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CLARIFICATION AMENDMENT  
to  
CONDOMINIUM DECLARATION  
OF  
WEDGEWOOD OF SANIBEL,  
A RESIDENTIAL CONDOMINIUM  
Sanibel Island, Florida

(Recorded to reflect additional Development Permit Conditions  
and Requirements of the City of Sanibel,  
pursuant to Development Permit 91-8954 DP  
and Development Permit 91-8955 DP)

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: NARY JO ROBINSON, D.C.

Wedgewood of Sanibel Development Corporation, the Developer named in the Condominium Declaration of the Wedgewood of Sanibel, A Residential Condominium, recorded in Official Record Book 2502 at Pages 2347 through 2477, inclusive, in the Public Records of Lee County, Florida, files this, the Clarification Amendment to the Condominium Declaration of Wedgewood of Sanibel, A Residential Condominium, pursuant to Florida Statute 718.110 and numbered Paragraph 46. A. at Page CD-46 of the Condominium Declaration, and amends the Condominium Declaration of Wedgewood of Sanibel, A Residential Condominium, by adding this Item 53:

53. ADDITIONAL DEVELOPMENT PERMIT CONDITIONS AND

REQUIREMENTS. The City of Sanibel, as a condition to the issuance of Development Permit 91-8954 DP and Development Permit 91-8955 DP of WEDGEWOOD OF SANIBEL, A RESIDENTIAL CONDOMINIUM, has required that certain conditions, pursuant to the Land Development Code of the City of Sanibel, must appear in this Condominium Declaration as required by Planning Commission Resolution 91-89 adopted

September 10, 1991, and by Planning Commission Resolution 92-38 adopted April 14, 1992. Listed below are the additional provisions required by the City of Sanibel to appear in the Condominium Declaration of Wedgewood of Sanibel, A Residential Condominium:

A. Declaration of Density Allocation. The Developer has executed and recorded in the Public Records of Lee County, Florida, a Declaration of Density Allocation. This Declaration of Density Allocation was recorded July 28, 1993, in O. R. Book 2410 at Pages 0643 through 0645 in the Public Records of Lee County, Florida, and was recorded again with the Condominium Documents for Wedgewood of Sanibel, A Residential Condominium. The Declaration of Density Allocation was recorded with the Condominium Documents on May 23, 1994, in O. R. Book 2502 at Pages 2475 through 2477 in the Public Records of Lee County, Florida.

B. Sewer Line Easement. The Developer has recorded a Grant of Sewer Line Easement and Right To Connect and Covenant To Repair And Maintain on July 28, 1993, in O. R. Book 2410 at Pages 638 through 642 in the Public Records of Lee County, Florida; this Grant of Sewer Line Easement was recorded again with the Condominium Documents for Wedgewood of Sanibel, A Residential Condominium, on May 23, 1994, in O. R. Book 2502 at Pages 2470 through 2474 in the Public Records of Lee County, Florida.

C. Beach Dune Protection Provisions. This Amendment to the Condominium Declaration of Wedgewood of Sanibel, A Residential Condominium, sets out that it is prohibited to place, locate, store, use, or transport beach furniture or beach equipment in any manner which destroys or materially diminishes the beach dune system, native beach vegetation, or wildlife habitat, including but not limited to sea turtle nesting sites, or to allow beach furniture or beach equipment, when not in use, to remain within

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or seaward of the native beach vegetation zone (i.e., an area commencing at the pioneer vegetation line and extending landward) between the hours of 9:00 P. M. and 7:00 A. M. These provisions are included to protect the beach dune system and native beach vegetation located on the condominium property.

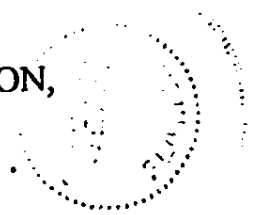
D. Perpetual Covenant To Remove and Eliminate Brazilian Pepper and Malaleuca. This Amendment to the Condominium Declaration of Wedgewood of Sanibel, A Residential Condominium, requires that the Wedgewood of Sanibel Condominium Association, Inc., A Florida Corporation Not For Profit, perpetually remove and eliminate any and all Brazilian Pepper and Malaleuca vegetation located on the condominium property. This provision is included to protect the natural vegetation located on the condominium property.

E. Official Consent Before Modification. The above conditions in Items 53 A., 53 B., 53 C., and 53 D. herein may be enforced by the City of Sanibel and shall not be amended, revoked, or otherwise terminated without the express prior written consent of the City of Sanibel, any other provision of the Condominium Declaration notwithstanding, pursuant to City of Sanibel Ordinance Code No. I.F.5.e and Resolution 91-89 adopted September 10, 1991.

IN WITNESS WHEREOF, WEDGEWOOD OF SANIBEL DEVELOPMENT CORPORATION, A Florida Corporation, Developer, has caused this Condominium Declaration to be signed in its name by its President, its corporate seal to be affixed, this 6<sup>th</sup> day of June, 1994.

[Signature]  
Witness

WEDGEWOOD OF SANIBEL  
DEVELOPMENT CORPORATION,  
A Florida Corporation,  
Developer



[Signature]  
Witness

By: [Signature] (SEAL)  
John Armenia, President

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STATE OF FLORIDA

COUNTY OF LEE


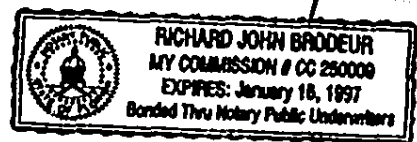
I HEREBY CERTIFY that on this day John Armenia, as President of Wedgewood of Sanibel Development Corporation, personally appeared before me, the undersigned Notary Public, an officer duly authorized to administer oaths and take acknowledgments. John Armenia, as President of Wedgewood of Sanibel Development Corporation,

- known personally to me, or
- having produced as identification a passport, driver's license, or other photo identification, pursuant to Florida Statute 117.05(5)(b)2.c.(I-V),

and acknowledged to and before me that he is the individual described in and who executed the foregoing Clarification Amendment to Condominium Declaration and acknowledged the execution thereof to be his free act and deed as such officer, for the uses and purposes therein mentioned, and that he affixed thereto 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 Captiva Island, County of Lee, and State of Florida, this 6th day of June, A. D. 1994.

*[Handwritten Signature]*  
 Notary Public signature

Printed Name of Notary

My Commission Number is:

My Commission expires:

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**JOINDER OF MORTGAGEE  
to  
CLARIFICATION AMENDMENT**

**JOHN ARMENIA**, hereinafter referred to as Mortgagee, the owner and holder of two Mortgages on those lands submitted to condominium ownership as more particularly described in the Condominium Declaration of Wedgewood of Sanibel, A Residential Condominium recorded in O. R. Book 2502 at Pages 2347 through 2477, inclusive, in the Public Records of Lee County, Florida, and in that Second Mortgage to Mortgagee from Wedgewood of Sanibel Development Corporation, A Florida Corporation, dated July 27, 1993, and recorded July 28, 1993, in O. R. Book 2410 at Pages 0559 through 0576, and as described in that Third Mortgage to Mortgagee from Wedgewood of Sanibel Development Corporation, A Florida Corporation, recorded in O. R. Book 2410 at Pages 0601 through 0612A, both in the Public Records of Lee County, Florida, joins in the making of the foregoing Clarification Amendment to the Condominium Declaration of Wedgewood of Sanibel, A Residential Condominium.

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**PROVIDED, HOWEVER**, that this **Joinder of Mortgagee to Clarification Amendment** is not to be construed as a waiver of any of the terms and conditions of said Notes and Mortgages.

DATED this 6<sup>th</sup> day of June, 1994.

<u>Judy K. Brodeur</u> Witness	<u>John Armenia</u> (SEAL) John Armenia
Printed Name of Witness:	

Judy K. Brodeur

<u>Richard John Brodeur</u> Witness
Printed Name of Witness:

Richard John Brodeur

STATE OF FLORIDA

COUNTY OF LEE

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I HEREBY CERTIFY that on this day John Armenia personally appeared before me, the undersigned Notary Public, an officer duly authorized to administer oaths and take acknowledgments. John Armenia,

known personally to me, or having produced as identification a passport, driver's license, or other photo identification, pursuant to Florida Statute 117.05(5)(b)2.c.(I-V),

and acknowledged to and before me that he is the individual described in and who executed the foregoing JOINDER OF MORTGAGEE TO CLARIFICATION AMENDMENT freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at Captiva Island, County of Lee, and State of Florida, this 6th day of June, A. D. 1994.

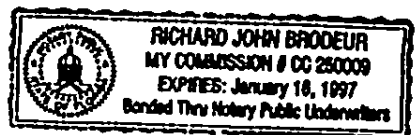
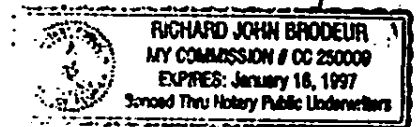
[Handwritten signature of Notary Public]

Notary Public

Printed Name of Notary:

My Commission Number is:

My Commission expires:



This Instrument Prepared By: Richard John Brodeur, Esquire The Real Estate Law Firm of Richard John Brodeur, P. A. Post Office Box 214 Sanibel Island, FL 33957

CHARLES GREEN LEE CIV, FL. 94 JUN -7 PM 1:57