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SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR HIGH TIDE CONDOMINIUM

THIS AMENDMENT is made as of the 20 day of December, 1984, by WILLIAM FLATOW, JR. and WILLIAM J. SIMMONDS, as Co-Trustees under the provisions of a certain unrecorded Land Trust Agreement, herein called the "Developer" of High Tide Condominium.

R E C I T A L S:

WHEREAS, Developer is the developer of HIGH TIDE CONDOMINIUM, a Condominium according to the Declaration thereof recorded March 27, 1984, in Official Records Book 1718, Page 2109, of the Public Records of Lee County, Florida, as now or hereafter amended and/or supplemented (the "Declaration");

WHEREAS, Paragraph 3.2(b) of the Declaration authorizes the Developer to unilaterally amend exhibits to the Declaration until the closing of all apartments' sales;

WHEREAS, Exhibit "B" to the Declaration, as amended by a First Amendment to Declaration of Condominium for High Tide Condominium, dated June 12, 1984, contains Surveyor's Certificates, certifying that the requirements of Section 718.104(4)(e), Florida Statutes (1983) have been satisfied with respect to Buildings "A" and "B" as described therein; and,

WHEREAS, Developer now desires to make an amendment to Exhibit "B" to the Declaration.

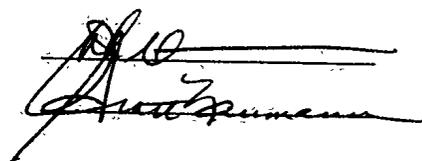
NOW, THEREFORE, the Declaration is hereby amended as follows:

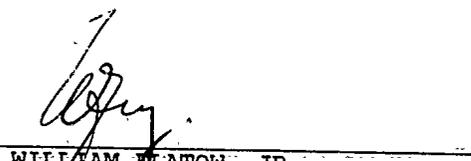
1. Exhibit "B" is amended to include Surveyor's Certificate together with Surveyor's Plat, attached hereto and made a part hereof as Exhibit "A", which Surveyor's Certificate certifies that the requirements of Section 718.104, Florida Statutes (1983) have been satisfied with respect to Building "C"

Except as modified herein, the Declaration shall remain in full force and effect ab initio.

IN WITNESS WHEREOF, Developer has executed this Amendment as of the date and year first above written.

Signed, sealed and delivered
in the presence of:




WILLIAM FLATOW, JR.
CO-TRUSTEE as aforesaid

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: G. WORKINGER, D.C.

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR HIGH TIDE CONDOMINIUM

Signed, sealed and delivered
in the presence of:

Isabella Baern
Genie J. Salvatore

William J. Simmonds
WILLIAM J. SIMMONDS
CO-TRUSTEE as aforesaid

New York
STATE OF ~~FLORIDA~~)
COUNTY OF CAYUGA) ss:

BEFORE ME, the undersigned authority, this day personally appeared WILLIAM J. SIMMONDS, as Co-Trustee under the provisions of a certain unrecorded Land Trust Agreement and to me well known to be such trustee of said land trust, and he acknowledged before me that he executed the foregoing Second Amendment to Declaration of Condominium freely and voluntarily for the uses and purposes therein mentioned and intended and with full and specific authority of the said land trust in that behalf.

WITNESS my hand and official seal this 21st day
of December, 1984.

Patricia A. Bergin
NOTARY PUBLIC,

MY COMMISSION EXPIRES:

PATRICIA A. BERGIN
Notary Public in the State of New York
Qualified in 1982 No. 1892
My comm. expires March 30, 1985

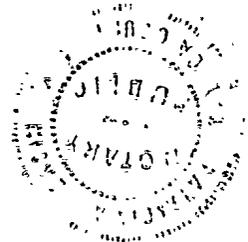


EXHIBIT "A"

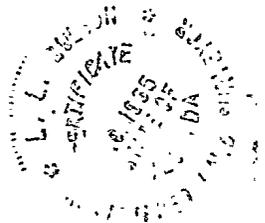
OFF 1760 4520

SURVEYOR'S CERTIFICATE
HIGH TIDE CONDOMINIUM, BUILDING C

I have examined the Declaration of Condominium and attached exhibits, including the "Plot Plan" of HIGH TIDE CONDOMINIUM, BUILDING C, and certify that the construction of the improvements described are substantially complete so that such material, together with the provisions of the Declaration describing the condominium property, is an accurate representation of the location and dimensions of the improvements described and that there can be determined from these materials the identification, the relative location and the dimensions of the common elements and of each unit.

DONE this 12th day of DECEMBER, 1984.

By Lester Bulson
Professional Land Surveyor No. 1965

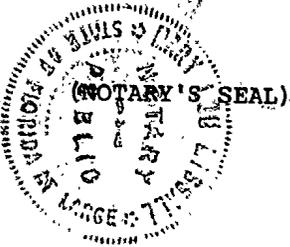


STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared Lester L. Bulson of Johnson-Engineering, Inc. to me well known to be the person described in and who executed the above and foregoing Surveyor's Certificate, and he acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed and set forth, and that he is over the age of twenty-one (21) years.

WITNESS my hand and official seal at Fort Myers, Lee County, Florida this 12th day of DECEMBER, 1984.



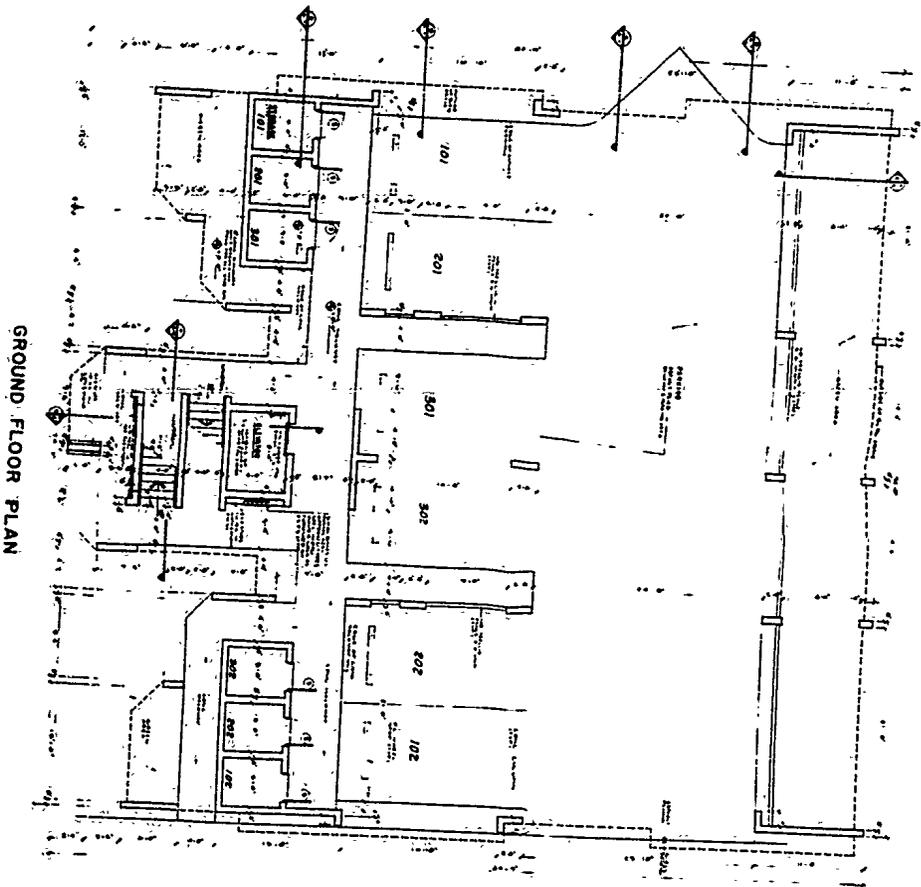
Mary Lou Murrell
Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JULY 17 1985
BONDED THRU GENERAL INS. UNDERWRITERS

OFF REC 1760 R4522

HIGH TIDE, CONDOMINIUM

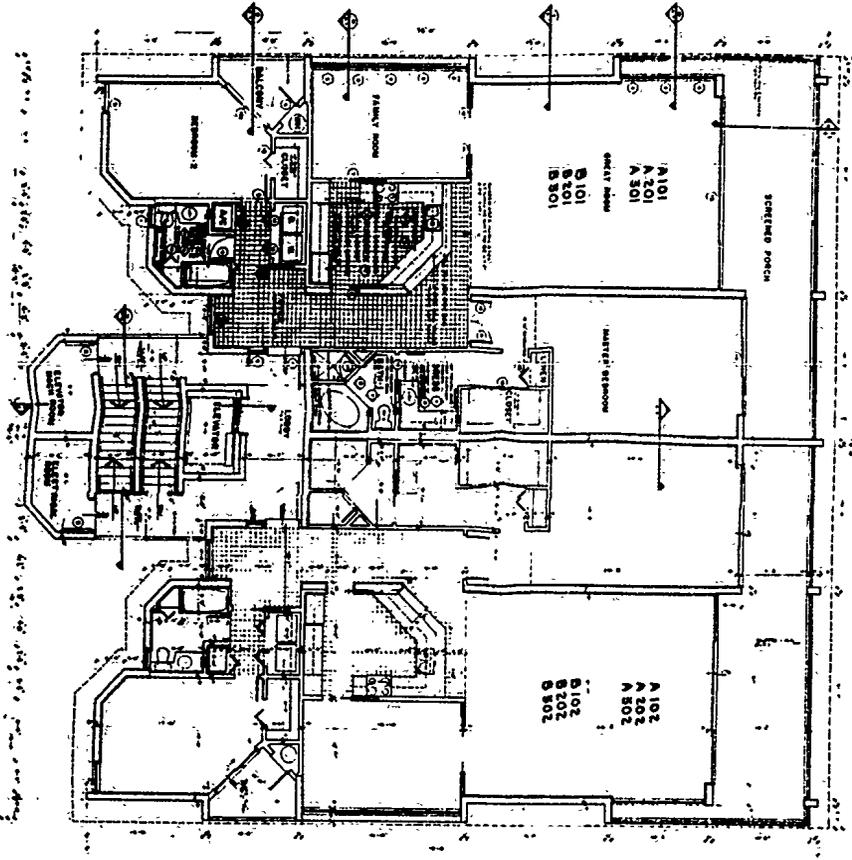


GROUND FLOOR PLAN

1760 4523

HIGH TIDE, CONDOMINIUM

SCALE 1/8" = 1'



ELEVATION

Building A, B1, 101	Building B, B1, 101
Building A, B2, 101	Building B, B2, 101
Building A, B1, 102	Building B, B1, 102
Building A, B2, 102	Building B, B2, 102
Building A, B1, 201	Building B, B1, 201
Building A, B2, 201	Building B, B2, 201
Building A, B1, 202	Building B, B1, 202
Building A, B2, 202	Building B, B2, 202

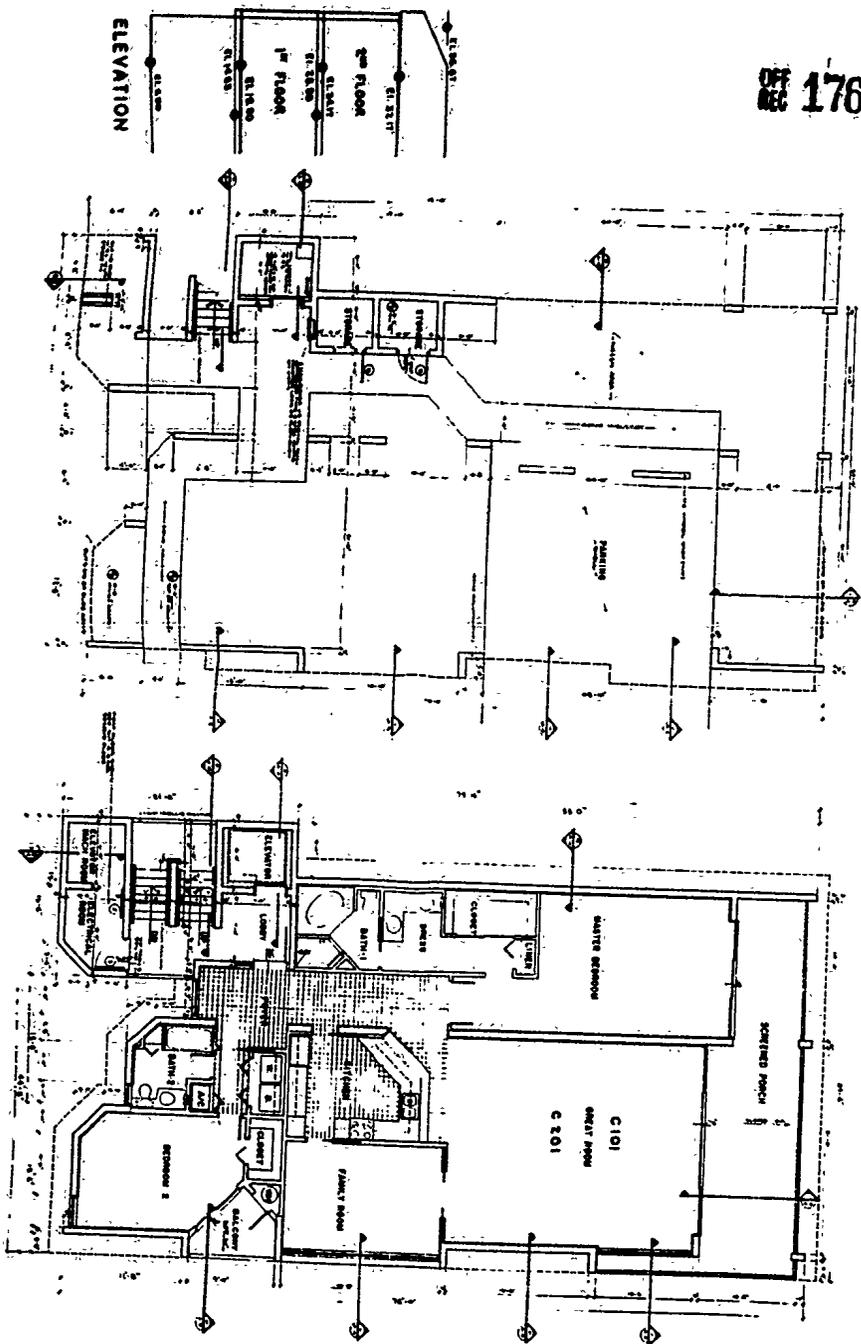
1760 4524

HIGH TIDE, CONDOMINIUM

SHEET 4 of 4

CLERK OF CIRCUIT COURT
Charli Pen
Clerk

Dec 27 4:27 PM '04
RECORDED IN OFFICIAL
RECORDS
LEE COUNTY, FLORIDA
RECORD VERIFIED



GROUND FLOOR PLAN

TYPICAL FLOOR PLAN 182

ELEVATION

