

11/19/87
15750

FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM
OF
PARK PLACE VILLAS, A CONDOMINIUM

825219

This First Amendment to the Declaration of Condominium of PARK PLACE VILLAS, a condominium is made and entered into this ___ day of November, 1987.

WHEREAS, the Declaration of Condominium of PARK PLACE VILLAS, a condominium (the "Declaration"), was heretofore recorded in Official Records Book 1936, Pages 0841 through 0895, and the plat thereof was recorded in Condominium Book 26, Pages 23, 23A and 23B of the Public Records of Sarasota County, Florida; and

WHEREAS, ROBERT R. ROGERS, AS TRUSTEE, (the "Developer") was, at the time of the creation of PARK PLACE VILLAS, a condominium (the "Condominium"), and is presently, the developer of the Condominium and is so designated in the Declaration; and

WHEREAS, the Developer has the right, in accordance with Article 17 of the Declaration, to amend the Declaration for the purposes set forth in said Article 17; and

WHEREAS, the Developer is desirous of amending the Declaration in accordance with Article 17 thereof in order to reflect the substantial completion of certain of the buildings and units within the Condominium.

NOW THEREFORE, BE IT RESOLVED that the Developer, for himself, his successors, grantees and assigns, shall and does hereby amend the Declaration as follows:

1. The Survey, Site Plan and Graphic Description of the Condominium, which comprises Exhibits "A" and "B" to the Declaration (and which is incorporated by reference into the Declaration) is hereby amended by the addition thereto of the Certificate of Surveyor attached hereto and by reference made a part hereof.

2. There are no further amendments.

IN WITNESS WHEREOF, the Developer has executed this First Amendment to the Declaration of Condominium of PARK PLACE VILLAS, a condominium, the day and year first above written.

Signed, sealed and delivered in the presence of:

Michael M. Wallack
Michael M. Wallack

Robert R. Rogers, Trustee
ROBERT R. ROGERS, AS TRUSTEE

STATE OF FLORIDA)
(SS:
COUNTY OF SARASOTA)

I HEREBY CERTIFY THAT on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared ROBERT R. ROGERS, AS TRUSTEE, well known to me to be the person identified as the Developer in the forgoing First Amendment to the Declaration of Condominium of PARK PLACE VILLAS, a condominium, and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him.

WITNESS my hand and official seal in the County and State last aforesaid this 19th day of November, 1987.

Notary Public
Notary Public

My Commission Expires:

My Commission Expires Sep 30, 1990

Prepared By and Return To:
MICHAEL M. WALLACK, ESQ.
MICHAEL M. WALLACK, P.A.
523 S. Washington Blvd.
Sarasota, FL 34236

O.R. 1991 PG 0217

CERTIFICATE OF SURVEYOR

STATE OF FLORIDA)
COUNTY OF SARASOTA)

BEFORE ME, the undersigned authority, personally appeared Cliff Alberti, who after being duly sworn deposes and says:

1. THAT AFFIANT is a professional land surveyor holding Florida Certificate No. 3599, and is the surveyor who surveyed the property known and identified as PARK PLACE VILLAS, A CONDOMINIUM, as per Declaration of Condominium recorded in O.R. Book 1936, Page 841, et seq., and as per Plat thereof recorded in Condominium Book 26, Pages 23 through 23 B, Public Records of Sarasota County, Florida.

2. THAT CONSTRUCTION of the improvements described as Units 1, 2, 5, 6, 7, 8, 9, 10, 17, 18, 24, 25, 26, 27, and 28, are substantially complete* so that the material (this certificate and the condominium plat), together with the provisions of the Declaration of Condominium is an accurate representation of the location and dimensions of the improvements and that the identification, location and dimensions of the common elements and of each unit can be determined from those materials and that all planned improvements, including but not limited to, landscaping, utility services, and access to the unit and common element facilities serving the unit, are also substantially complete.

* NOT INCLUDING POOL AREA

Date of Survey: November 19, 1987

Cliff Alberti

Professional Land Surveyor
Florida Certificate No. 3599

SWORN TO AND SUBSCRIBED before me this 19th day of

Nov., 1987.

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Aug. 4, 1989
Bonded Thru Troy Fair - Insurance, Inc.

Doris L. Lamb

Notary Public

O.R. 1991 PG 0218

CONSENT OF MORTGAGEE

WHEREAS, NCNB NATIONAL BANK OF FLORIDA, with principal offices located at 1605 Main Street, Sarasota, Florida 34237, the holder of a certain mortgage (the "Mortgage") dated September 26, 1986 and recorded October 9, 1986, in Official Records Book 1891, Pages 2774 through 2783, as amended by Note and Mortgage Modification Agreement dated July 7, 1987, recorded in Official Records Book 1964, Page 2519 of the Public Records of Sarasota County, Florida, which Mortgage is a first lien upon that certain real estate and the improvements thereon (which real estate and improvements are hereafter referred to as the "Property"); said Property being situated in Sarasota County, Florida, and being more specifically described as:

Lot 12, Block 3, SARASOTA-VENICE COMPANY'S SUBDIVISION, of Section 4, Township 37 South, Range 18 East, recorded in Plat Book "A", Page 13, of the Public Records of Sarasota County, Florida, LESS 1.0379 acres, more or less, conveyed to County of Sarasota for Proctor Road right-of-way, as described in Official Records Book 1447, Page 2102, of said records.

WHEREAS, ROBERT R. ROGERS, AS TRUSTEE, by virtue of Deed to Trustee pursuant to Section 689.071, Florida Statutes, recorded October 9, 1986, in Official Records Book 1891, Pages 2771 through 2773, Public Records of Sarasota County, Florida has submitted the Property to the condominium form of ownership pursuant to the Condominium Act of the State of Florida, Florida Statutes Chapter 718 (the "Condominium Act") by recording the Declaration of Condominium of PARK PLACE VILLAS, a Condominium (the "Declaration of Condominium") in Official Records Book 1936, Pages 0841 through 0895 and by recording the plat thereof in Condominium Book 26, Pages 23, 23A and 23B, of the Public Records of Sarasota County, Florida; and

WHEREAS, Mortgagee by this Consent of Mortgagee intends to consent to the submission of the Property to Condominium in accordance with the requirements of the Condominium Act;

NOW, THEREFORE, for good and valuable consideration, and intending to be legally bound hereby, Mortgagee agrees and declares as follows:

1. Mortgagee does hereby consent to the submission of the Property to the provisions of the Condominium Act by the aforesaid Declaration of Condominium pursuant to all of the provisions, terms and conditions therein contained.
2. The Mortgage shall hereafter be a lien upon and operate upon the Property, including, without limitation, each and every condominium unit created by the Declaration of Condominium together with their respective undivided shares in the Common Elements, unless heretofore or subsequently released by Mortgagee and in the event of foreclosure sale of the Property or any portion thereof, the purchaser at any such foreclosure sale shall purchase and receive title subject to the terms and conditions of the Declaration of Condominium and the covenants therein contained; provided, however, that nothing contained herein shall impair or diminish the priority of the lien of the Mortgage, on the condominium units.
3. By the execution of this Consent of Mortgagee, Mortgagee does not undertake or assume any of the obligations or responsibilities of Developer or of any owner of a condominium unit.

4. All of the terms and conditions of the Mortgage, not expressly amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the Mortgagee has executed this Consent this 20th day of November, 1987.

Signed, sealed and delivered in our presence:

NCNB National Bank of Florida

Raymond Aguil
Ben A. Owens

By: James A. Richardson
Its: Vice President

CORPORATE SEAL

O.R. 1993 PG 0333

STATE OF FLORIDA

COUNTY OF SARASOTA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared

James A. Richardson, as Vice President of NCNB National Bank of Florida, to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same on behalf of and under authority of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 20th day of November, A.D. 1987.

Erinice D. Housh
Notary Public

My commission expires:

Notary Public State of Florida at Large
My Commission Expires August 26, 1991
Bonded By U.S. Fire Insurance Co.

RECORDED IN OFFICIAL
DEC 2 4 04 PM '87
SARASOTA COUNTY
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL.

This instrument prepared by:
MICHAEL M. WALLACK, Esq.
MICHAEL M. WALLACK, P.A.
523 South Washington Boulevard
Sarasota, FL 34236

MMW:ljs
11/20/1:LTR14