129.00

This instrument was prepared by and return to: Sam D. Norton, Esquire /5b 1819 Main Street, Suite 610 Sarasota, Florida 34236 (500-119

FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM OF LAKE VISTA RESIDENCES, A CONDOMINIUM

THIS AMENDMENT is executed by The Lake Vista Residences, L.L.C., a Florida limited liability company (the "Developer").

WHEREAS, on September 12, 2006, the Developer recorded that certain Declaration of Condominium of Lake Vista Residences, a Condominium (the "Condominium"), in Official Records Book 2154, Page 216, of the Public Records of Manatee County, Florida (the "Declaration"), as well as that certain Condominium Plat ("Plat") in Condominium Book 35, Page 173, of the Public Records of Manatee County, Florida; and

WHEREAS, Article XX of the Declaration reserves to the Developer the unilateral right to amend the Declaration and Plat to include additional phases to the condominium form of ownership; and

WHEREAS, on November 2, 2006, the Developer recorded that certain First Amendment to Declaration of Condominium of Lake Vista Residences, a Condominium (the "First Amendment"), in Official Records Book 2164, Page 7116, of the Public Records of Manatee County, Florida, to amend the Declaration and Plat to submit Phase II to the condominium form of ownership;

WHEREAS, on January 8, 2007, the Developer recorded that certain Second Amendment to Declaration of Condominium of Lake Vista Residences, a Condominium (the "Second Amendment"), in Official Records Book 2178, Page 3530, of the Public Records of Manatee County, Florida, to amend the Declaration and Plat to submit Phase III to the condominium form of ownership; and

WHEREAS, on March 1, 2007, the Developer recorded that certain Third Amendment to Declaration of Condominium of Lake Vista Residences, a Condominium (the "Third Amendment"), in Official Records Book 2188, Page 5826, of the Public Records of Manatee County, Florida, to amend the Declaration and Plat to submit Phase IV to the condominium form of ownership; and

WHEREAS, on April 11, 2007, the Developer recorded that certain Fourth Amendment to Declaration of Condominium of Lake Vista Residences, a Condominium (the "Fourth Amendment"), in Official Records Book 2197, Page 1990, of the Public Records of Manatee County, Florida, to amend the Declaration and Plat to submit Phase V to the condominium form of ownership; and

WHEREAS, the Developer desires to amend the Declaration and Plat to submit Phase VI (the "Additional Phase") to the condominium form of ownership.

NOW THEREFORE, pursuant to the applicable provisions of the Florida Condominium Act, as well as the rights reserved in Article XX of the Declaration, the Developer hereby amends the Declaration and Plat to submit Phase VI to the condominium form of ownership. The Developer further hereby states and declares:

- 1. The legal description of Phase VI of the Condominium is attached hereto as Exhibit "A."
- 2. The Declaration and Plat are hereby amended to include the Plat pages attached hereto as Exhibit "B."

- 3. Phase VI, and each of the Condominium Units contained therein, are substantially complete, as indicated and certified on Sheet 1 of the attached Plat pages.
- 4. Each of the Common Elements appurtenant to each Unit in Phases I, II, III, IV and V shall hereafter merge with the Common Elements of Phase VI. Further, the percentage ownership of the Common Elements, and the Common Surplus, if any, and the percentage of the Common Expenses of each Unit contained within Phases I, II, III, IV and V of the Condominium shall hereafter be reduced as set forth in the Declaration.
- 5. Developer hereby submits Phase VI to the condominium form of ownership. Any depiction of any other phases on the Plat which have not been previously submitted to the condominium form of ownership are for illustrative purposes only.
- 6. All capitalized terms not specifically defined herein shall have the same meanings ascribed to them in the Declaration. All Exhibits referenced herein shall be specifically incorporated by this reference.

IN WITNESS WHEREOF, the Developer has executed this Fifth Amendment to Declaration of Condominium of Lake Vista Residences, a Condominium, effective this 2017.

Signed, sealed and delivered in the presence of:

Print Name: \

THE LAKE VISTA RESIDENCES, L.L.C., a Florida limited liability company

> By: Lake Vista Partners, L.L.C., a Florida limited liability company its Manager

> > muel Sharp, III, as its Manager

"DEVELOPER"

STATE OF FLORIDA **COUNTY OF SARASOTA**

I CERTIFY that on this 20' day of June, 2007, before me, the undersigned, personally appeared, Lemuel Sharp, III, as Manager of Lake Vista Partners, L.L.C., a Florida limited liability company, as Manager of THE LAKE VISTA RESIDENCES, L.L.C., a Florida limited liability/company, for and on behalf of said entities.

> Notary Public State of Florida

My Commission Expires

Notary Public State of Florida Sherri Puffenburger My Commission DD436758 Expires 06/09/2009

STATE OF FLORIDA COUNTY OF SARASOTA

I CERTIFY that on this day of June, 2007, before me, the undersigned, personally appeared, Walter G. Mills, as Manager of Lake Vista Partners, L.L.C., a Florida limited liability company, as Manager of THE LAKE VISTA RESIDENCES, L.L.C., a Florida limited liability company, for and on behalf of said entities.

Notary Public State of Florida

My Commission Expires:__

DAWN M. LAIDLAW
Commission # DD 428725
My Commission Expires
June 30, 2009

EXHIBIT "A"

PHASE VI LEGAL DESCRIPTION

(SEE ATTACHED)

LEGAL DESCRIPTION OF PHASE 6 (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 31, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at northeast corner of Section 31, Township 35 South, Range 19 East, Manatee County, Florida, said corner being common corners with Sections, 29, 30, and 32, said corner also being the point of curvature of a curve to the right, of which the radius point lies S.00°25'57"W., a radial distance of 132.89 feet; thence southeasterly along the arc of said curve, through a central angle of 75°03'30", an arc length of 174.09 feet to the point of tangency of said curve; thence S.14'30'33"E., a distance of 49.43 feet to the point of curvature of a curve to the right having a radius of 35.00 feet and a central angle of 90°00′00"; thence southwesterly along the arc of said curve, an arc length of 54.98 feet to the point of tangency of said curve and the northerly right-of-way of Lakewood Ranch Boulevard (formerly Upper Manalee River Road, a 120-foot wide public right-of-way); the following 2 calls are along said northerly right-of-way; thence S.75"29'27"W., a distance of 523.34 feet to the point of curvature of a curve to the left having a radius of 1,960.00 feet and a central angle of 32°28'20"; thence southwesterly along the arc of said curve, an arc length of 1,110.82 feet to the point of langency of said curve; thence N.44'47'18"W., a distance of 62.35 feet to the point of curvature of a curve to the right having a radius of 75.00 feet and a central angle of 82°23'01"; thence northerly along the arc of said curve, an arc length of 107.84 feet to the point of langency of said curve; thence N.37'35'43"E., a distance of 58.69 feet to the point of curvature of a curve to the left having a radius of 100.00 feet and a central angle of 13'09'43"; thence northeasterly along the arc of said curve, an arc length of 22.97 feet to the point of tangency of said curve; thence N.24°26'00"E., a distance of 24.72 feet to the POINT OF BEGINNING; thence N.58'20'50"W., a distance of 114.99 feet; thence N.15'10'02"W., a distance of 97.04 feet; thence N.07'55'51"W., a distance of 101.98 feet; thence S.73"12'04"E., a distance of 86.37 feet; thence S.86"39"10"E., a distance of 18.01 feel; thence 5.51"04"38"E., a distance of 48.98 feet; thence 5.20"35"59"E., a distance of 31.10 feet; thence \$.5307712"E., a distance of 89.02 feet; thence \$.252410"E., a distance of 118.99 feel; thence S.45'20'00"W., a distance of 15.83 feel; thence N.56'32'56"W., a distance of 56.40 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 99°01'04"; thence westerly along the arc of said curve, an arc length of 86.41 feet to the point of tangency of said curve; thence \$.24°26'00" W., a distance of 7.81 feet to the POINT OF BEGINNING.

Said tract contains 36,229 square feet or 0.8317 acres, more or less.

EXHIBIT "B"

ADDITIONAL PHASE VI PLAT PAGES

(SEE ATTACHED)

Phase 8 of thes condominant is also known as phase vi

LAKE VISTA CONDOMINIUM RESIDENCES, PHASE

IN SECTION 31, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA

Bearings shown hereon are relative to the East Line of Section 31, Township 35 South, Range 19 East, howing a bearing of S.01131:5778.

2) This sits as white Phood Zone "X" (Avers detarmined to be outside 500—year Rood pidn.), Zone "X Should (Avers and 200—year Rood with cennings depths of less than 1 four or with chirology dones less than 1 to exper mile, and overs produced by levess from 100—year Rood), Zone XE (See Rood absorbine detarmined) and Zone XE (see Rood absorbine detarmined) and Zone XE (see Rood absorbine detarmined) as atoms on the Federal Environce Managery Management Agency Rood Instaurces Rook ship for Management Carely, Community Persel No. 12(15):55 3056 C and 12(15):5 3070 C, revised July 15, 1922. The Indiac for this community was revised July 30, 1998.

 Unless it bears the signifure and the original raised seal of a Planida Bosneed surveyor and mapper this drawing, siretch, plot or map is for informational purposes only and is not valid. Eventions shown hereon one reaching to the Medicard Geodesic Nardooi Dotum (NGA) of 1929 bowed Bench Mark 35 and 36, with a published elemention of 30.753 feet and 31.278 feet, respectively as wen on Right off-Way map for Upper Manaries Rever Roads.

6.) The exterior boundary of the condominium constitutes a "Doundary Survey" as defined in Section 81917-8.002 (7)(f). Certain improvements within the Common Elements, such as but not limited to, water metars, water s, storm drains, sonitary servers, sidewalts, trees and landscape features have not been located.

All areas not designated as Units or as Limited Common Dements, are Common Dements. Information shown hereon was taken from the Title Insurance Policy's Owners Form, Issued by Sticogo Title Insurance Company, Policy Number 7210909-272304, dated September 26, 2004. i) Dimensions shown harven are proposed and taken from the architectural drawings prepared by the sesson Croup, Inc. The octual dimensions may vary due to construction. .) At Improvements shown hereon within the Condonlintum Boundary are proposed, unless noted

(8) Destation of Compania for Country Chapter Stage, Foundat in Official Records Suit (488), the greatest in Official Records Suit (488), the great SUS, of Official Records Suit (577), Page 1832, Official Records Suit (578), Page 5732, Official Records Suit (578), Page 5734, Official R

chedule B of solid Policy Bet the following exceptions which are blanket encumbrances in nature and an not be graphically shown:

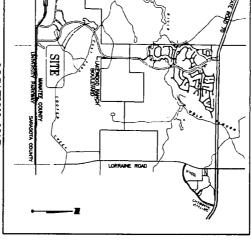
Memorandam of Agreement by and between Peropon Communications, a Colorado general nearthy, and SMR Communities built Ventura, a Forded general partnership, recorded in Official ords Book 1432, Page 2323, of the Public Records of Memoties County, Florido.

4)O. Nebbo of Modifier of Demokramit Charle (Unbumb) Labe) monthel in Official Records Back 1478, Fore 2027, and Nebbo of Modifier of a Demokramic Charle Charles in Official Records Back 1853, Poles 2027 and Official Records Book 1803. Page 4213, of the Public Records of Mandale County, Roido.

(P12. Notice of Establishment of the Laterscod Ronch Community Development District 3 recorded in Official Becombs Book 1803, Poge 3232, of the Public Records of Mondies County, Portice. (Affects the Casement Porcells only) Exclusive Use Covenant recorded in Official Records Book 1843, Page 5539, of the Public Records of Manutes County, Forida.

§14. Declaration of Use Restrictions dated July 20, 2004 and as recorded in Official Records Book 1943, Page 4027, of the Public Records of manetes County, Florida. (13. Deed of Communication Economisms granted to the Southwest Florida Water Management District as secretal in Official Records Book 1729, Page 632, of the Public Records of Manates County, Florida

§16. Exament Agrammat between The Late Virtiz Residences, LLC., a Protos Initials Resident compared soft Services and Services (Residence). Delivers on comparation, detect September 222, 2004, find September 20, 2004 in Ornical Records Book 1939, page 5136, or the Public Records of Memories County, Fiorido. §15. Dead Restrictions as set forth in that certain Special Warranty Dead recorded in Official Records Book 1939, Page 5150, of the Public Records of Manualse County, Florido.



LOCATION MAP (NOT TO SCALE)

NOTICE: There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.

Libit Bandgriss. Each bilt shad include that part of the Building containing the built which like within the boundaries of the Unit, which boundaries shall be determined in the following monose:

<u>Deptr and Lower Boundaries. The upper and lower boundaries of the luttle shall be the following boundaries extended on horizontal picnes, when necessary, to intersect with the perimetroal boundaries described below.</u>

The upper boundaries what be the lower surface of the unfinished ceiling slab.

The lower boundaries shall be the upper surface of the unfinished floor siab. <u>instituted Boundaries.</u> The perimetrical boundaries of Units shall be the following indicate saterabed as welfaci planes when necessary to intersect with the upper and lower violate described obove.

<u>for Building Walls. The perimetrical boundaries shall be the inner most unfinished surface</u> the interior walls separating units. <u>rior. Building Walls.</u> The perimetrical boundaries shall be the Inner most unfinished surface the exterior wall of the building containing such Unit.

<u>definite</u> — <u>Statise Datast</u>. The boundaries of the light shall not include all of these one and improvement by the still the undecorated order cardinates where still one surfaces or extract a way to the still the still the surfaces of the still the surfaces and the undecorated finite board seeks that include their those of each light of the surfaces and the province of the still not the surfaces and in the surfaces are surfaces.

R. Designations: The units with be identified by the Building Letter and the Unit Humber example Unit 201 in Building A will be identified as A-201. Dements and United Common Elements are further defined in the Declaration of histim, recorded in Official Record Book 2154, Page 216 of the Fublic Records of County, Florida.

<u>Transferrations</u>: The Tenent Storage Spaces will be identified by the Bubling Latter the number of a born on the Commund Level British (Storage Spaces I in Building A will be identified as Tenent Storage Spaces I in Building A will be identified as Tenent Storage Spaces.

Partials Space Designations: The Parting Spaces will be identified by the Building Latter and the number can shown on the Gound Leaf-Parking Directing (Sheet 3 of 9). For example Parting Spaces 1 in Building A will be identified as Parking Spaces A-1.

CERTIFICATE OF SURVEYOR:

the undersigned Professional Surveyor & Mapper, authorized to practice in the latte of Florida, heriby certify that a Boundary Survey was made of the land learning thereon and that the plot, consisting of 8 sheets, is a conject apresentation of the improvements described and that the Units located within



certifying surveyor)

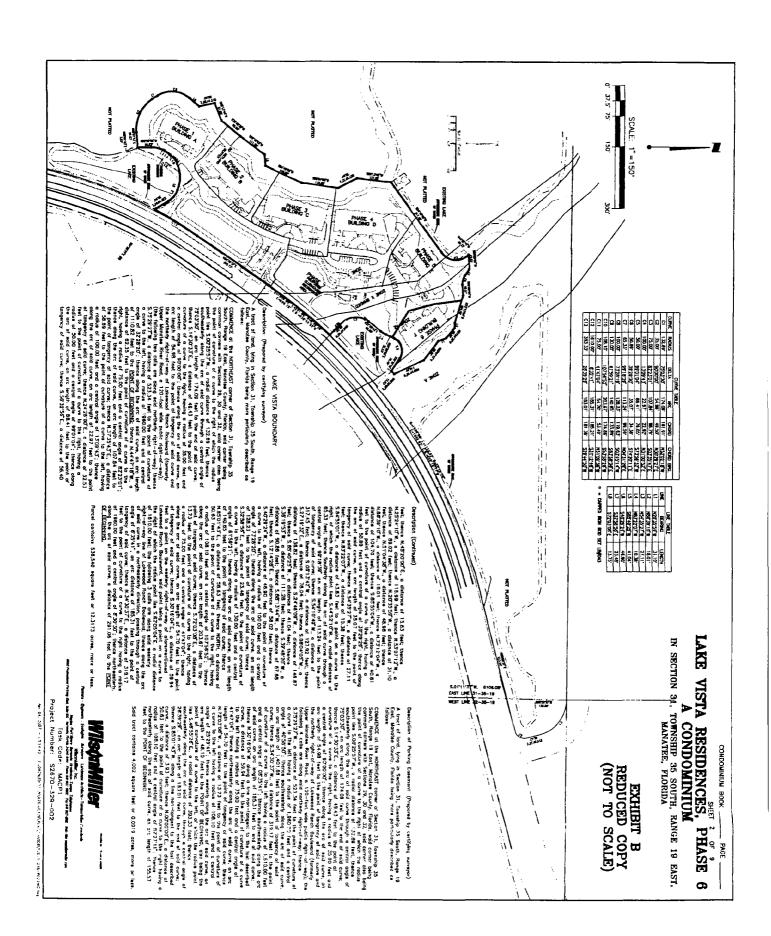
ILLER, INC. (LB/043)

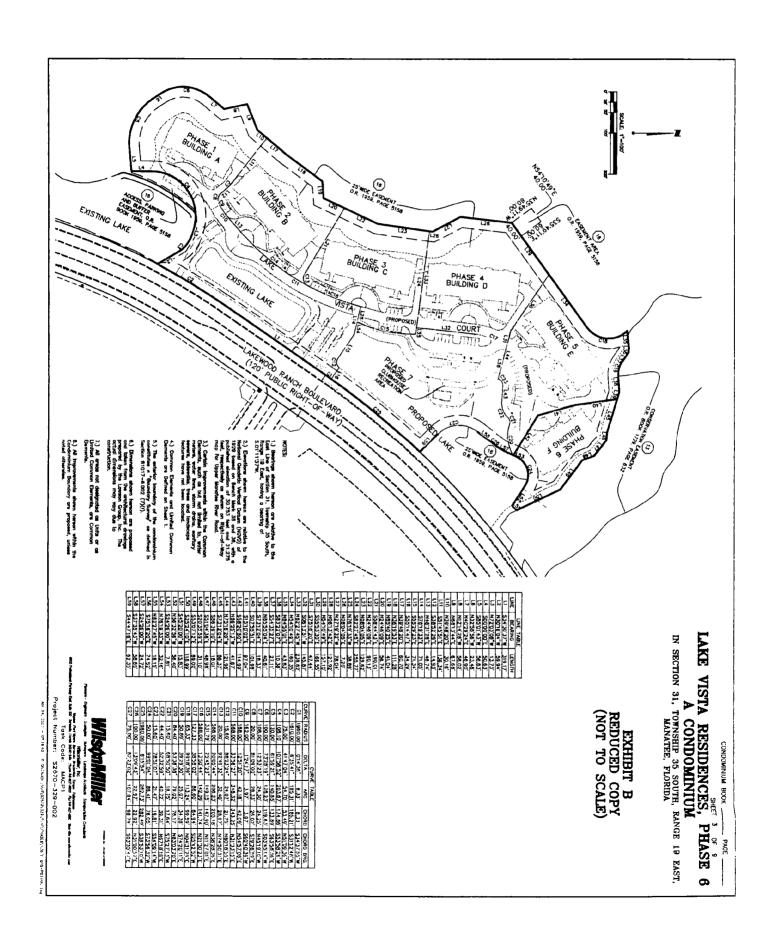
Project Number: S2670-329-002

EXHIBIT B

(NOT TO SCALE) REDUCED COPY ರಾ

CONDOMINIUM BOOK SHEET 1 OF 9





A tract of land ying in Section 31, Township 35 South, Range 18 East, Manetee County, Florida and described as follows: LECAL DESCRIPTION OF PHASE 6 (as prepared by the certifying Surveyor and Mapper):

Wherefor, he reper fathers are also for the second reper fathers for the second receiver from fathers for the second receiver for the second result of the second result of the second result of the second result of the second results of the se

IAKE VISTA RESIDENCES, PHASE 6
A CONDOMINIUM
IN SECTION 31, TOWNSHIP 35 SOUTH, RANGE 19 EAST,
MANATEE, FLORIDA EXHIBIT B

CONDOMINIUM BOOK

PAGE

