

**THIS INSTRUMENT WAS PREPARED BY:**

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Bradenton, FL 34205  
(941) 748-4411

**AMENDMENT # 5**  
**TO**  
**DECLARATION OF CONDOMINIUM**  
**FOR**  
**PALMA SOLA BAY CLUB, A CONDOMINIUM**  
**(Submitting Phase 7)**

This Amendment (the "Amendment") is made as of the 19<sup>th</sup> day of January, 2016, by **PALMA SOLA BAY DEVELOPMENT, INC.**, a Florida corporation (the "Developer"), for itself, and its successors, grantees and assigns.

**WITNESSETH:**

**WHEREAS**, Developer previously established Palma Sola Bay Club, a condominium, pursuant to Declaration of Condominium for Palma Sola Bay Club, a condominium, recorded in Official Records Book 2521, Page 3036, of the Public Records, as same may have been amended (the "Declaration"); and

**WHEREAS**, the Condominium is a phase condominium as authorized by the Condominium Act, and as more fully described in the Declaration; and

**WHEREAS**, Developer wishes to amend the Declaration to submit the Phase described and designated in this Amendment as part of the Condominium pursuant to the Declaration;

**NOW, THEREFORE**, in consideration of the premises, Developer hereby amends the Declaration as follows:

**1. Recitals and Definitions.** The recitals contained hereinabove are true and correct and are incorporated herein by reference. Capitalized terms used in this Amendment, unless otherwise expressly defined herein, shall have the meanings given them in the Declaration, unless the context shall otherwise clearly require.

**2. Submission of Phase.** The Developer, for itself, its successors, grantees and assigns, hereby submits to the condominium form of ownership pursuant to the Condominium Act and the Declaration, as amended hereby (a) that property described on the Plat and designated thereon as Phase 7T, (b) together with all Improvements erected or to be erected thereon, and (c) all easements, rights and appurtenances belonging thereto, including the Submitted Easements over the Subsequent Phase Lands described in Section 7.2 of the Declaration excluding from such submitted property, any and all installations, facilities and devices for Utilities which may be owned by the utility furnishing services to the Condominium. The property hereby submitted is known as Phase 7, and shall become a part of the Condominium Property upon this Amendment being recorded among the Public Records.

**3. Supplemental Plat.** If and to the extent any supplemental and/or replacement sheet(s) of the Plat (including but not limited to a certificate of a surveyor in conformance with the Condominium


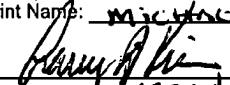
Act, whether contained within a supplement or replacement sheet of the Plat or by separate instrument), is/are attached hereto as **Exhibit A** (a "Supplemental Plat"), then such Supplemental Plat is made a part hereof and of the Declaration, and the Declaration and the Plat are amended, modified and supplemented by adding the Supplemental Plat thereto. In the event of any conflict between the Plat as attached to the Declaration and the Supplemental Plat, the provisions of the Supplemental Plat shall control. Hereafter the term Plat shall include the Supplemental Plat, if one is attached hereto. The Plat reflects the legal description of Phase 7. The Plat (as amended and supplemented hereby) includes a survey of the Phase submitted hereby, a graphic description of the improvements in which any Units are located, and plot plans thereof, and either includes a certificate of surveyor in conformance with the Condominium Act, or a separate certificate will be filed by a separate amendment.

**4. Undivided Share in Common Elements.** As provided in Article 4 and Section 5.8 of the Declaration, each Owner shall at all times own an equal fractional interest in the Common Elements then forming a part of the Condominium Property. Effective upon the addition of the Phase(s) submitted hereby, the undivided ownership in the Common Elements appurtenant to each Unit now within the Condominium, and the appurtenant ownership of the Common Surplus, is equal to one (1) divided by the total number of Units in all Phases now a part of the Condominium Property.

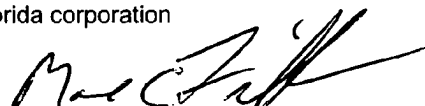
**5. Common Expenses.** As provided in Section 10.2 of the Declaration, the Owner of each Unit is liable for a share of the Common Expenses of the Association equal to his share of ownership of the Common Elements and the Common Surplus, as set forth in Article 4 of the Declaration and Paragraph 4 of this Amendment.

**6. Ratification.** The Declaration, as heretofore and hereby amended, is hereby ratified and confirmed. Developer represents that it has not transferred control of the Association.

**IN WITNESS WHEREOF**, the Developer has caused this Amendment to be executed in its name by its officers thereunto duly authorized as of the day and year first above written.

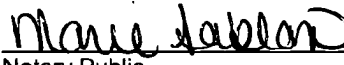
  
Print Name: Michael Grebow  
  
Print Name: Larry A. Kiem

**PALMA SOLA BAY DEVELOPMENT, INC.,**  
a Florida corporation

By:   
Mark C. Filburn, its President

STATE OF FLORIDA  
COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of January, 2016, by Mark C. Filburn, as President of Palma Sola Bay Development, Inc., a Florida corporation, on behalf of the corporation, who  is personally known to me or  produced \_\_\_\_\_ as identification.

  
Notary Public  
My Commission Expires: 9/15/17

\\FD003\Palma Sola Bay Club\Clients\Doc\Notaries\Marie Sablan\Notary\Phase 7.doc

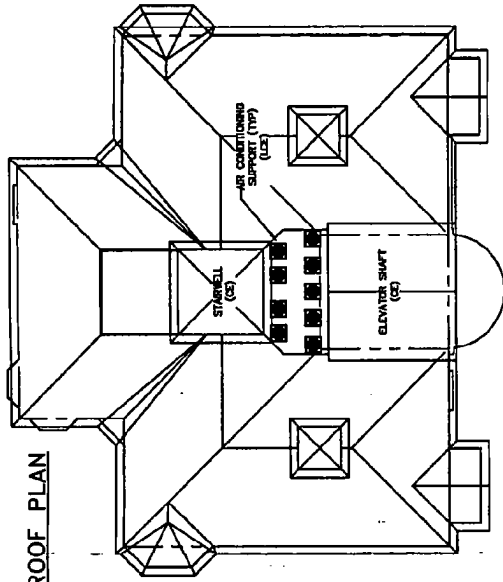




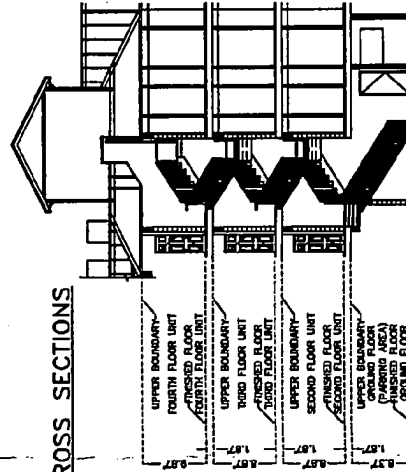


**PALMA SOLA BAY CLUB  
 A CONDOMINIUM**  
 IN SECTION 6, TOWNSHIP 35 S., RANGE 17 E.  
 MANATEE COUNTY, FLORIDA

**ROOF PLAN**



**TYPICAL CROSS SECTIONS**



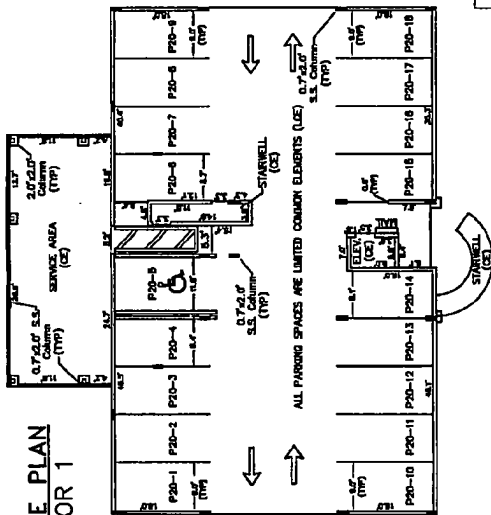
BUILDING	FLOOR LEVEL	UNIT	UNIT NUMBER	UNIT ELEVATION
20	GROUND	2001, 2002 & 2003	14.57	
	2ND FLOOR	2004, 2005 & 2006	25.31	
	3RD FLOOR	2007, 2008 & 2009	36.05	
	4TH FLOOR	2010, 2011 & 2012	47.79	

**UNIT NUMBERING**

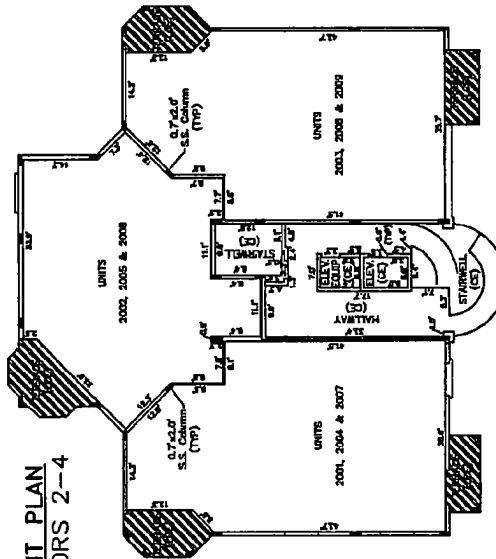
BUILDING	FLOOR LEVEL	UNIT	UNIT NUMBER
20	2ND FLOOR	2001, 2002 & 2003	
	3RD FLOOR	2004, 2005 & 2006	
	4TH FLOOR	2007, 2008 & 2009	
	5TH FLOOR	2010, 2011 & 2012	

1. All elevations are based upon the datum of 1988.
2. The building is to be constructed in accordance with the Florida Building Code, 2010 Edition, and the Florida State Building Code, 2010 Edition.
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10. The building is to be constructed in accordance with the Florida State Building Code, 2010 Edition, and the Florida Building Code, 2010 Edition.

**GARAGE PLAN  
 FLOOR 1**



**UNIT PLAN  
 FLOORS 2-4**



- NOTES:**
1. COMMON ELEMENTS (CE) SERVING THE BUILDING INCLUDE THE STAIRWELL, ELEVATOR SHAFT, AIR CONDITIONING SUPPORTS, TERRACES AND PARKING SPACES.
  2. FLOOR LAYOUT IS IDENTICAL FOR FLOORS 2 THROUGH 4.
  3. ROOF COMMON ELEMENTS (CE) INCLUDE THE STAIRWELL AND ELEVATOR SHAFT, AIR CONDITIONING SUPPORTS LOCATED ON THE ROOF WHICH ARE IDENTICAL TO THE COMMON ELEMENTS (CE) TO THE UNIT WHICH THEY SERVE.
  4. ELEVATIONS SHOWN HEREIN ARE BASED UPON THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988.
  5. LSE PARKING SPACES REFER TO BUILDING AND THE SPACE IN THAT BUILDING.

- LEGEND:**
- EQUIP. - EQUIPMENT STORAGE ROOM
  - ELEV. - ELEVATOR
  - CE - COMMON ELEMENT
  - LSE - LIMITED COMMON ELEMENT
  - CS - COMMON ELEMENT
  - STAIRWELL (CS) - STAIRWELL
  - ELEVATOR SHAFT (CS) - ELEVATOR SHAFT
  - UNIT - UNIT
  - P20-1 - P20-18 - PARKING SPACE ASSIGNMENT NUMBERS

**LofK**  
**LOMBARDO, FOLEY & KOLARIK, INC.**  
 Consulting Engineers, Surveyors & Planners  
 P.O. Box 189 • 865 4th Street West • Palmetto, Florida 34221 • (841) 728-0661  
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 2241.

**PHASE 7 UNIT PLAN, ROOF PLAN & ELEVATIONS**  
**BUILDING 20**  
**EXHIBIT A**