

1773321

AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR
TORTUGA BEACH CLUB, A CONDOMINIUM

1714 PC1910

THIS AMENDMENT to the Declaration of Condominium for
TORTUGA BEACH CLUB, A CONDOMINIUM, made by MARAND, LTD., a Florida
Limited Partnership, (hereinafter referred to as "Developer").

WITNESSETH:

WHEREAS, the Developer executed on December 1, 1981,
and recorded on December 12, 1981, in Official Records Book
1566, at Page 2174, of the Public Records of Lee County,
Florida, the Declaration of Condominium for Tortuga Beach Club,
a Condominium, (hereinafter referred to as the "Declaration"); and

WHEREAS, the Developer has reserved the right in said
Declaration to develop the Condominium in Phases, pursuant to
Article XXIII, of said Declaration; and

WHEREAS, Articles XI, and XXIII, of the Declaration allows
the Developer to add Phase D, to the Condominium, by an Amendment,
without the consent of the Unit Owners, the Association, the owner
and holder of any lien encumbering a Condominium Unit or Unit Week
in the Condominium, or any other party; and

WHEREAS, the Developer has completed construction of Phase
D, as depicted on Exhibit No. 11, attached to the above-described
Declaration; and

WHEREAS, the Developer now wishes to amend said Declaration
to add Phase D, as depicted on Exhibit No. 11, attached to the
above-described Declaration to this Condominium, pursuant to
Articles XI, and XXIII, of the said Declaration.

NOW, THEREFORE, the Developer, in consideration of the
premises, does hereby amend the Declaration, in accordance with
the authority reserved onto the Developer in the Declaration, as
follows:

Prepared by and Return to : Jane Straker
Mariner Properties, Inc.
P.O. Box 06299
Fort Myers, FL 33906-6299

RECORD VERIFIED - SAL GEAGUI CLERK
BY H. PENNINGTON D.C.

1.) Exhibit No. 1, of the Declaration is hereby amended to include the legal description of the lands set forth on the survey exhibits attached to this Amendment, hereinafter referred to as "Survey Exhibits", and said lands are hereby submitted to the Condominium form of ownership, and made a part of the said Declaration just as fully as if incorporated in and filed with the Declaration in the first instance.

2.) Attached hereto and made a part hereof by reference are the amended pages to Exhibit No. 1, of the Declaration, said amended pages in the Survey Exhibits consisting of six (6) pages reflecting the completed construction of Phase D, and said pages shall be attached to and made a part of Exhibit No. 1, of the Declaration, just as fully as if incorporated in and filed with the Declaration in the first instance.

3.) Attached hereto and made a part hereof by reference and by reference made a part of the Declaration, is the substitute Exhibit No. 5. Substitute Exhibit No. 5, sets forth each Unit Owner's undivided interest in the Common Elements and each Unit Owner's share of the common expense and common surplus in the Condominium, and the substitute Exhibit No. 5, shall replace the original Exhibit No. 5, and be made a part of the Declaration, just as fully as if incorporated in and filed with the Declaration in the first instance.

This Amendment to the Declaration, when filed for record in the Public Records of Lee County, Florida, shall be incorporated by reference and made a part of the Declaration with like effect and to the same extent as though the matters set forth herein and set forth in the Exhibits attached hereto has originally constituted a part of the Declaration.

IN WITNESS WHEREOF, MARAND, LTD., a Florida Limited Partnership, has caused these presents to be signed in its name

by its General Partner, this 29th day of February, 1984.

Signed, sealed and delivered
in the presence of:

MARAND LTD., a Florida
Limited Partnership

By MARINER PROPERTIES, INC.,
a Florida Corporation,
General Partner

Ellen Williams

By: David W. Hunt
David W. Hunt
President

Wm. Straker

STATE OF FLORIDA)
 SS:
COUNTY OF LEE)

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared David W. Hunt, as President of MARINER PROPERTIES, INC., a Florida Corporation, as General Partner of MARAND, LTD., a Florida Limited Partnership to me known to be the person described in and who executed the foregoing instrument and he acknowledged the execution thereof to be his free act and deed as such officer, for the uses and purposes therein mentioned; and affixed thereto is the official seal of said Corporation, and the said instrument is the act and deed of said Corporation.

WITNESS my hand and official seal, at the State and County aforesaid, this 29th day of February, 1984.

Murrell C. Chilcutt (SEAL)
Notary Public, State
of Florida

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Dec. 13, 1987

SUBSTITUTE EXHIBIT NO. 5, TO DECLARATION

PERCENTAGE OF OWNERSHIP

1714 #1913

EACH UNIT WITHIN THE CONDOMINIUM SHALL HAVE
A 1/32ND INTEREST IN AND TO THE COMMON ELEMENTS
AND COMMON SURPLUS, AND SHALL BE RESPONSIBLE
FOR 1/32ND OF THE COMMON EXPENSES OF THE CON-
DOMINIUM.

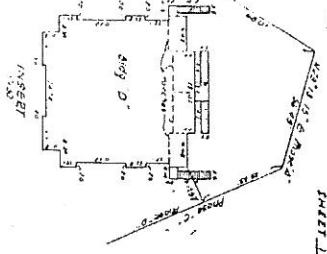
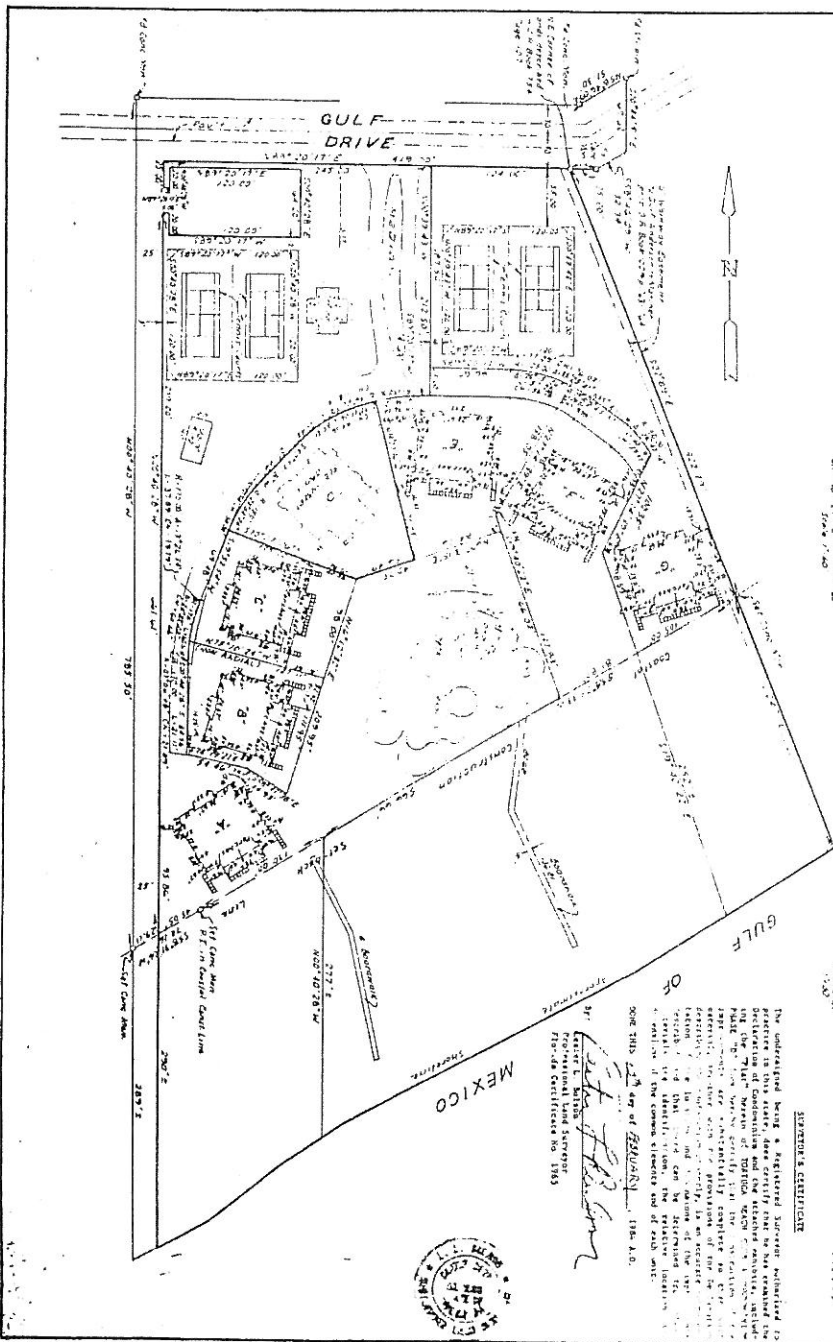
SURVEYOR'S PLAT, EXHIBIT "1" TO CONDOMINIUM DECLARATION OF

TORTUGA BEACH CLUB A CONDOMINIUM

PHASE - D

SECTION 29, TOWNSHIP 46 SOUTH, RANGE 23 EAST
CITY OF SANIBEL, LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
FORT MYERS, FLORIDA



SHEET 1 OF 2
ELEVATIONS

STATION	DESCRIPTION	ELEVATION
1+00	North of Drive	11.20
1+15	Swing Road	11.35
1+25	Swing Road	11.50
1+35	Swing Road	11.65
1+45	Swing Road	11.80
1+55	Swing Road	11.95
2+00	Swing Road	12.10

SECTION'S CERTIFICATE

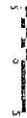
The undersigned being a Registered Surveyor authorized to practice in this state, does hereby certify that he has examined the above plat and finds the same to conform to the provisions of the Statute of Florida, which requires that such plats be filed for record in the public office of the county clerk of the county in which said land is situated, and that the same shall be subject to examination and if approved shall be a true and correct copy of the original plat and that the same shall be subject to examination and if approved shall be a true and correct copy of the original plat and that the same shall be subject to examination and if approved shall be a true and correct copy of the original plat.

WITNESSED my hand and seal of office this 14th day of February, 1984 A.D.

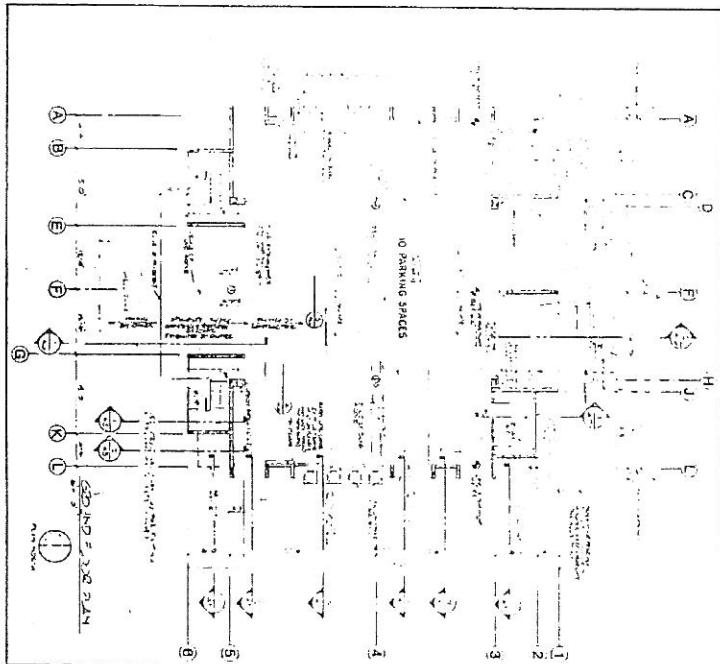
by: *[Signature]*
 REGISTERED LAND SURVEYOR
 Florida certificate no. 1849



TORTUGA BEACH CLUB A CONDOMINIUM
PHASE D
SANIBEL ISLAND FLA

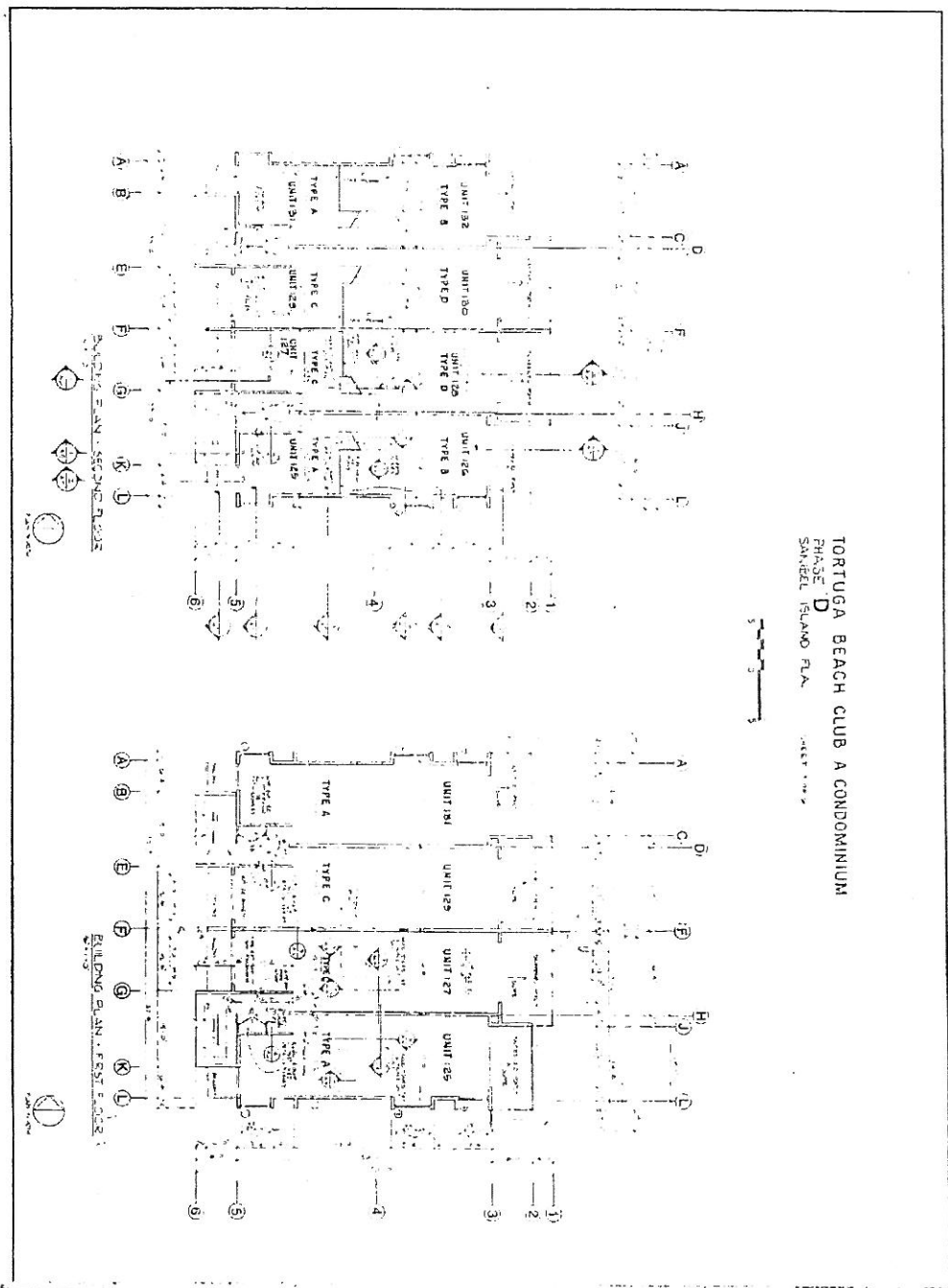


NOTES:
1. THIS PLAN IS PART OF THE SET OF PLANS FOR THE TORTUGA BEACH CLUB A CONDOMINIUM, PHASE D, SANIBEL ISLAND, FLORIDA. IT IS TO BE CONSIDERED AS ONE OF THE SEVERAL PLANS WHICH TOGETHER WITH THE OTHERS THEREON, SHALL CONSTITUTE THE COMPLETE SET OF PLANS FOR THE PROJECT.
2. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON.
3. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON.
4. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON.
5. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON.
6. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON.
7. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON.
8. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON.
9. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON.
10. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON. THE ARCHITECT HAS BEEN ADVISED THAT THE LOCAL HEALTH DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A PERMIT TO CONSTRUCT THEREON.



A1	ARC	GROUND FLOOR PLAN -	TORTUGA BEACH CLUB PHASE D SANIBEL ISLAND FLORIDA	DATE: 10/1/78	DRAWN BY: []
		ARCHITECTURAL RESOURCES CORPORATION 15100 M. GREGG BLD. FORT MYERS FLORIDA 33903 TEL (813) 932-1222			

1714 R1916



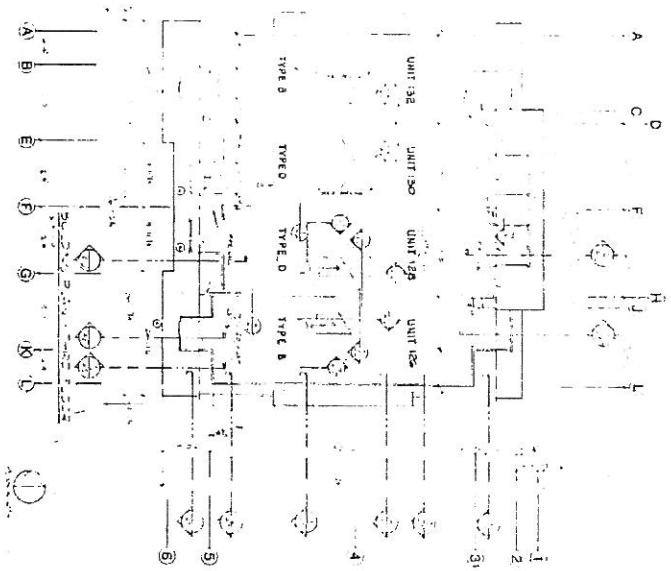
TORTUGA BEACH CLUB A CONDOMINIUM
 PHASE D
 SANIBEL ISLAND FLA.



	1ST & 2ND FLOOR BUILDING PLAN			
	TORTUGA BEACH CLUB PHASE D SANIBEL ISLAND FLORIDA			
ARCHITECTURAL RESOURCES CORPORATION 15401 NW 36TH BLVD. FORT MYERS, FLORIDA 33907 TEL: (813) 432-2222				

1714 PC1917

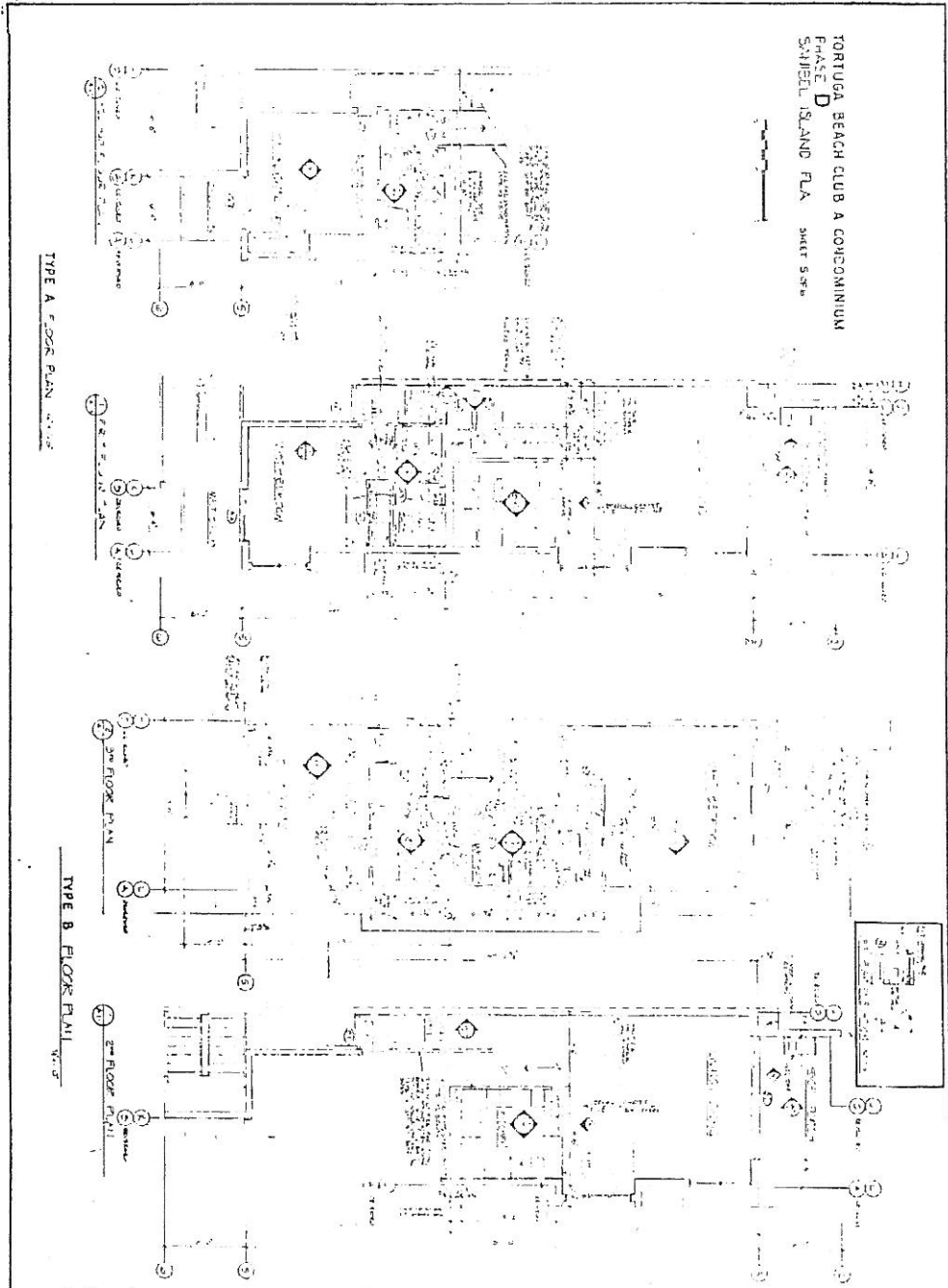
TORTUGA BEACH CLUB A CONDOMINIUM
PHASE D
SANIBEL ISLAND
NO. 3 FLA
UNIT 401



CONDOMINIUM PLATBOOK 9 PAGE 12

A3		3RD FLOOR & ROOF BUILDING PLAN TORTUGA BEACH CLUB PHASE D SANIBEL ISLAND FLORIDA		ISSUE DATE 11/19/98
ARCHITECTURAL RESOURCES CORPORATION 1500 MCGREGOR BLVD SUITE 4000 TAMPA FLORIDA 33604 TEL: (813) 988-0022				

1714 pc1918



TORTUGA BEACH CLUB A CONDOMINIUM
 PHASE D
 SANIBEL ISLAND FLA SHEET 5010

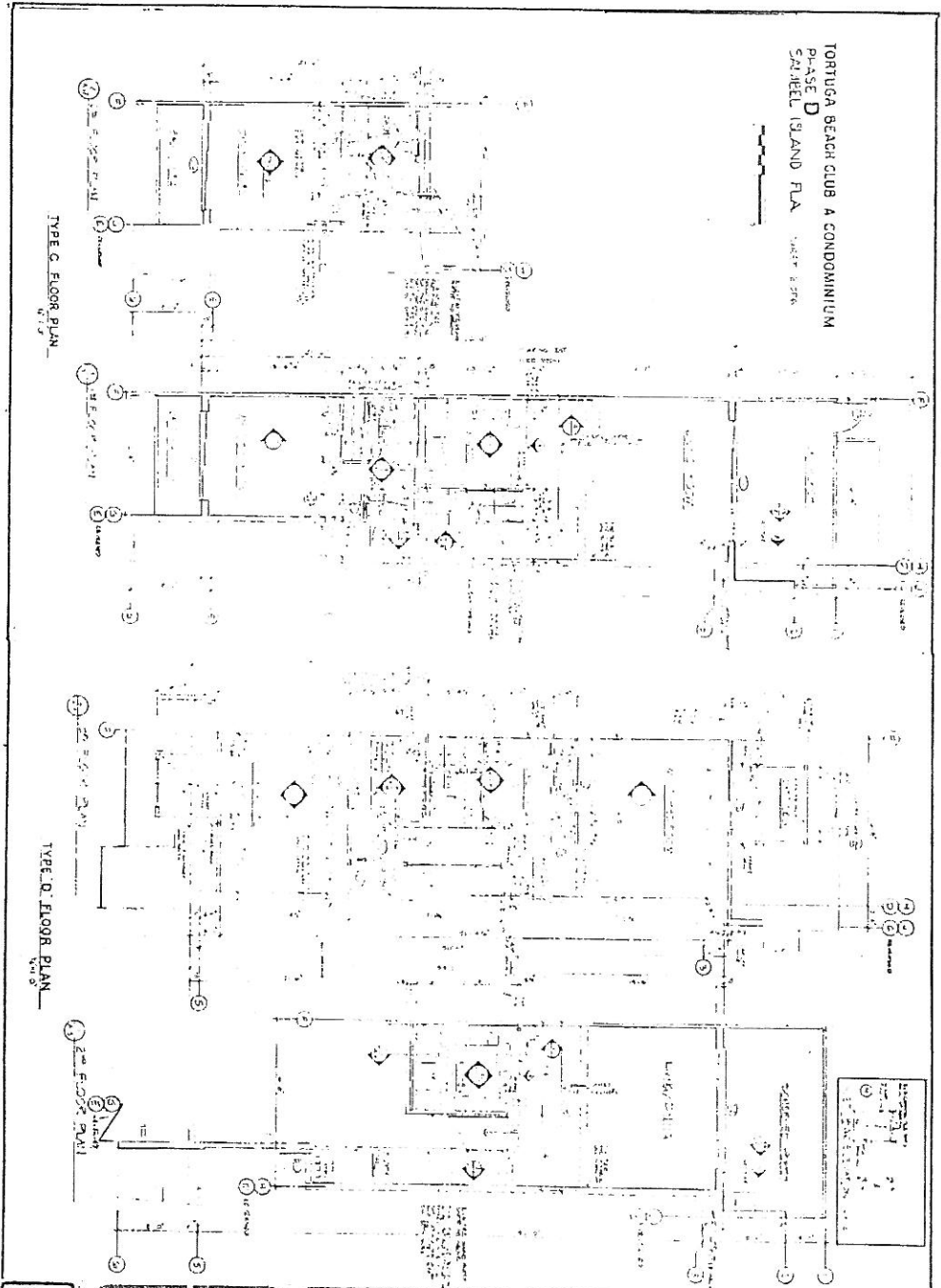
TYPE A FLOOR PLAN

TYPE B FLOOR PLAN

	UNIT B PLANS, ELEVATIONS, SCHEDULES TORTUGA BEACH CLUB PHASE D SANIBEL ISLAND FLORIDA			
	ARCHITECTURAL RESOURCES CORPORATION 15401 MCGREGOR BLVD. FORT MYERS FLORIDA 33908 TEL (813) 402-2222			

1714 PC1919

10 25 AM '94



TORTUGA BEACH CLUB A CONDOMINIUM
 PHASE D
 SANIBEL ISLAND FLA

TYPE C FLOOR PLAN

TYPE D FLOOR PLAN



UNIT-D PLANS, ELEVATIONS, SCHEDULES
 TORTUGA BEACH CLUB PHASE D
 SANIBEL ISLAND FLORIDA

ARCHITECTURAL RESOURCES CORPORATION 10411 MCGREGOR BLVD. FORT MYERS FLORIDA 33908 TEL (813) 938-2200