

This instrument prepared by:  
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**AMENDMENT TO DECLARATION OF CONDOMINIUM OF  
HARBORSIDE BEACH & YACHT CLUB, A CONDOMINIUM  
PHASE 2**

HARBORSIDE EL JOBEAN, LLC, a Florida limited liability company, herein called "Developer", on behalf of itself, its successors, grantees and assigns, to its grantees and assigns and their heirs, successors and assigns hereby makes the following amendment to the Declaration of Condominium of *Harborside Beach & Yacht Club, a Condominium*, which Declaration of Condominium was originally recorded in O.R. Book \_\_\_\_\_ at Pages \_\_\_\_\_ through \_\_\_\_\_, inclusive, of the Public Records of Charlotte County, Florida, and the Condominium Plat thereof recorded in Condominium Plat Book \_\_\_\_\_, Pages \_\_\_\_\_ through \_\_\_\_\_, inclusive, of the Public Records of Charlotte County, Florida, as follows:

1. A parcel of land to be known as Phase 2 of *Harborside Beach & Yacht Club, a Condominium*, said land being located in Charlotte County, Florida, and being more particularly described on Exhibit "A" attached hereto and made a part hereof, hereinafter called "the Land", owned by Developer in fee simple is hereby submitted to the condominium form of ownership pursuant to Chapter 718, Florida Statutes (2017), upon which land Developer has or shall construct one three (3)-story building constructed over a parking level containing twelve (12) residential condominium units, private garages, and associated improvements.

2. The Developer has or will substantially complete construction of the improvements, as indicated by a Certificate of Surveyor which shall be affixed to the survey and plot plan, or attached separately, in Phase 2, *Harborside Beach & Yacht Club, a Condominium*, and Developer has caused a surveyor to prepare a survey of Phase 2, which survey contains the certification required by and pursuant to applicable provisions of Florida law.

3. Pursuant to the Declaration of Condominium, and as a result of the completion and submission of Phase 2, each unit owner shall have a one/\_\_\_\_\_ (1/\_\_\_\_\_)th percentage ownership interest in the common elements of the condominium. As a result of the addition of Phase 2, the total membership vote in the Association shall be \_\_\_\_\_. The owners of each unit shall be liable for a one/\_\_\_\_\_ share of the common expenses attributable to the condominium.

4. Notwithstanding any reference in the original Declaration of Condominium to the contrary, all references to common elements and shares of unit owners shall be one/\_\_\_\_\_.

5. The unit numbers for the units contained in Phase 2 shall be a combination of the building designation which will be a number and a number for the individual unit. The said unit numbers for units located in Phase 2 shall be as follows:

\_\_\_\_\_.

6. The Surveyor's Certificate and drawings recorded as follows:

Condominium Plat Book \_\_\_\_\_, Pages \_\_\_\_\_ through \_\_\_\_\_, inclusive, of the Public Records of Charlotte County, Florida

are hereby amended to reflect the addition of Phase 2, *Harborside Beach & Yacht Club, a Condominium*, as shown on the drawings and surveyor's certificate for *Harborside Beach & Yacht Club, a Condominium, Phase 2*, as recorded in Condominium Book \_\_\_\_\_, Pages \_\_\_\_\_ through \_\_\_\_\_, inclusive, of the Public Records of Charlotte County, Florida.

7. The foregoing amendment to the Declaration of Condominium of *Harborside Beach & Yacht Club, a Condominium*, is intended to reflect the submission of the Phase 2 lands to condominium ownership, and to amend the Declaration of Condominium to reflect that the condominium now includes \_\_\_\_\_ units and associated improvements so that each unit owner within the condominium owns a unit therein, together with an undivided one/\_\_\_\_\_ share in the common elements appurtenant thereto.

IN WITNESS WHEREOF, the foregoing Amendment to the Declaration of Condominium and attachments are hereby made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

Signed, Sealed and Delivered in the Presence of: **HARBORSIDE EL JOBEAN, LLC**

\_\_\_\_\_  
First Witness

\_\_\_\_\_  
Printed Name of First Witness

\_\_\_\_\_  
Second Witness

\_\_\_\_\_  
Printed Name of Second Witness

By: \_\_\_\_\_  
\_\_\_\_\_, its Member/Manager

(Affix Seal)

State of Florida  
County of Charlotte

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, by \_\_\_\_\_ Member/Manager of HARBORSIDE EL JOBEAN, LLC, a Florida limited liability company, on behalf of the said company. He is personally known to me or produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public