

INSTR # 2014000254067, Doc Type RES, Pages 9, Recorded 12/15/2014 at 02:46 PM,  
Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee \$78.00 Deputy  
Clerk LTALONE

**UPON RECORDING RETURN TO:**

**Jennifer M. Lawton, Esq.**  
**Broad and Cassel**  
**7777 Glades Road, Suite 300**  
**Boca Raton, FL 33434**

\_\_\_\_\_  
ABOVE THIS LINE FOR RECORDER'S USE

**FIFTEENTH AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM  
OF SORRENTO, A CONDOMINIUM**

THIS FIFTEENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF SORRENTO, A CONDOMINIUM (the "**Fifteenth Amendment**") is made this 15<sup>th</sup> day of December, 2014, by D.R. Horton, Inc., a Delaware corporation ("**Developer**").

**WITNESSETH**

WHEREAS, Developer recorded that certain Declaration of Condominium of Sorrento, a Condominium on October 24, 2013, as Instrument #2013000242074, as amended by that certain First Amendment to the Declaration of Condominium of Sorrento, a Condominium on February 4, 2014 as Instrument #2014000023545, as amended by that certain Second Amendment to the Declaration of Condominium of Sorrento, a Condominium on February 4, 2014 as Instrument #2014000023550, as amended by that certain Third Amendment to the Declaration of Condominium of Sorrento, a Condominium on February 4, 2014 as Instrument #2014000023578, as amended by that certain Fourth Amendment to the Declaration of Condominium of Sorrento, a Condominium on March 24, 2014 as Instrument #2014000058917, as amended by that certain Fifth Amendment to the Declaration of Condominium of Sorrento, a Condominium on March 24, 2014 as Instrument #2014000058925, as amended by that certain Sixth Amendment to the Declaration of Condominium of Sorrento, a Condominium on April 3, 2014 as Instrument #2014000067728, as amended by that certain Seventh Amendment to the Declaration of Condominium of Sorrento, a Condominium on April 3, 2014 as Instrument #2014000067736, as amended by that certain Eighth Amendment to the Declaration of Condominium of Sorrento, a Condominium on July 7, 2014 as Instrument #2014000141026, as amended by that certain Ninth Amendment to the Declaration of Condominium of Sorrento, a Condominium on July 8, 2014 as Instrument #2014000141935, as amended by that certain Tenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on August 25, 2014 as Instrument #2014000175653, as amended by that certain Eleventh Amendment to the Declaration of Condominium of Sorrento, a Condominium on October 22, 2014 as Instrument #2014000217158, as amended by that certain Twelfth Amendment to the Declaration of Condominium of Sorrento, a Condominium on October 23, 2014 as Instrument #2014000218517, as amended by that certain Thirteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on November 17, 2014 as Instrument #2014000234884, and as further amended by that certain Fourteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on December 15, 2014 as Instrument #2014 000253909 all

4827-5787-0366.1  
37-85/0073

in the Public Records of Lee County, Florida (as may be amended from time to time, the "**Declaration**"); and

WHEREAS, pursuant to Section 3.2 of the Declaration, Developer reserved the right to unilaterally amend the Declaration from time to time to add to the Condominium all or portions of the additional property described in Exhibits "1.1" through "1.52" to the Declaration and to designate all or portions of such added property as Units, Common Elements, Limited Common Elements, or a combination thereof, and to change each Unit's percentage of undivided interest in the Common Elements and liability for Common Expenses; and

WHEREAS, Developer desires to amend the Declaration to add to the Condominium the real property described as "Phase 7" in Exhibit "A" attached to this Fifteenth Amendment and to change each Unit's percentage of undivided interest in the Common Elements and liability for Common Expenses to reflect the addition of Units to the Condominium; and

WHEREAS, Developer desires to amend the Declaration to add the final survey and floor plans for Phase 7, Building 7 and to add a certificate stating that Phase 7, Building 7 of the Condominium is now substantially complete pursuant to Fla. Stat. § 718.104(4)(e);

NOW, THEREFORE, the Declaration is hereby amended as set forth below. Except as provided herein, capitalized terms shall have the meaning ascribed to them in the Declaration.

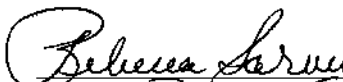
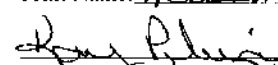
1. The Declaration is hereby amended to add the Phase 7 land, as more particularly described in Exhibit "A" attached hereto and made a part hereof, to the Condominium.
2. The survey exhibit pages for Phase 7 in Exhibit "4" to the Declaration are hereby replaced in their entirety with the certified as-built survey, plot plan and floor plans of Phase 7, Building 7 as set forth in Exhibit "B" attached hereto and made a part hereof.
3. The formula for allocating to Units in Phase 7 and for reallocating to Units previously submitted to the Condominium a percentage of undivided interest in the Common Elements and liability for Common Expenses shall be one divided by the total number of Units within the Condominium, i.e. 56 Units, such that each Unit shall be allocated an equal and undivided interest in the Common Elements.
4. Each Unit in Phase 7 is allocated one vote in the Association on all matters which Unit Owners are entitled to vote.

**[SIGNATURE AND ACKNOWLEDGMENT ON FOLLOWING PAGE]**

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IN WITNESS WHEREOF, the undersigned Developer hereby executes this Fifteenth Amendment by and through its representatives as of the date and year first above written.

Witnessed By:

  
 Print Name: REBECCA SARVER  
  
 Print Name: Kay Plein

DEVELOPER:

D.R. HORTON, INC., a Delaware corporation

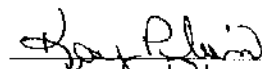
By: \_\_\_\_\_  
 Name: Jonathon Pentecost  
 Title: Division President

STATE OF FLORIDA )

COUNTY OF Lee ) ss

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of December, 2014, by Jonathon Pentecost, as Division President of D.R. Horton, Inc., a Florida corporation on behalf of the company. He is personally known to me and did not take an oath.

[NOTARIAL SEAL]

By:   
 Name: Kay Plein

Serial Number, if any: \_\_\_\_\_  
 My Commission Expires: \_\_\_\_\_



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**EXHIBIT "A"**

**Legal Description of Phase 1.15**

4812-3048-8552.1  
37485/0073

**SORRENTO**  
**A CONDOMINIUM**  
 LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,  
 LEE COUNTY, FLORIDA  
**EXHIBIT "1.7"**  
**PHASE 7**

**LEGAL DESCRIPTION:**

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 26 EAST, BEING A PART OF LANDS DESCRIBED IN INSTRUMENT NUMBER 2012000195147, OF THE PUBLIC RECORDS OF SAID LEE COUNTY, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF SAID PARCEL 14 OF PARKLANDS LEE, DULY RECORDED IN PLAT BOOK 79, PAGES 84 THROUGH 98, OF PUBLIC RECORDS OF SAID LEE COUNTY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 43.00 FEET FOR TO WHICH A RADIAL LINE BEARS N 66°05'21" E; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°47'47" FOR 17.86 FEET; THENCE S 00°06'52" E FOR 52.44 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 445.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°10'03" FOR 94.50 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 337.60 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°41'40" FOR 233.47 FEET; THENCE S 27°24'45" W FOR 407.90 FEET; THENCE N 62°35'15" W FOR 21.83 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N 62°35'15" W FOR 105.17 FEET; THENCE N 27°24'45" E FOR 74.33 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 22.50 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 35.34 FEET; THENCE S 27°24'46" W FOR 12.33 FEET; THENCE S 62°35'15" E FOR 67.67 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 15.60 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 23.56 FEET; THENCE S 27°24'45" W FOR 69.50 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED PARCEL CONTAINS 0.207 ACRES, MORE OR LESS.

**NOTE:**

SEE SHEET 3 OF 3 FOR PLAT PLAN

**Banks Engineering**

Professional Engineers, Planners & Land Surveyors  
 FORT MYERS ♦ PORT CHARLOTTE ♦ SARASOTA  
 FLORIDA BUSINESS CERTIFICATION NUMBER LB REG  
 13511 S.W. 41ST STREET, PARKWAY  
 FORT MYERS, FLORIDA 33908  
 (239) 939-5490

EXHIBIT "1.7" - PHASE 7 LEGAL DESCRIPTION  
**SORRENTO, A CONDOMINIUM**  
 LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	OWNER	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
1-22-13	13030	13030/13030	ANY	RMR	N/A	1	3	4-48-26

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**EXHIBIT "B"**

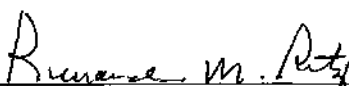
**Certified As-Built for Phase 15, Building 15**

4815-3048-8352 1  
FV5X540673

CERTIFICATE OF SURVEYOR  
AS TO PHASE 7 OF SORRENTO

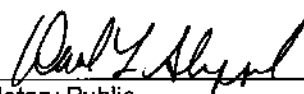
Before me, the undersigned authority, duly authorized to administer oaths and take acknowledgments, personally appeared Richard M. Ritz known by me to me to be the person hereinafter described does hereby certify as follows:

1. That he is a duly registered and duly licensed land surveyor, authorized to practice under the laws of the State of Florida.
2. That the construction of all improvements constituting Phase 7 of Sorrento, a Condominium are substantially complete so that the material, together with the provisions of the declaration describing the condominium property, 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.

  
Richard M. Ritz, R.L.S.  
Registered Land Surveyor  
Florida Certification No. LS 4009  
State of Florida

Sworn to and Subscribed before me this 15<sup>th</sup> day of December, 2014.

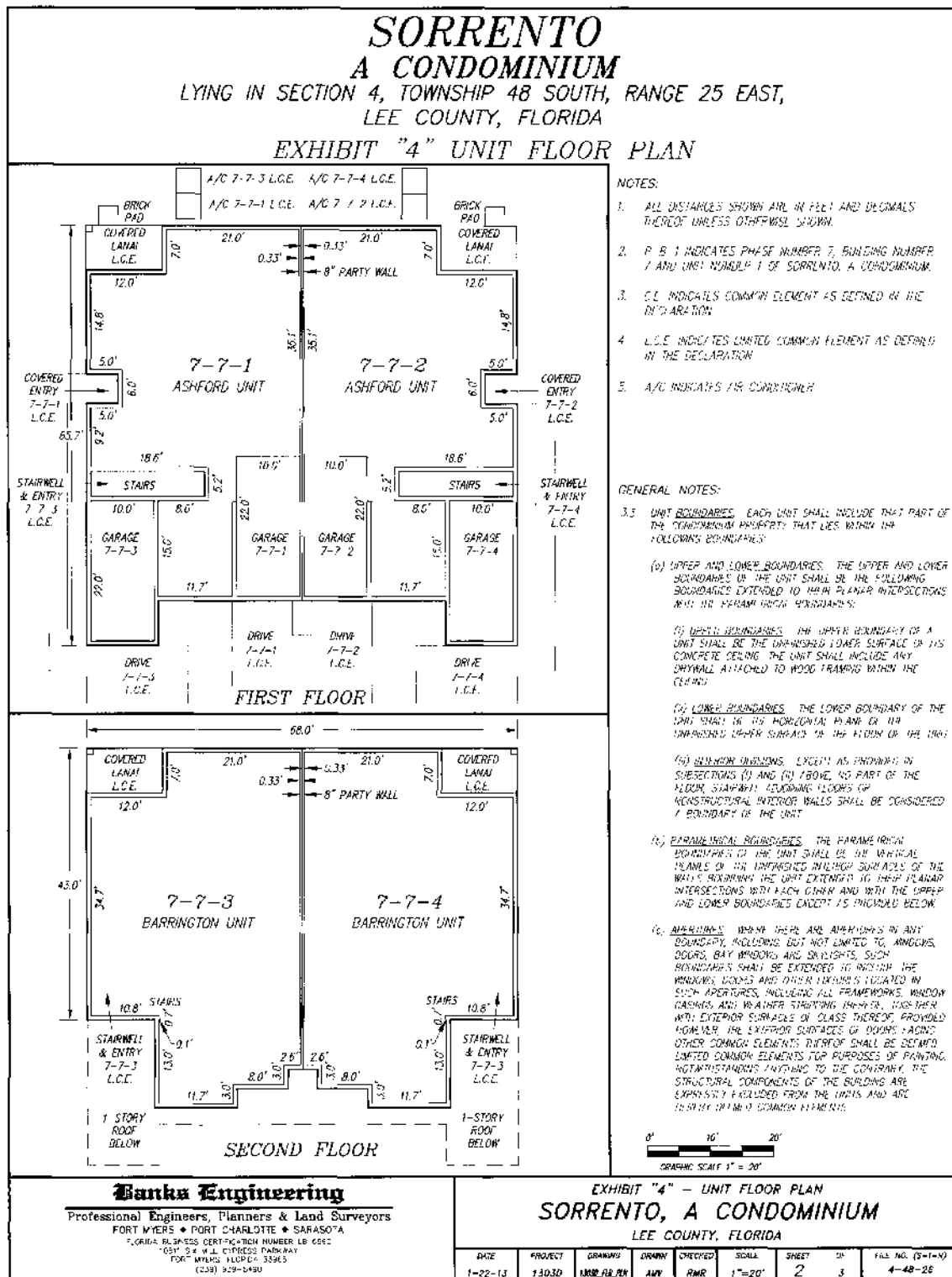
MY COMMISSION EXPIRES:

  
Notary Public

DAVID L. SHEPPARD  
Printed Name

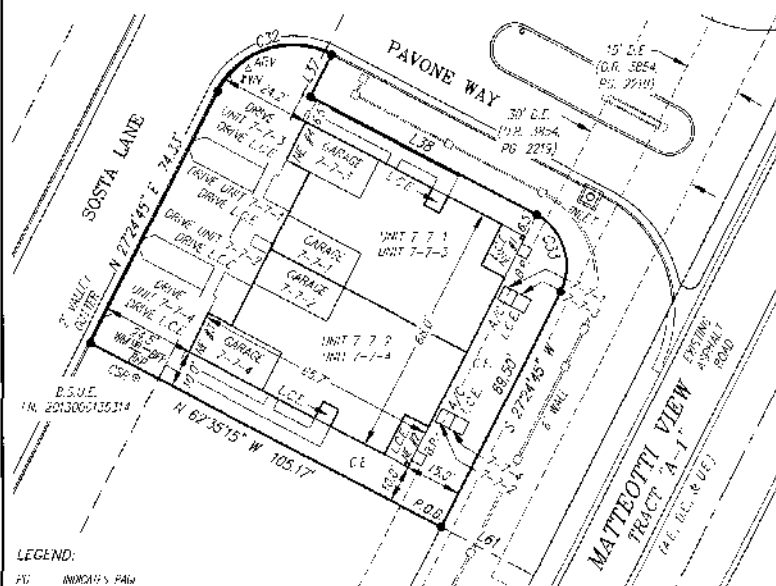
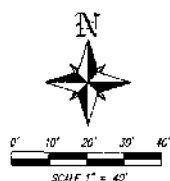


S:\Jobs\13xx\1303D\Surveying\Condominium\Substantially Complete\Phase 7\1303D Certificate of Substantial Completion by Surveyor\_PH-7.rtf





**SORRENTO**  
**A CONDOMINIUM**  
LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,  
LEE COUNTY, FLORIDA  
EXHIBIT "4"  
PHASE 7 PLOT PLAN

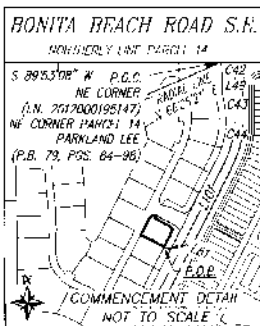


LEGEND:

FE	INDICATES FEE
FCE	INDICATES FEE CODE
B.P.	INDICATES BIRTH DATE
PO	INDICATES PLAT BOOK
NO	INDICATES NORTH HALF
NE	INDICATES NORTH EAST 1/4
A/2	INDICATES 1/2 COMMODITY
CE	INDICATES COMMON ELEMENT
EL	INDICATES ELEVATION
AE	INDICATES ACCESS EASEMENT
AN	INDICATES AIR RIGHTS
DE	INDICATES DRAINAGE EASEMENT
LD	INDICATES LICENSED BUSINESS
P.M.	INDICATES POINT OF BEGINNING
LD	INDICATES INSTRUMENT NUMBER
CR	INDICATES CABLE SERVICE POINT
EM	INDICATES EASEMENT
FI	INDICATES POINT OF INTERSECTION
GN	INDICATES OFFICIAL RECORD GROUP
P.O.C.	INDICATES POINT OF COMMENCEMENT
C.C.	INDICATES CURVED COMMON ELEVATION
RLS	INDICATES REGISTERED LAND SURVEYOR
EL	INDICATES ELEVATION
EA	INDICATES EASEMENT
SE	INDICATES SOUTH EAST 1/4
SE/4	INDICATES SOUTH EAST 1/4 1/4

NOTE:

SET SMITH : 13 1 506 : FGA: 0550007039



NOTES:

ALL PORTIONS OF THE CONDOMINIUM NOT INCLUDED WITHIN  
THE LIMITS OF THE UNIT ARE COMMON ELEMENTS (C.E.)  
UNLESS OTHERWISE SHOWN

EACH DRIVEWAY IS LABELLED AS "DRIVE" ON EXHIBIT "A". SHALL BE A LIMITED COMMON ELEMENT (L.C.E.) RESERVED FOR THE EXCLUSIVE USE OF THE UNIT OWNER OF THE EQUIPMENT UNIT TO WHICH IT SERVES. THE DRIVEWAY SHALL BE MAINTAINED BY THE ASSOCIATION. ANY SPACE LOCATED BETWEEN DRIVEWAYS SHALL BE COMMON ELEMENTS (L.C.E.).

ANY SHOOTER, ANNING, DOORSTEP, STAIRWAY, PORCH, AND  
CONDITIONS, OF OTHER NATURES DESIGNED TO SERVE A  
SINGLE UNIT, BUT LOCATED OUTSIDE THE UNIT'S  
BOUNDARIES, ARE LIMITED COMMON ELEMENTS (LCE).  
ALLOCATED EXCLUSIVELY TO THE UNIT(S) THEY SERVE

CORPORATE BASIS IS ASSUMED

ALL DISTANCE SHOWN ARE IN FEET AND DECIMALS THEREOF

DATE OF LAST FILED COPY: 12-13-2014

## BUILDING CORNER COORDINATE TABLE

CORNER (NE #)	NORTHING	EASTING
NE #1	N:508866.83	E:503482.23
NE #2	N:508836.46	E:503480.98
NE #3	N:508936.69	E:503392.69
NE #4	N:508917.76	E:503423.93

LINE TABLE

LINE	BEARING	DISTANCE
L37	S 27°24'46" W	12.33'
L38	S 62°35'15" E	67.67'
L49	S 00°06'52" E	52.44'
L61	N 62°35'15" W	27.83'
L101	S 27°24'45" W	407.90'

*CURVE TABLE*

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C32	22.50'	96°00'00"	35.34'	31.82'	N 72°24'45" E
C33	15.00'	96°00'00"	23.56'	21.21'	S 17°35'15" E
C41	182.00'	14°11'32"	45.08'	44.57'	N 08°01'48" E
C42	43.00'	23°47'47"	12.86'	17.73'	S 12°00'45" W
C43	445.00'	12°01'03"	94.50'	94.32'	S 06°11'53" E
C44	335.00'	39°21'40"	233.42'	228.83'	S 07°35'55" W

## Banks Engineering

Professional Engineers, Planners &amp; Land Surveyors

FOR" MYERS • FORT C-ARLOTTE • SARASOTA

FLORIDA BUSINESS CREDIT CARD NUMBER 10 5620

00130 NINE CYPRESS PARKWAY  
N.W. MYERS FLORIDA 32565

(239) 929 5490

EXHIBIT "4" - PHASE 7 PLOT PLAN

**SORRENTO, A CONDOMINIUM**

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-I-R)
1-22-13	1303D	1303D-PH-2-S	AMY	RMR	1"=40'	3	3	4-48-26