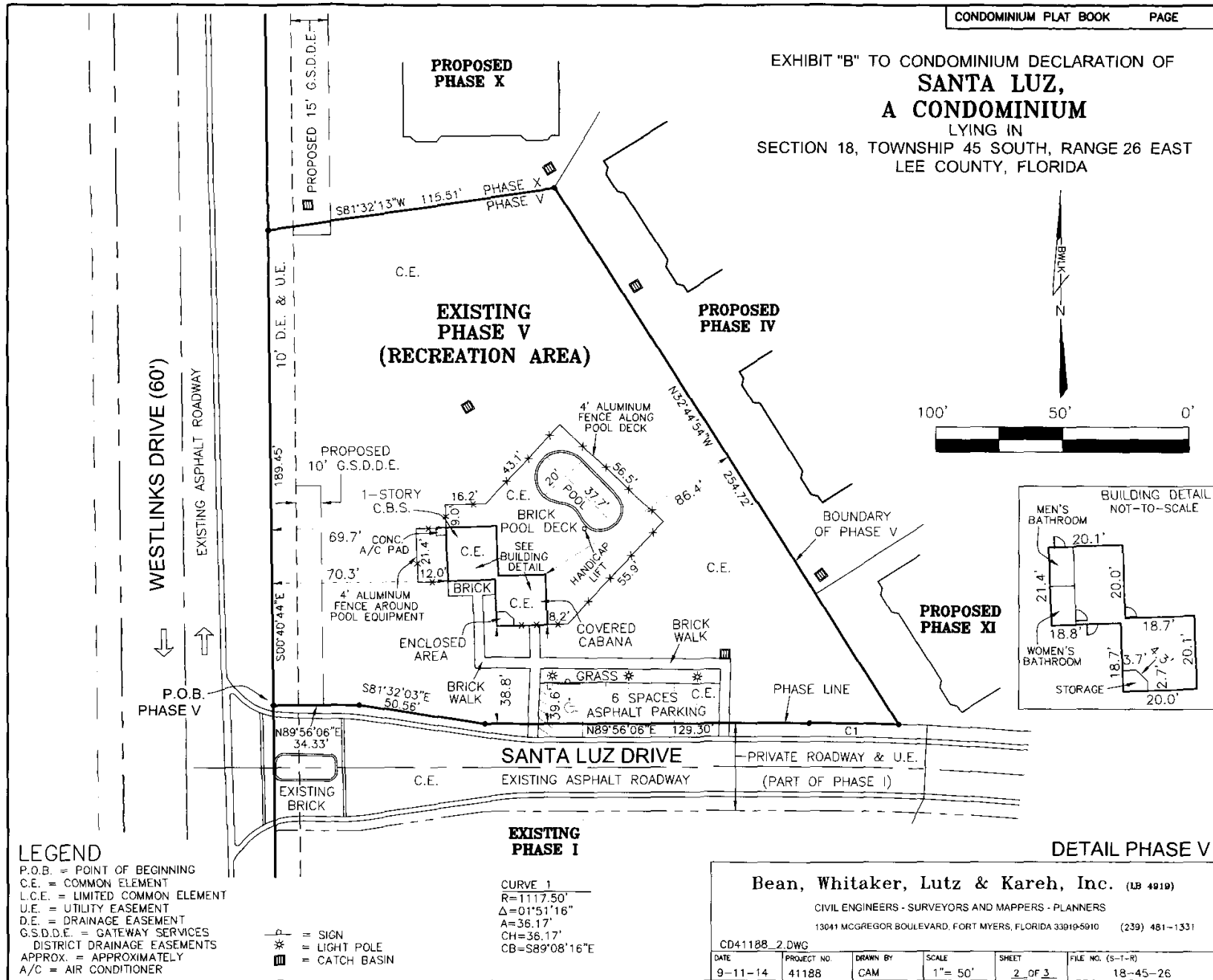
**OVERALL PLOT PLAN**

**LEGEND**  
 C.E. = COMMON ELEMENT  
 C.B.S. = CONCRETE BLOCK STRUCTURE

**Bean, Whitaker, Lutz & Kareh, Inc.** (LB 4919)  
 CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
 13041 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5910 (239) 481-1331

CD41188_1.DWG	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
DATE	41188	CAM	1" = 120'	1 OF 3	18-45-26

EXHIBIT "B" TO CONDOMINIUM DECLARATION OF  
**SANTA LUZ,**  
**A CONDOMINIUM**  
 LYING IN  
 SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST  
 LEE COUNTY, FLORIDA



**LEGEND**  
 P.O.B. = POINT OF BEGINNING  
 C.E. = COMMON ELEMENT  
 L.C.E. = LIMITED COMMON ELEMENT  
 U.E. = UTILITY EASEMENT  
 D.E. = DRAINAGE EASEMENT  
 G.S.D.D.E. = GATEWAY SERVICES DISTRICT DRAINAGE EASEMENTS  
 APPROX. = APPROXIMATELY  
 A/C = AIR CONDITIONER

P = SIGN  
\* = LIGHT POLE  
■ = CATCH BASIN

**CURVE 1**  
 R=1117.50'  
 Δ=01°51'16"  
 A=36.17'  
 CH=36.17'  
 CB=S89°08'16"E

<b>Bean, Whitaker, Lutz &amp; Kareh, Inc. (LB 4918)</b>					
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS					
13041 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5910 (239) 461-1331					
CD41188_2.DWG	DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET
	9-11-14	41188	CAM	1"= 50'	2 OF 3
					FILE NO. (S-T-R) 18-45-26

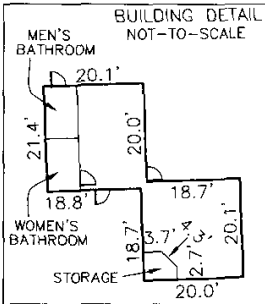
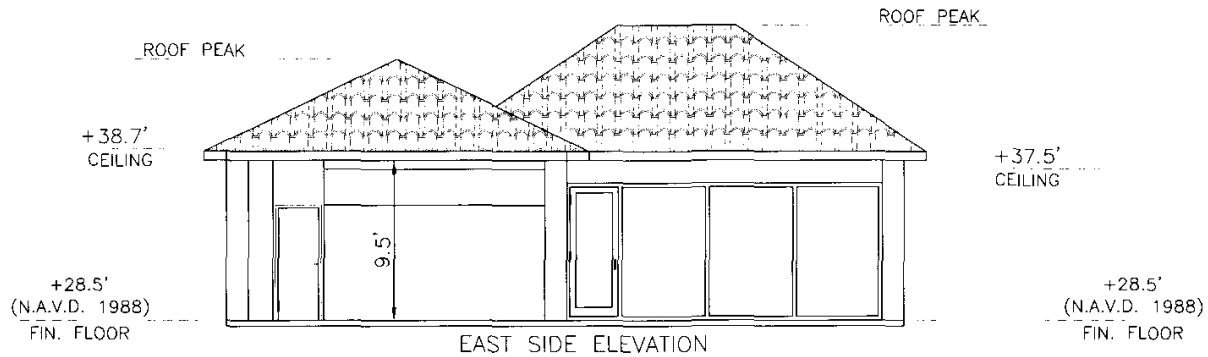
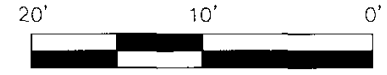


EXHIBIT "B"  
**SANTA LUZ,  
 A CONDOMINIUM**

LYING IN  
 SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST  
 LEE COUNTY, FLORIDA



RECREATION AREA AS-BUILT  
 VERTICAL BOUNDARIES

**LEGEND**

N.A.V.D. = NORTH AMERICAN VERTICAL DATUM  
 FIN. = FINISHED  
 ELEV. = ELEVATION  
 F.F.E. = FINISH FLOOR ELEVATION

**Bean, Whitaker, Lutz & Kareh, Inc.** (LB 4919)

CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

13041 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5610 (239) 481-1331

CD41188\_3.DWG

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
9-11-14	41188	CAM	1" = 10'	3 OF 3	18-45-26