

**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

**TWENTY-FIFTH AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM  
OF SORRENTO, A CONDOMINIUM**

THIS TWENTY-FIFTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF SORRENTO, A CONDOMINIUM (the "**Twenty-Fifth Amendment**") is made this 11<sup>th</sup> day of December, 2015, by D.R. Horton, Inc., a Delaware corporation ("**Developer**").

**W I T N E S S E T H**

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, as amended by that certain Fourteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on December 15, 2014 as Instrument #2014000253909, as amended by that certain Fifteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on December 15, 2014 as Instrument #2014000254067, as amended by that certain

Sixteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on February 13, 2015 as Instrument #2015000030985, as amended by that certain Seventeenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on February 18, 2015 as Instrument #2015000033815, as amended by that certain Eighteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on February 26, 2015 as Instrument #2015000040288, as amended by that certain Nineteenth Amendment to the Declaration of Condominium of Sorrento, a Condominium on April 20, 2015 as Instrument #2015000082746, as amended by that certain Twentieth Amendment to the Declaration of Condominium of Sorrento, a Condominium on May 5, 2015 as Instrument #2015000096064, as amended by that certain Twenty-First Amendment to the Declaration of Condominium of Sorrento, a Condominium on July 30, 2015 as Instrument #2015000167289, as amended by that certain Twenty-First Amendment to the Declaration of Condominium of Sorrento, a Condominium on July 30, 2015 as Instrument #2015000167289, as amended by that certain Twenty-Second Amendment to the Declaration of Condominium of Sorrento, a Condominium on August 25, 2015 as Instrument #2015000185767, as amended by that certain Twenty-Third Amendment to the Declaration of Condominium of Sorrento, a Condominium on October 1, 2015 as Instrument #2015000213013, and as further amended by that certain Twenty-Fourth Amendment to the Declaration of Condominium of Sorrento, a Condominium on November 17, 2015 as Instrument #2015000247955, all 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 32" in Exhibit "A" attached to this Twenty-Fifth 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 32, Building 32 and to add a certificate stating that Phase 32, Building 32 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.

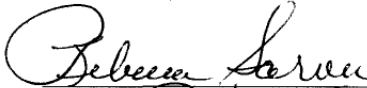
1. The Declaration is hereby amended to add the Phase 32 land, as more particularly described in Exhibit "A" attached hereto and made a part hereof, to the Condominium.
2. The survey exhibit pages for Phase 32 in Exhibit "4" to the Declaration are hereby replaced in their entirety with the certified as-built survey, plot plan and floor plans of Phase 32, Building 32 as set forth in Exhibit "B" attached hereto and made a part hereof.

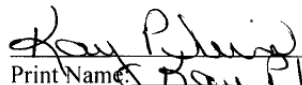
3. The formula for allocating to Units in Phase 32 and for reallocating to Units previously submitted to the Condominium a percentage of undivided interest in the Common Elements and liability for Common Expenses shall be one divided by the total number of Units within the Condominium, i.e. 96 Units, such that each Unit shall be allocated an equal and undivided interest in the Common Elements.
4. Each Unit in Phase 32 is allocated one vote in the Association on all matters which Unit Owners are entitled to vote.

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

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

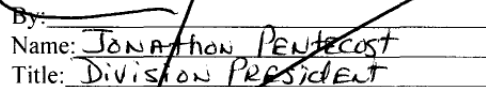
Witnessed By:

  
Print Name: REBECCA SARKER

  
Print Name: Kay Plein

DEVELOPER:

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

By:   
Name: JONATHAN PENTECOST  
Title: DIVISION PRESIDENT

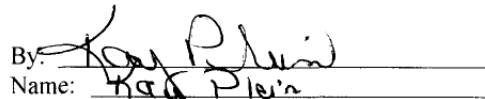
STATE OF FLORIDA )

) ss

COUNTY OF LEE )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of DECEMBER, 2015, by JONATHAN 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: \_\_\_\_\_



**EXHIBIT "A"**

**Legal Description of Phase 32**

**SORRENTO**  
**A CONDOMINIUM**  
 LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,  
 LEE COUNTY, FLORIDA  
 EXHIBIT "1.16"  
 PHASE 16

**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 LANDS ALSO BEING A PORTION OF PARCEL 14 OF PARKLANDS LEE, DULY RECORDED IN PLAT BOOK 79, PAGES 84 THROUGH 98, OF THE PUBLIC RECORDS OF SAID LEE COUNTY, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID 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 TO WHICH POINT 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 337.00 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 402.13 FEET; THENCE N 62°35'15" W FOR 162.00 FEET TO THE **POINT OF BEGINNING** OF A PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N 62°35'15" W FOR 117.17 FEET; THENCE N 27°24'45" E FOR 88.00 FEET; THENCE S 62°35'15" E FOR 117.17 FEET; THENCE S 27°24'45" W FOR 88.00 FEET TO THE **POINT OF BEGINNING**.

THE DESCRIBED PARCEL CONTAINS 0.237 ACRES, MORE OR LESS.

**NOTE:**

SEE SHEET 2 OF 3 FOR PLOT PLAN.

**Banks Engineering**

Professional Engineers, Planners & Land Surveyors  
 FORT MYERS • PORT CHARLOTTE • SARASOTA  
 FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690  
 10511 SIX MILE CYPRESS PARKWAY  
 FORT MYERS, FLORIDA 33906  
 (239) 939-5490

EXHIBIT "1.16" - LEGAL DESCRIPTION OF PHASE 16  
**SORRENTO, A CONDOMINIUM**  
 LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
1-22-13	1303D	1303D_P1-16	AMV	RMR	N/A	1	3	4-48-26

**EXHIBIT "B"**

**Certified As-Built for Phase 32, Building 32**

4849-2684-4713, v. 1

CERTIFICATE OF SURVEYOR  
AS TO PHASE 32 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 32 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 9<sup>th</sup> day of December, 2015.

MY COMMISSION EXPIRES:

  
Notary Public



DAVID L. SHEPPARD  
Printed Name



# SORRENTO A CONDOMINIUM

LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,  
LEE COUNTY, FLORIDA  
EXHIBIT "4"  
PHASE 32 PLOT PLAN

BUILDING CORNER COORDINATE TABLE

CORNER (NE #)	NORTHING	EASTING
NE #1	N:510348.88	E:502892.06
NE #2	N:510416.87	E:502890.96
NE #3	N:510417.94	E:502956.61
NE #4	N:510349.95	E:502957.72



0' 10' 20' 30' 40'  
SCALE 1" = 40'

LINE TABLE

LINE	BEARING	DISTANCE
L96	N 89°03'58" E	16.83'
L107	S 00°56'02" E	88.00'
L108	N 16°08'57" E	4.03'

## 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 LABELED AS "DRIVE" ON EXHIBIT "4" SHALL BE A LIMITED COMMON ELEMENT (L.C.E.) RESERVED FOR THE EXCLUSIVE USE OF THE UNIT OWNER OF THE ADJACENT UNIT TO WHICH IT SERVES. THE DRIVEWAY SHALL BE MAINTAINED BY THE ASSOCIATION. ANY SPACE LOCATED BETWEEN DRIVEWAYS SHALL BE COMMON ELEMENTS (C.E.).

ANY SHUTTER, AWNING, DOORSTEP, STAIRWAY, PORCH, AIR CONDITIONER, OR OTHER FIXTURES DESIGNED TO SERVE A SINGLE UNIT, BUT LOCATED OUTSIDE THE UNIT'S BOUNDARIES, ARE LIMITED COMMON ELEMENTS (L.C.E.) ALLOCATED EXCLUSIVELY TO THE UNIT(S) THEY SERVE.

COORDINATE BASIS IS ASSUMED.

ALL DISTANCE SHOWN ARE IN FEET AND DECIMALS THEREOF.

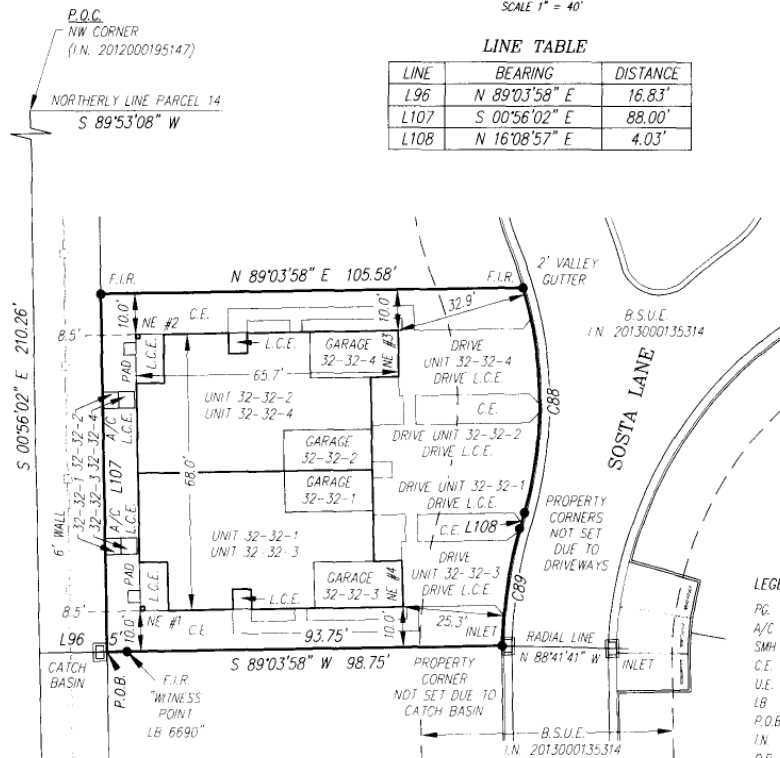
DATE OF LAST FIELD WORK: 12-8-2015

## NOTE:

SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION

## LEGEND:

PG. INDICATES PAGE  
A/C INDICATES AIR CONDITIONER  
SMH INDICATES STORM MANHOLE  
C.E. INDICATES COMMON ELEMENT  
U.E. INDICATES UTILITY EASEMENT  
L.B. INDICATES LICENSED BUSINESS  
P.O.B. INDICATES POINT OF BEGINNING  
I.N. INDICATES INSTRUMENT NUMBER  
O.R. INDICATES OFFICIAL RECORDS BOOK  
P.O.C. INDICATES POINT OF COMMENCEMENT  
L.C.E. INDICATES LIMITED COMMON ELEVATION  
R.L.S. INDICATES REGISTERED LAND SURVEYOR  
L2 INDICATES LINE DATA: SEE LINE TABLE  
C4 INDICATES CURVE DATA: SEE CURVE TABLE  
B.S.U.F. INDICATES BONTA SPRINGS UTILITY EASEMENT  
F.I.R. INDICATES FOUND 5/8" IRON ROD "BANKS ENG LB 6690" UNLESS OTHERWISE NOTED



CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C88	97.50'	32°45'26"	55.74'	54.99'	S 00°13'46" E
C89	114.50'	14°50'37"	29.66'	29.58'	N 08°43'38" E

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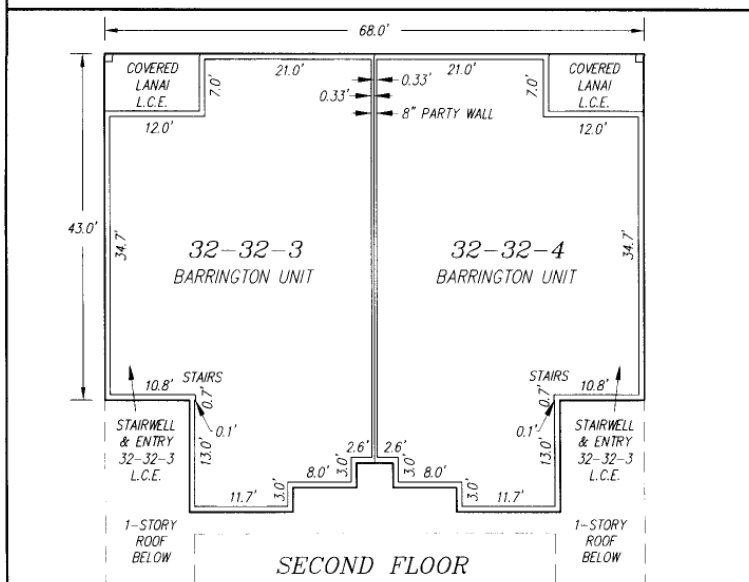
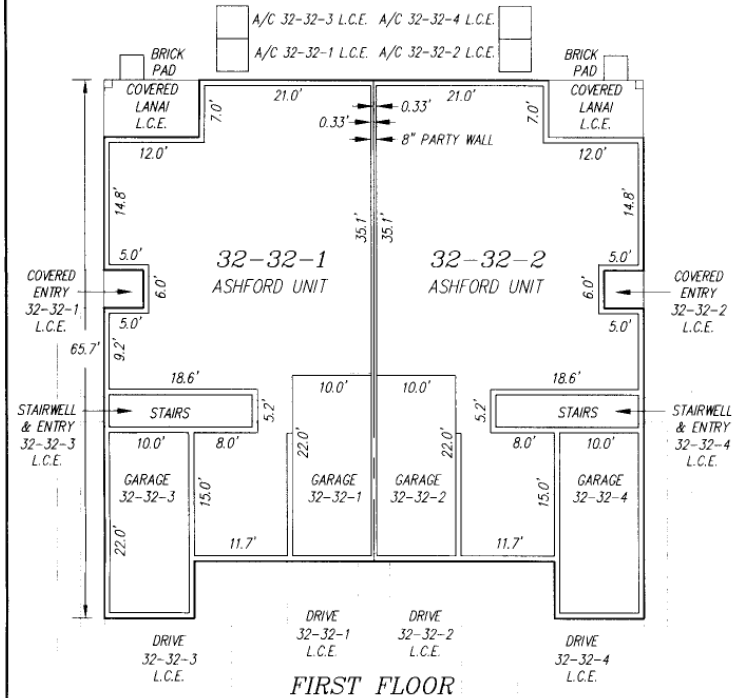
## EXHIBIT "4" - PHASE 32 PLOT PLAN SORRENTO, A CONDOMINIUM LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
1-22-13	1303D	1303D_PH-32_SP	AMV	RMR	1"=40'	2	3	4-48-26

# SORRENTO A CONDOMINIUM

LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST,  
LEE COUNTY, FLORIDA

## EXHIBIT "4" UNIT FLOOR PLAN



### NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE SHOWN.
2. 32-32-1 INDICATES PROPOSED PHASE NUMBER, BUILDING NUMBER AND UNIT NUMBER OF SORRENTO, A CONDOMINIUM.
3. C.E. INDICATES COMMON ELEMENT AS DEFINED IN THE DECLARATION.
4. L.C.E. INDICATES LIMITED COMMON ELEMENT AS DEFINED IN THE DECLARATION.
5. A/C INDICATES AIR CONDITIONER.

### GENERAL NOTES:

- 3.3 **UNIT BOUNDARIES.** EACH UNIT SHALL INCLUDE THAT PART OF THE CONDOMINIUM PROPERTY THAT LIES WITHIN THE FOLLOWING BOUNDARIES:

(a) **UPPER AND LOWER BOUNDARIES.** THE UPPER AND LOWER BOUNDARIES OF THE UNIT SHALL BE THE FOLLOWING BOUNDARIES EXTENDED TO THEIR PLANAR INTERSECTIONS WITH THE PARAMETRICAL BOUNDARIES:

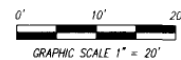
(i) **UPPER BOUNDARIES.** THE UPPER BOUNDARY OF A UNIT SHALL BE THE UNFINISHED LOWER SURFACE OF ITS CONCRETE CEILING. THE UNIT SHALL INCLUDE ANY DRYWALL ATTACHED TO WOOD FRAMING WITHIN THE CEILING.

(ii) **LOWER BOUNDARIES.** THE LOWER BOUNDARY OF THE UNIT SHALL BE THE HORIZONTAL PLANE OF THE UNFINISHED UPPER SURFACE OF THE FLOOR OF THE UNIT.

(iii) **INTERIOR DIVISIONS.** EXCEPT AS PROVIDED IN SUBSECTIONS (i) AND (ii) ABOVE, NO PART OF THE FLOOR, STAIRWELL ADJOINING FLOORS OR NONSTRUCTURAL INTERIOR WALLS SHALL BE CONSIDERED A BOUNDARY OF THE UNIT.

(b) **PARAMETRICAL BOUNDARIES.** THE PARAMETRICAL BOUNDARIES OF THE UNIT SHALL BE THE VERTICAL PLANES OF THE UNFINISHED INTERIOR SURFACES OF THE WALLS BOUNDING THE UNIT EXTENDED TO THEIR PLANAR INTERSECTIONS WITH EACH OTHER AND WITH THE UPPER AND LOWER BOUNDARIES EXCEPT AS PROVIDED BELOW.

(c) **APERTURES.** WHERE THERE ARE APERTURES IN ANY BOUNDARY, INCLUDING, BUT NOT LIMITED TO, WINDOWS, DOORS, BAY WINDOWS AND SKYLIGHTS, SUCH BOUNDARIES SHALL BE EXTENDED TO INCLUDE THE WINDOWS, DOORS AND OTHER FIXTURES LOCATED IN SUCH APERTURES, INCLUDING ALL FRAMEWORKS, WINDOW CASINGS AND WEATHER STRIPPING THEREOF, TOGETHER WITH EXTERIOR SURFACES OF GLASS THEREOF, PROVIDED HOWEVER, THE EXTERIOR SURFACES OF DOORS FACING OTHER COMMON ELEMENTS THEREOF SHALL BE DEEMED LIMITED COMMON ELEMENTS FOR PURPOSES OF PAINTING, NOTWITHSTANDING ANYTHING TO THE CONTRARY, THE STRUCTURAL COMPONENTS OF THE BUILDING ARE EXPRESSLY EXCLUDED FROM THE UNITS AND ARE HEREBY DEEMED COMMON ELEMENTS.



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FORT MYERS, FLORIDA 33966  
(239) 939-5490

### EXHIBIT "4" - UNIT FLOOR PLAN SORRENTO, A CONDOMINIUM LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
1-22-13	1303D	1303D_FLR_PLN	AMV	RMR	1"=20'	3	3	4-48-26