


THIS INSTRUMENT PREPARED BY

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INSTR # 2021528
OR BK 02258 PG 0856
Pg 0856 - 8627 (7pgs)
RECORDED 06/25/2007 09:53:45 AM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
RECORDED BY S Phoenix

**FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM**

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

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"). On October 25, 2006, Developer recorded that certain Second Amendment to Declaration of Condominium for Mariner Village of Martin County Condominium in Official Records Book 02191, at Page 2236, Public Records of Martin County, Florida (the "Second Amendment"). On December 11, 2006, Developer recorded that certain Third Amendment to Declaration of Condominium for Mariner Village of Martin County Condominium in Official Records Book 2205, at Page 786, Public Records of Martin County, Florida (the "Third Amendment"). On April 9, 2007, Developer recorded that certain Fourth Amendment to Declaration of Condominium for Mariner Village of Martin County Condominium in Official Records Book 2237, at Page 926, Public Records of Martin County, Florida (the "Fourth Amendment"). The Original Declaration, the First Amendment, the Second Amendment, the Third Amendment and the Fourth 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 indicate that Building J is 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. Recitals. The foregoing Recitals are true and correct and are incorporated into and form a part of this Amendment.
2. Definitions. All initially capitalized terms not defined herein shall have the meanings set forth in the Declaration.

[ADDITIONAL TEXT, SIGNATURE AND ACKNOWLEDGEMENT ON FOLLOWING PAGE]

3. Substantial Completion of Building J. Exhibit A attached to this Amendment is hereby added to Exhibit 4 of the Declaration.

4. Modification. 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 21st day of June, 2007.

WITNESSES:

MARINER VILLAGE TOWNHOMES, INC.,
a Florida corporation

Maria V. Whitaker
Print Name: MARIA V WHITAKER

Melissa Martinez
Print Name: Melissa Martinez

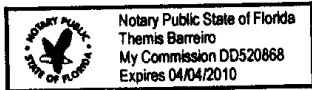
By: Robert Briele
Name: Robert Briele
Title: Vice President

[SEAL]

STATE OF FLORIDA)
) SS.:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 21st day of June, 2007 by Robert Briele as Vice President of MARINER VILLAGE TOWNHOMES, INC., a Florida corporation, on behalf of the corporation, who is personally known to me or who produced _____ as identification.

My commission expires:



Themis Barreiro
NOTARY PUBLIC, State of Florida at Large
Print Name Themis Barreiro

JOINDER

MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM ASSOCIATION, INC.

MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM ASSOCIATION, INC., does hereby join in the Fifth 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 21st day of June, 2007.

WITNESSES:

MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation

Maria V. Whitaker
Print Name: MARIA V WHITAKER

By: Robert Briele

Melissa Martinez
Print Name: Melissa Martinez

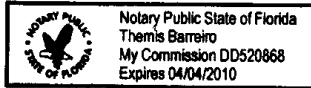
Name: Robert Briele
Title: President

[SEAL]

STATE OF FLORIDA)
) SS.:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 21st day of June, 2007 by Robert Briele as President of MARINER VILLAGE OF MARTIN COUNTY CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, who is personally known to me or who produced _____ as identification, on behalf of the corporation.

My commission expires:



Themis Barreiro
NOTARY PUBLIC, State of Florida at Large
Print Name Themis Barreiro

Exhibit A

Revised Pages to Exhibit 4 of Declaration Including Final As-Builts for Building J



CARNAHAN · PROCTOR · CROSS, INC.

CERTIFICATE OF AUTHORIZATION NO. LB 2936

8101 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 BUILDING J

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 BUILDING J 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: 05/24/07

CARNAHAN-PROCTOR-CROSS, INC.

DONNA C. WEST
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS4290

SURVEYOR'S NOTES:

1. 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.
3. 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.
4. 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:

- 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

- MANHOLE, STORM
- OBS 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

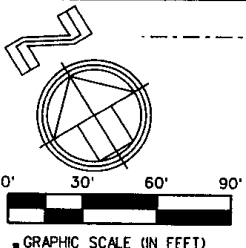
ABBREVIATIONS:

- A = ARC LENGTH
- CONC. = CONCRETE
- D = DELTA (CENTRAL ANGLE)
- D.E. = DRAINAGE EASEMENT
- ESMT. = EASEMENT
- I.E.E. = INGRESS & EGRESS EASEMENT
- L.B. = LANDSCAPE BUFFER
- M.C.R. = MARTIN COUNTY RECORDS
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG. = PAGE (S)
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- PROP. = PROPOSED
- R = RADIUS
- (R) = RECORD
- R/W = RIGHT-OF-WAY
- S/W = SIDEWALK
- U.E. = UTILITY EASEMENT

FINAL SURVEY BLDG	FILE	DATE	BY	BY
FINAL SURVEY BLDG J	FILE	06-04-07	MS	DCW
FINAL SURVEY BLDG I	FILE	3-22-07	JM	DCW
FINAL SURVEY BLDG N	FILE	12-6-06	JM	DCW
FINAL SURVEY BLDG H	FILE	11-29-06	JM	DCW
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	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

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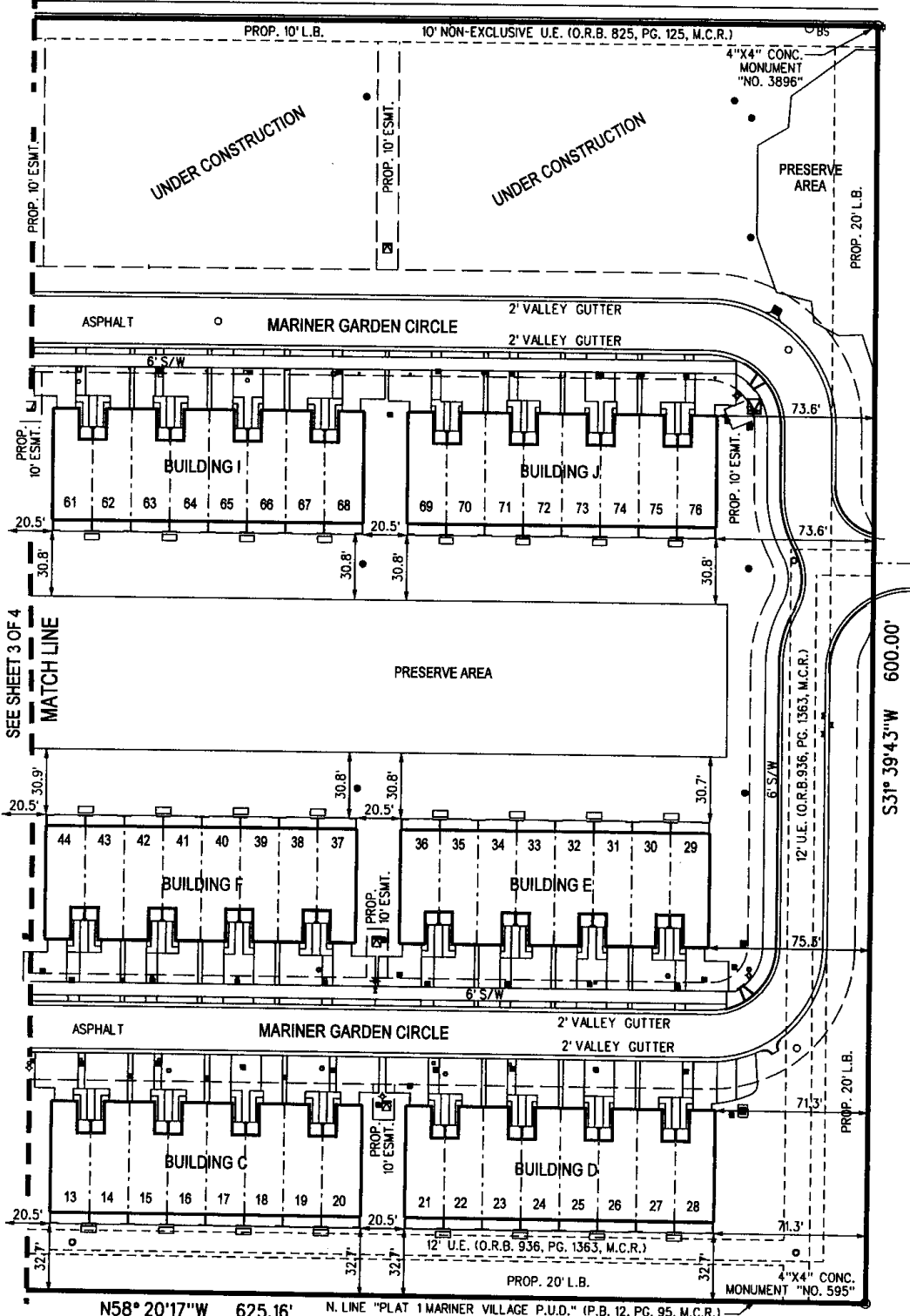


U.S. HIGHWAY NO. 1
(STATE ROAD NO. 5)

MARINER VILLAGE OF
MARTIN COUNTY
CONDOMINIUM

BOUNDARY SURVEY
& PLOT PLAN

ASPHALT 100.0'



SEE SHEET 3 OF 4
MATCH LINE

CARNAHAN · PROCTOR · CROSS, INC.
6101 WEST ATLANTIC BOULEVARD, MARGATE, FLORIDA 33063
PHONE: 954-972-3959 FAX: 954-972-4178

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

FILE: p:\projects\050823\cadd\050823condo.dwg