### THIS INSTRUMENT PREPARED BY

MICHAEL A. FURSHMAN, ESQ. SOLOMON & FURSHMAN, LLP 1666 KENNEDY CAUSEWAY, SUITE 302 NORTH BAY VILLAGE, FLORIDA 33141 INSTR = 1969072

OR BK D2191 PG 2236

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RECORDED 10/25/2006 09:35:34 AM

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CLERK DF MARTIN CDUNTY FLORIDA

RECORDED BY L Wood

# SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM

THIS SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM (this "<u>Amendment</u>") is made by Mariner Village Townhomes, Inc., a Florida corporation ("<u>Developer</u>").

#### RECITALS

- A. Developer recorded that certain Declaration of Condominium for Mariner Village of Martin County Condominium on September 6, 2006 in Official Records Book 02176, at Page 2058 of the Public Records of Martin County, Florida (the "Original Declaration") creating Mariner Village of Martin County Condominium (the "Condominium"). On October 16, 2006, Developer recorded that certain Amendment to Declaration of Condominium for Mariner Village of Martin County Condominium in Official Records Book 02188, at Page 2332, Public Records of Martin County, Florida (the "First Amendment"). The Original Declaration and the First Amendment are hereinafter collectively referred to as the "Declaration."
- B. This Amendment is required in order to comply with the requirements of the Condominium Act and the Declaration.
- C. Pursuant to Section 6.2 of the Declaration, Developer wishes to amend the Declaration as set forth herein.
- D. Developer wishes to amend the Declaration to record a surveyor's certificate and a revised survey that indicates that Buildings D and E are now substantially complete.

NOW THEREFORE, Developer hereby declares that every portion of the Condominium is to be held, transferred, sold, conveyed, used and occupied subject to the covenants, conditions and restrictions hereinafter set forth.

- 1. <u>Recitals</u>. The foregoing Recitals are true and correct and are incorporated into and form a part of this Amendment.
- 2. <u>Definitions</u>. All initially capitalized terms not defined herein shall have the meanings set forth in the Declaration.
- 3. <u>Substantial Completion of Buildings D and E.</u> <u>Exhibit A</u> attached to this Amendment is hereby added to <u>Exhibit 4</u> of the Declaration.

[ADDITIONAL TEXT, SIGNATURE AND ACKNOWLEDGEMENT ON FOLLOWING PAGE]

4. <u>Modification</u>. Except as the Declaration is amended by this Amendment, all of the terms and provisions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, being Developer under the Declaration, has hereunto set its hand and seal this  $24^{th}$  day of October, 2006.

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WITNESSES:		MARINER VILLAGE TOWNHOMES, INC., a Florida corporation
Print Name: Melissa ma	rtinez	By: Name: Robert Briele Title: Vice President
		[SEAL]
STATE OF FLORIDA	) ) SS.:	
COUNTY OF MIAMI-DADE	)	
Robert Briele as Vice President corporation, on behalf of the cor	of MARINER	lged before me this 24 <sup>th</sup> day of October, 2006 by R VILLAGE TOWNHOMES, INC., a Florida is personally known to me or who produced in.

My commission expires:



NOTARY PUBLIC, State of Florida at Large

### **JOINDER**

# MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM ASSOCIATION, INC.

MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM ASSOCIATION, INC., does hereby join in the Amendment to Declaration of Condominium for Mariner Village of Martin County Condominium, to which this Joinder is attached, and the terms thereof are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this  $24^{\text{th}}$  day of October, 2006.

WITNESSES:  With Name: Melista Mar  Print Name: Melista Mar  Print Name: Wy Pere 2	MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation  Hine Z  By: Lobert Still  Name: Robert Briele  Title: President
·	[SEAL]
Robert Briele as President of MARIN ASSOCIATION, INC., a Florida not	SS.:  acknowledged before me this 24 <sup>th</sup> day of October, 2006 by ER VILLAGE OF MARTIN COUNTY CONDOMINIUM for-profit corporation, who is personally known to me or as identification, on behalf of the corporation.
My commission expires:  LILLY M. PEREZ  Commt D00284440 Expires 2/1/2008 Ponded thru (800)432-425-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	NOTAM PUBLIC State of Florida at Large Print Name Lilly Revez

## Exhibit A

Revised Pages to Exhibit 4 of Declaration Including Final As-Builts for Buildings D and E



# CARNAHAN · PROCTOR · CROSS, INC.

#### CERTIFICATE OF AUTHORIZATION NO. LB 2936

6101 WEST ATLANTIC BLVD., MARGATE, FLORIDA 33063
PHONE (954-)72-3959 FAX (954)972-4178 WEB SITE: www.carnahan-proctor.com

### MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM

#### BOUNDARY SURVEY & PLOT PLAN TO ADD BUILDINGS D & E

#### SURVEYOR'S CERTIFICATION

THE UNDERSIGNED, A SURVEYOR DULY AUTHORIZED TO PRACTICE UNDER THE LAWS OF THE STATE OF FLORIDA, HEREBY CERTIFIES THAT THE CONSTRUCTION OF THE IMPROVEMENTS AS SHOWN HEREON, SPECIFICALLY BEING BUILDINGS D & E OF "MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM", IS SUBSTANTIALLY COMPLETE, SO THAT THE MATERIAL, TOGETHER WITH THE PROVISIONS OF THE DECLARATION DESCRIBING THE CONDOMINIUM PROPERTY RELATING TO MATTERS OF SURVEY, IS AN ACCURATE REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS AND SO THAT THE IDENTIFICATION, LOCATION, AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT, CAN BE DETERMINED FROM THESE MATERIALS. ADDITIONALLY, ALL PLANNED IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, UTILITY SERVICES AND ACCESS TO THE UNIT, AND COMMON ELEMENT FACILITIES SERVING THE BUILDING IN WHICH THE UNITS TO BE CONVEYED ARE LOCATED HAVE BEEN SUBSTANTIALLY COMPLETED.

DATE OF LAST FIELD WORK: OCTOBER 16, 2006

CARNAHAN-PROCTOR-CROSS, INC.

DONNA.C. WEST PROBESSIONAL SURVEYOR AND MAPPER

FLORIDA LICENSE NO. LS4290

#### SURVEYOR'S NOTES:

Dimo C.

- THIS DOCUMENT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2. ALL IMPROVEMENTS SHOWN HEREON ARE EXISTING.
- BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF SECTION 31, TOWNSHIP 38 SOUTH, RANGE 42 EAST, HAVING AN ASSUMED BEARING OF NORTH 00°04'36" EAST.
- EACH DRIVEWAY, ENTRY, PATIO, AND AIR CONDITIONER PAD IS A LIMITED COMMON ELEMENT FOR THE EXCLUSIVE USE OF THE UNIT WHICH IT ABUTS.
- 5. ALL AREAS NOT SHOWN AS BEING A PART OF A UNIT OR THE LIMITED COMMON ELEMENTS ARE COMMON ELEMENTS.

#### LEGEND:

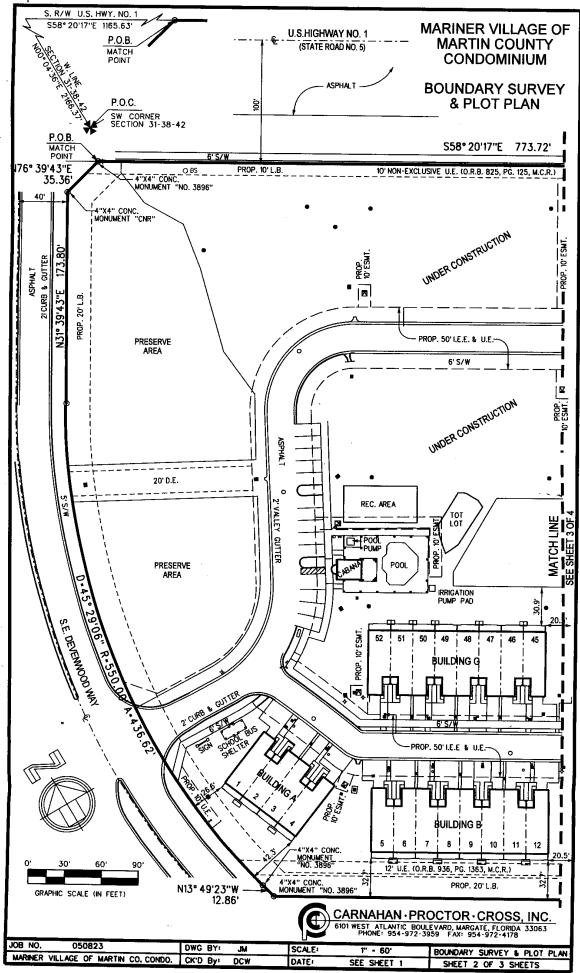
R/W = RIGHT-OF-WAY	• • • • • • • • • • • • • • • • • • •	CABLE JUNCTION BOX CATCH BASIN CENTERLINE CLEAN OUT ELECTRIC SERVICE FENCE, 5' CHAIN CLINK FENCE, METAL W COLUMNS FIRE HYDRANT FPL TRANSFORMER PAD LIGHT POLE MANHOLE, SANITARY	OBS	MANHOLE, STORM MANHOLE, BELL SOUTH PERMANENT REFERENCE MONUMENT POWER POLE, CONC. POWER POLE, WOOD TELEPHONE, JUNCTION BOX VALVE, WATER VALVE, BACK FLOW PREVENTER WATER METER YARD DRAIN	D D.E . ESMT. I.E.E. L.B.	= OFFICIAL RECORDS BOOK = PLAT BOOK = PAGE (S) = POINT OF BEGINNING
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FINAL SURVEY BLDG D & E	FILE	10-20-06	JM	DCW
FINAL SURVEY BLDG C & F	FILE	10-12-06	JM	DCW
FINAL SURVEY BLDG A, B, G & REC	FILE	10-06-06	JM	DCW
REVISIONS F	.B./PG.	DATE	BY	CK'D
JOB NO. 050823		DWG BY:	JM	
MADRIED WILLAGE OF MARTIN AS				

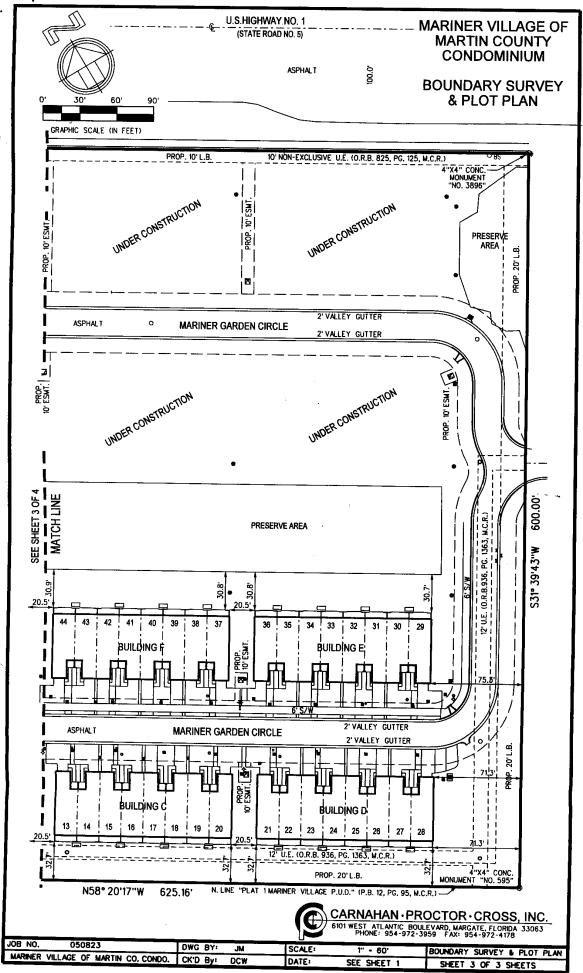
JOB NO. 050823 DWG BY: JM SCALE: 1" - 60' BOUNDARY SURVEY & PLOT PLAN
MARINER VILLAGE OF MARTIN CO. CONDO. CK'D By: DCW DATE: 10-06-06 SHEET 1 OF 3 SHEETS

ABBREVATIONS:

= UTILITY EASEMENT



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