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FIRST AMENDMENT
TO THE DECLARATION OF CONDOMINIUM OF
BAY HARBOR CLUB, A CONDOMINIUM ^{OFF} REG 1697 PC 367

THIS FIRST AMENDMENT to the Declaration of Condominium of BAY HARBOR CLUB, A CONDOMINIUM recorded in Official Records Book 1696 at Page 227 through Page 322 of the Public Records of Lee County, Florida, the "Declaration", is made this 24th day of OCTOBER, 1983, by BAY VIEW OF BONITA BEACH, INC., a Florida corporation, the "Developer", as follows.

W I T N E S S E T H:

WHEREAS, the Declaration applies to that certain real property specifically described on Sheet 3 of 6, Exhibit B to the Declaration, as "PHASE I - BAY HARBOR CLUB, A CONDOMINIUM", and all improvements located thereon, which Sheet 3 of 6 is recorded in Official Records Book 1696 at Page 262 of the Public Records of Lee County, Florida; and

WHEREAS, pursuant to the authority reserved by the Developer per Florida Statute 718.403(6) and Paragraph 26 of the Declaration the Developer desires to submit Phase II of BAY HARBOR CLUB, A CONDOMINIUM to the condominium form of ownership;

NOW, THEREFORE, the Developer makes the following amendment to the Declaration:

1. The Developer on behalf of itself, its successors, grantees and assigns, to its grantees and assigns, and their heirs, successors and assigns, hereby submits the lands and improvements located thereon located in Lee County, Florida, owned by the Developer and described on the revised Sheet 4 of 6, Exhibit B to the Declaration, as "PHASE II - BAY HARBOR CLUB, A CONDOMINIUM - PARCEL "A" and as "PHASE II - BAY HARBOR CLUB, A CONDOMINIUM - PARCEL "B" to the condominium form of ownership.

2. Each unit in BAY HARBOR CLUB, A CONDOMINIUM shall share in the ownership of common elements and the apportionment of common surplus and common expenses as set forth in Exhibit D to the Declaration, specifically recorded in Official Records Book 1696 at Page 267 of the Public Records of Lee County, Florida.

3. The above described Phase II property and all improvements and appurtenances constructed and located thereon are subject to all the terms and conditions set forth in the Declaration, and all exhibits and amendments thereto, to which this document is an amendment.

4. In all other respects, the Declaration of Condominium of BAY HARBOR CLUB, A CONDOMINIUM, as previously amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer has executed this amendment to the Declaration on the day and year first above written.

Signed, sealed and delivered in the presence of:

BAY VIEW OF BONITA BEACH, INC., a Florida corporation

Anita C. Snow
Richard J. Shuckert

By: Nail A. Abrahamson (SEAL)
Attest: Jim Patt (SEAL)

RECORD VERIFIED - S.A.L. GERACI, CLERK
BY: J. TURNER, D.C.

OFF REC 1697 PG 368

STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY that on this 24th day of OCTOBER,
A.D. 1983, before me personally appeared NEIL A ABRAHAMSON
and JERE DUTT, President and
VICE PRESIDENT respectively of BAY VIEW OF BONITA BEACH, INC.,
a corporation under the laws of the State of Florida, to me known
to be the persons described in and who executed the foregoing
instrument and severally acknowledged the execution thereof to be
their free act and deed as such officers, for the uses and purposes
therein mentioned; and that they affixed thereto the official seal
of said corporation, and the said instrument is the act and deed
of said corporation.

WITNESS my signature and official seal at Fort Myers in the
County of Lee and State of Florida, the day and year last afore-
said.

Richard J. Wheeler (SEAL)
Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
BONDED THRU GENERAL INSURANCE UND.
MY COMMISSION EXPIRES JULY 1 1986

THIS INSTRUMENT PREPARED BY:
Harvey B. Goldberg, Attorney
GOLDBERG, RUBINSTEIN & BUCKLEY, P.A.
Post Office Box 2366
Fort Myers, Florida 33902-2366

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RECORDED IN OFFICIAL
RECORDS
LEE COUNTY, FLORIDA
RECORD VERIFIED
SAL BEHALI
CLERK OF CIRCUIT COURT
[Signature]