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OFF. REC. 1744 PG 832

SECOND AMENDMENT  
TO THE DECLARATION OF CONDOMINIUM  
OF BAY HARBOR CLUB, A CONDOMINIUM

THIS SECOND 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 29<sup>th</sup> day of August, 1984, 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 described in Exhibit "A" to the Declaration, and

WHEREAS, pursuant to the authority reserved by the Developer and the plan of phasing contained in paragraph 26F of the Declaration, 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 located in Lee County, Florida owned by the Developer and described in Exhibit "A" to the Declaration; and

WHEREAS, Developer has determined that Building 2 of Phase II, Parcel A, is substantially completed;

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

1. The Surveyor's Certificate attached hereto and made a part hereof as Exhibit "1" for substantially completed Building 2, Phase II, Parcel A, and all improvements appurtenant thereto, is hereby made a part of and subject to the Declaration.

IN ALL OTHER RESPECTS, the original Declaration, as amended, is hereby ratified and confirmed.

IN WITNESS WHEREOF, this Second Amendment to the Declaration of Condominium of BAY HARBOR CLUB, A CONDOMINIUM has been executed by the Developer the day and year first above written.

Witnesses:

*Anita C. Shaper*  
*James W. Elliott*

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

BY: *Neil A. Abrahamson*  
Neil A. Abrahamson

STATE OF FLORIDA  
COUNTY OF LEE

I HEREBY CERTIFY that on this 28<sup>th</sup> day of August, 1984, before me personally appeared NEIL A. ABRAHAMSON, President 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 said instrument is the act and deed of said corporation.

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

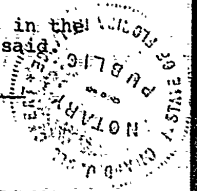
NOTARY PUBLIC STATE OF FLORIDA  
BONDED THRU GENERAL INSURANCE UND.  
MY COMMISSION EXPIRES JULY 1 1984

*Richard J. Shuckert*  
Notary Public

My Commission Expires:  
This Instrument Prepared by:  
HARVEY B. GOLDBERG, ESQUIRE

GOLDBERG, RUBINSTEIN & BUCKLEY, P.A. P.O. BOX 2366 FORT MYERS, FLORIDA 33902-2366

RECORD VERIFIED - SAL GERACI CLERK  
G SHERWOOD, D.C.



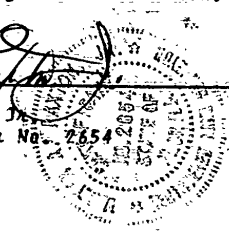
SUBSTANTIAL COMPLETION  
SURVEYOR'S CERTIFICATE

OFF. REC. 1744 PG 833

I have examined the Declaration of Condominium and attached exhibits, including the "Plot Plan" of BAY HARBOR CLUB, A CONDOMINIUM, which will be recorded simultaneously herewith in the Public Records of Lee County, Florida. I do hereby certify that the construction of the improvements is substantially completed so that the material, together with the provisions of the Declaration describing the condominium property, are an accurate representation of the location and dimensions of the improvements and so that the identification, location and dimension of the common elements and of each unit, can be determined from these materials, as pertaining to matters of survey. I further certify that all planned improvements, including but not limited to landscaping, utility services and access to the unit and common element facilities serving Phase II Building No. 2 of BAY HARBOR CLUB, A CONDOMINIUM, as set forth in Exhibit B to the Declaration, have been substantially completed; and I hereby acknowledge that this identification will be recorded with the original Declaration.

SAL. GEN. CLERK OF CIRCUIT COURT  
Lee County  
Aug 30 3 46 PM '84  
RECORDED IN OFFICIAL RECORDS  
LEE COUNTY, FLORIDA  
RECORD VERIFIED

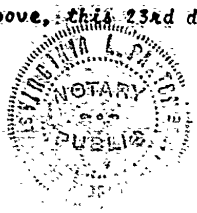
By: Walter A. Paxton, Jr. (Seal)  
Walter A. Paxton, Jr.  
Reg. Land Surveyor No. 2854  
State of Florida



STATE OF FLORIDA  
COUNTY OF LEE

BEFORE ME, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared Walter A. Paxton, Jr. to me well known to be the person described in and who executed the foregoing Surveyor's Certificate and he acknowledged before me that he executed the same freely and voluntarily for the uses and purposes therein expressed and set forth and that he is over the age of twenty-one (21) years.

WITNESS my hand the official seal at Fort Myers in the County and State named above, this 23rd day of August, 1984.



Virginia L. Paxton (SEAL)  
My Commission Expires: July 5, 1985