

OR2512 PG2936

CHARLIE GP LEE CITY, FL

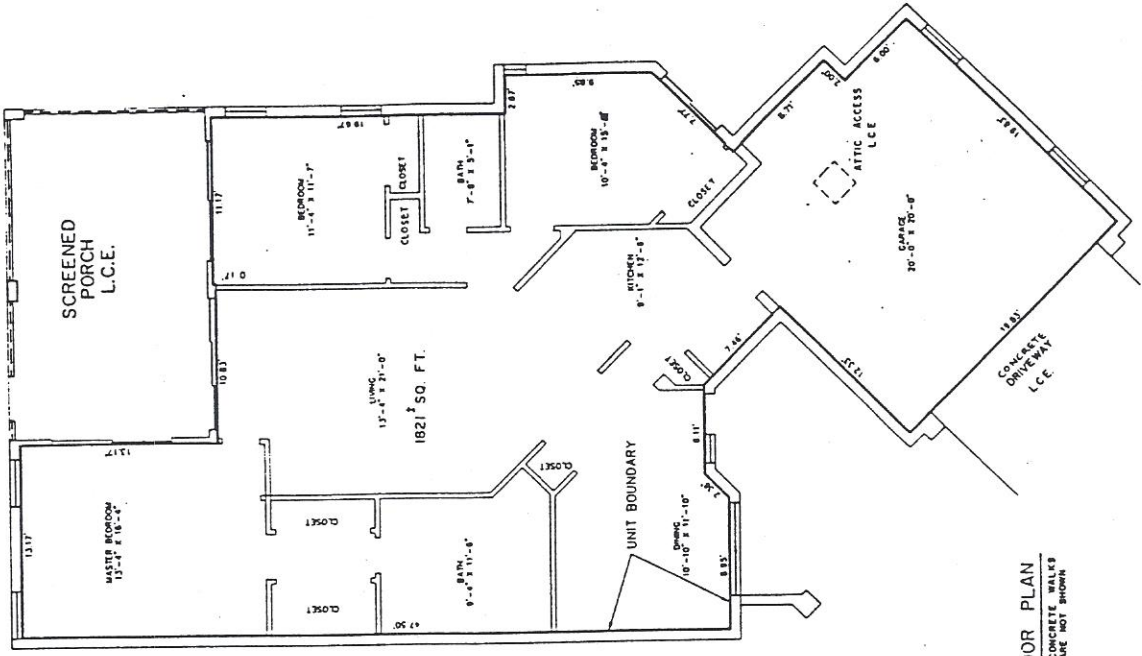
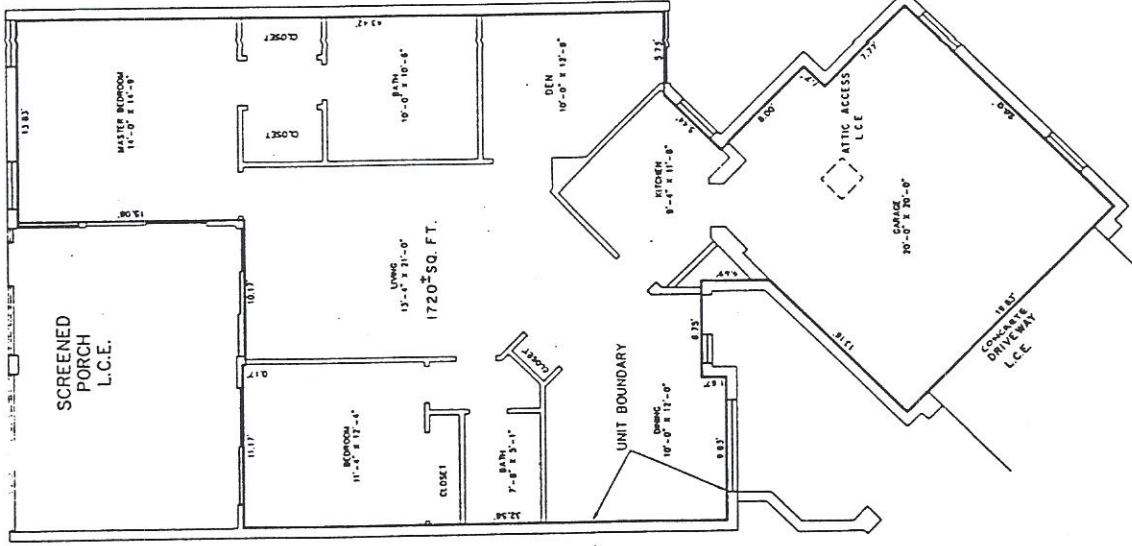
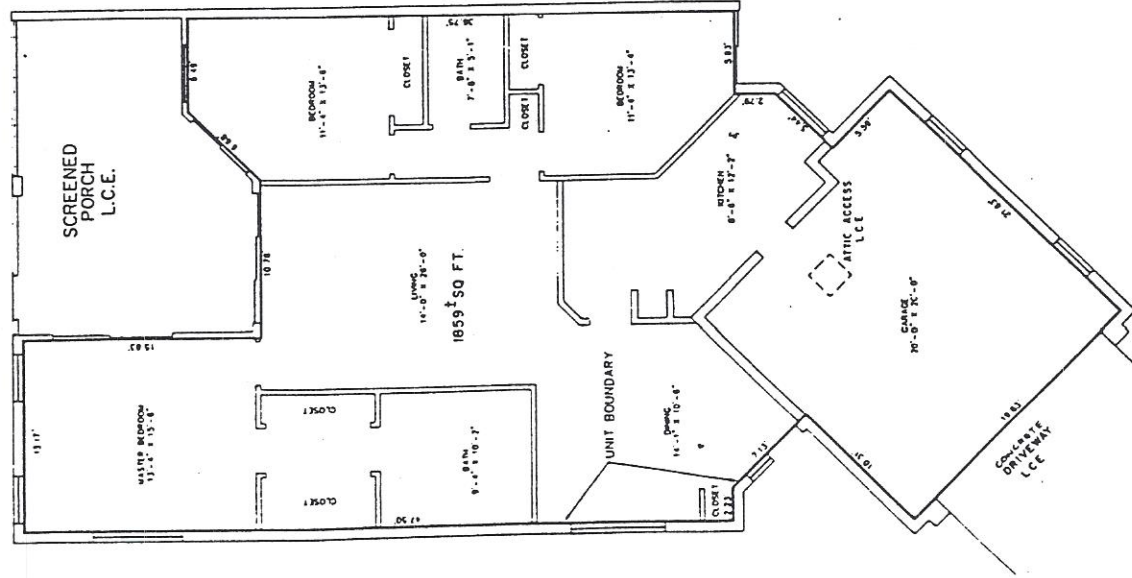
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CONDOMINIUM PLAT BOOK PAGE

EXHIBIT "B"
TO THE DECLARATION OF CONDOMINIUM OF
SUNGATE VILLAS AT FOUNTAIN LAKES, A CONDOMINIUM
A PHASE CONDOMINIUM

DATE: 7-16-90
JOB NO. 8476R
SHEET 5 OF 5
INK ENGINEERING, INC.
6320 BEAU DRIVE
NORTH FORT MYERS, FLORIDA

SUNGATE VILLAS AT FOUNTAIN LAKES, A CONDOMINIUM



10.50
CERTIFICATE OF AMENDMENT TO THE DECLARATION
OF CONDOMINIUM AND RULES AND REGULATIONS OF
SUNGATE VILLAS AT FOUNTAIN LAKES CONDOMINIUM
ASSOCIATION, INC.

4096171

OR2782 PG1849

WE HEREBY CERTIFY that the following amendments to the Declaration of Condominium and Rules and Regulations of Sungate Villas at Fountain Lakes Condominium Association, Inc. which Declaration of Condominium and Rules and Regulations are recorded at O.R. Book 2198, Page 4337, of the Public Records of Lee County, Florida, were duly adopted by the Association membership at the duly noticed annual member's meeting of the Association on the 5th day of December, 1996. Said amendments were passed by a proper percentage of votes of the voting interests of the Association.

Additions indicated by underlining.

Deletions indicated by ~~striking through~~.

DECLARATION OF CONDOMINIUM

13. LEASE, CONVEYANCE, DISPOSITION, FINANCING

13.1. ASSOCIATION APPROVAL REQUIRED - No owner may sell, lease, give or dispose of a unit or any interest therein in any manner without the written approval of the Association. Only entire units may be leased. All leases must and shall be deemed to contain the agreement of the lessee(s) to abide by all of the covenants of the condominium and Community Association's documents and must and shall be deemed to provide that a violation of the documents is a breach and event of default of the lease and grounds for termination and eviction and that the lessee and the owner agree that the Association may proceed directly against such lessee(s) and that the lessee(s) shall be responsible for the Association's costs and expenses, including attorney's fees, at all trial and appellate levels. If such costs and fees are not immediately paid by the lessee(s), the Unit Owner shall pay them. Each Unit Owner by acceptance of the deed to a unit and by the terms of this declaration appoints the Association as owner's agent to bring actions in the owner's name and at owner's expense including injunction, damages, termination and eviction. The rules and regulations must be provided to the lessee(s) by or on the behalf of the unit owner at or before the commencement of the lease term. The minimum leasing period is one (1) year ~~30 days and no unit may be leased more than three (3) times per calendar year.~~

CHARLIE GREEN LEE CITY FL
97 JAN 16 AM 10:20

RULES AND REGULATIONS

10. A unit owner may lease his residential unit for a minimum term of one year ~~month and not more than three times in a calendar year~~. The Association shall require prior approval. A copy of the house rules must be given to the tenants by or on behalf of the unit owners.

IN WITNESS WHEREOF, we have affixed our hands this 31st day of December, 1996, at Lee County, Florida.

WITNESSES:

Susan L. Baker
Susan A. Johnson
Susan L. Bailey
Susan A. Johnson

SUNGATE VILLAS AT FOUNTAIN LAKES
CONDOMINIUM ASSOCIATION, INC.

BY:

John Wynn
JOHN WYNN, PRESIDENT

ATTEST:

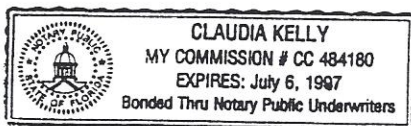
Ruth Terry
RUTH TERRY, SECRETARY
(CORPORATE SEAL)

STATE OF FLORIDA:
COUNTY OF LEE:

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared John Wynn, and Ruth Terry, well known to me to be the President and Secretary respectively of SUNGATE VILLAS AT FOUNTAIN LAKES CONDOMINIUM ASSOCIATION, INC. and they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said association.

WITNESS my hand and official seal in the County and State last aforesaid this 31st day of December, A.D. 1996.

My Commission Expires:

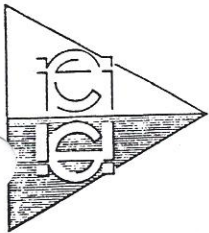


Claudia Kelly
NOTARY PUBLIC

Claudia Kelly

Prepared by:
John Wynn, President
c/o Benson's, Inc.
✓ 12650 Whitehall Drive
Fort Myers, FL 33907

OR2782 PG1850



INK ENGINEERING INC.

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6320 BEAU DRIVE
(813) 995-8500

NORTH FORT MYERS, FLORIDA 33903
FAX (813) 997-3407

JULY 16, 1990
JOB NUMBER 8476-R
PAGE 1 OF 2

FOR REFERENCE ONLY

EXHIBIT "E"
SUNGATE VILLAS AT FOUNTAIN LAKES,
A CONDOMINIUM, A PHASE CONDOMINIUM

PARENT TRACT

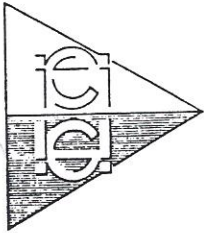
DESCRIPTION

TRACT OR PARCEL OF LAND IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE S.88°25'47"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 4 FOR 383.68 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 500.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WESTERLY RIGHT OF WAY LINE OF S.R. 45 (U.S. 41); THENCE S.06°41'21"E. FOR 765.46 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AS RECORDED IN OFFICIAL RECORD BOOK 1976, PAGES 175 THROUGH 191, LEE COUNTY, FLORIDA, AND THE POINT OF BEGINNING;

THENCE CONTINUE S.06°41'21"E. FOR 511.77 FEET; THENCE S.62°55'08"W. FOR 244.28 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTH; THENCE SOUTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 210.00 FEET AND A CENTRAL ANGLE 25°11'38" FOR 92.34 FEET TO THE POINT OF COMPOUND CURVATURE WITH A CIRCULAR CURVE CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1500.00 FEET AND A CENTRAL ANGLE OF 08°18'50" FOR 217.66 FEET TO THE POINT OF REVERSE CURVATURE WITH A CIRCULAR CURVE CONCAVE TO THE SOUTH; THENCE WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 135.00 FEET AND A CENTRAL ANGLE OF 40°38'12" FOR 95.75 FEET; THENCE N.03°10'11"W. FOR 140.29 FEET TO AN INTERSECTION WITH AFOREMENTIONED SOUTHERLY RIGHT OF WAY OF SAID 60 FOOT WIDE INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AND A RADIAL INTERSECTION WITH THE ARC OF CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE EASTERLY AND NORTHEASTERLY ALONG SAID SOUTHERLY LINE FOR THE FOLLOWING CALLS: THENCE EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 390.00 FEET, AND A CENTRAL ANGLE OF 70°30'57" FOR 479.99 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 370.00 FEET AND A CENTRAL ANGLE OF 50°34'50" FOR 326.63 FEET TO THE POINT OF BEGINNING.

061720



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JULY 16, 1990
JOB NUMBER 8476-R
PAGE 2 OF 2

PARENT TRACT

CONTAINING 4.45 ACRES MORE OR LESS.

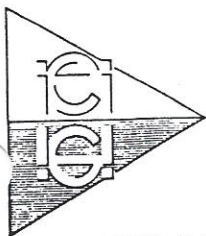
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF
WAY OF RECORD.

BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SOUTH-
WESTERLY QUARTER OF SAID SECTION 4 BEING S.88°25'47"W. AS
RECORDED IN SAID O.R. BOOK 1976, PAGE 175.

INK ENGINEERING, INC.

Nick Poulos 1/21/91
NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4568

UR 2198 P444UB



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JULY 16, 1990
JOB NUMBER 8476-R
PAGE 1 OF 2

COMMITTED TO CONDOMINIUM FORM OF
OWNERSHIP

EXHIBIT "E"
SUNGATE VILLAS AT FOUNTAIN LAKES,
A CONDOMINIUM, A PHASE CONDOMINIUM

PHASE 1

DESCRIPTION

TRACT, OR PARCEL OF LAND IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE S.88°25'47"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 4 FOR 383.68 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 500.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WESTERLY RIGHT OF WAY LINE OF S. R. 45 (U.S. 41); THENCE S.06°41'21"E. FOR 765.46 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AS RECORDED IN OFFICIAL RECORD BOOK 1976, PAGE 175, LEE COUNTY, FLORIDA; THENCE CONTINUE S.06°41'21"E. FOR 511.77 FEET; THENCE S.62°55'08"W. FOR 244.28 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, RADIUS 210.00 FEET CENTRAL ANGLE 25°11'38"; THENCE SOUTHWESTERLY FOR 92.34 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, RADIUS 1500.00 FEET, CENTRAL ANGLE 06°37'29", THENCE WESTERLY FOR 173.44 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF BEGINNING AND THE CONTINUATION OF SAID CURVE TO THE RIGHT, CENTRAL ANGLE 01°41'21"; THENCE WESTERLY FOR 44.23 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, RADIUS 135.0 FEET, CENTRAL ANGLE 40°38'12"; THENCE WESTERLY AND SOUTHWESTERLY FOR 95.75 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF TANGENCY; THENCE N.03°10'11"W., NON-RADIALLY FOR 140.29 FEET TO A RADIAL INTERSECTION WITH A CURVE TO THE LEFT, RADIUS 390.0 FEET, CONCAVE NORTHWESTERLY, CENTRAL ANGLE 19°00'27", CHORD 128.79 FEET, CHORD BEARING N.77°19'36"E.; THENCE NORTHEASTERLY FOR 129.38 FEET ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY LINE OF SAID INGRESS-EGRESS AND UTILITY EASEMENT TO A CURVE TO THE RIGHT, RADIUS 150.00 FEET, CONCAVE WESTERLY, CENTRAL ANGLE 15°24'42", CHORD 40.23 FEET, CHORD BEARING S.12°10'14"E.; THENCE SOUTHERLY FOR 40.35 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF TANGENCY; THENCE S.04°27'53"E. FOR 111.13 FEET TO THE POINT OF BEGINNING.

100-100-1700



6320 BEAU DRIVE
(813) 995-8500

NORTH FORT MYERS, FLORIDA 33903
FAX (813) 997-3407

JULY 16, 1990
JOB NUMBER 8476-R
PAGE 2 OF 2

PHASE 1

CONTAINING 0.410 ACRES MORE OR LESS.

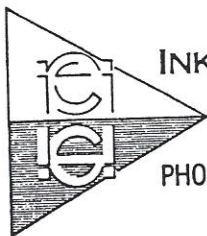
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SOUTHWESTERLY QUARTER OF SAID SECTION 4 BEING S.88°25'47"W. AS RECORDED IN SAID O.R. BOOK 1976, PAGE 175.

INK ENGINEERING, INC.

NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4568

[illegible]



INK ENGINEERING INC.

ENGINEERS

SURVEYORS

PLANNERS

PHONE (813) 995-8500

6320 BEAU DRIVE

NORTH FORT MYERS, FLORIDA 33903

NOT COMMITTED AT THIS TIME

JULY 16, 1990

JOB NUMBER 8476-R

PAGE 1 OF 2

EXHIBIT "E"

SUNGATE VILLAS AT FOUNTAIN LAKES,
A CONDOMINIUM, A PHASE CONDOMINIUM

PHASE 2

DESCRIPTION

TRACT OR PARCEL OF LAND IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE S.88°25'47"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 4 FOR 383.68 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 500.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WESTERLY RIGHT OF WAY LINE OF S.R. 45 (U.S. 41); THENCE S.06°41'21"E. FOR 765.46 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AS RECORDED IN OFFICIAL RECORD BOOK 1976, PAGE 175, LEE COUNTY, FLORIDA; THENCE CONTINUE S.06°41'21"E. FOR 511.77 FEET; THENCE S.62°55'08"W. FOR 244.28 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, RADIUS 210.00 FEET, CENTRAL ANGLE 25°11'38"; THENCE SOUTHWESTERLY FOR 92.34 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, RADIUS 1500.00 FEET, CENTRAL ANGLE 0°57'39", THENCE WESTERLY FOR 25.16 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF BEGINNING AND THE CONTINUATION OF SAID CURVE TO THE RIGHT, CENTRAL ANGLE 05°39'50"; THENCE WESTERLY FOR 148.28 FEET ALONG THE ARC OF SAID CURVE; THENCE N.04°27'53"W. NON-RADIALLY FOR 111.13 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, RADIUS 150.0 FEET, CENTRAL ANGLE 15°24'42"; THENCE NORTHWESTERLY FOR 40.35 FEET ALONG THE ARC OF SAID CURVE TO A CURVE TO THE LEFT, RADIUS 390.00 FEET, CONCAVE NORTHWESTERLY, CENTRAL ANGLE 14°14'13", CHORD 96.66 FEET, CHORD BEARING N.60°42'16"E.; THENCE NORTHEASTERLY FOR 96.91 FEET ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY LINE OF SAID INGRESS-EGRESS AND UTILITY EASEMENT; THENCE S.36°24'51"E., RADIALLY FOR 133.83 FEET; THENCE S.0°55'35"E., RADIALLY TO AFOREMENTIONED CURVE FOR 94.66 FEET TO THE POINT OF BEGINNING.

6044061740

JULY 16, 1990
JOB NUMBER 8476-R
PAGE 2 OF 2

PHASE 2

CONTAINING 0.570 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SOUTHWESTERLY QUARTER OF SAID SECTION 4 BEING S.88°25'47"W. AS RECORDED IN SAID O.R. BOOK 1976, PAGE 175.

INK ENGINEERING, INC.

Nick Poulos 7/26/90
NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4568

014421061730

JULY 16, 1990
JOB NUMBER 8476-R

NOT COMMITTED AT THIS TIME

EXHIBIT "E"
SUNGATE VILLAS AT FOUNTAIN LAKES,
A CONDOMINIUM, A PHASE CONDOMINIUM

PHASE 3

DESCRIPTION

TRACT OR PARCEL OF LAND IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE S.88°25'47"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 4 FOR 383.68 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 500.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WESTERLY RIGHT OF WAY LINE OF S.R. 45 (U.S. 41); THENCE S.06°41'21"E. FOR 765.46 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AS RECORDED IN OFFICIAL RECORD BOOK 1976, PAGE 175, LEE COUNTY, FLORIDA; THENCE CONTINUE S.06°41'21"E. FOR 511.77 FEET; THENCE S.62°55'08"W. FOR 167.47 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.62°55'08"W. FOR 76.81 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, RADIUS 210.00 FEET, CENTRAL ANGLE 25°11'38"; THENCE SOUTHWESTERLY FOR 92.34 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, RADIUS 1500.0 FEET, CENTRAL ANGLE 0°57'39"; THENCE WESTERLY FOR 25.16 FEET ALONG THE ARC OF SAID CURVE; THENCE N.0°55'35"W, RADially FOR 94.66 FEET; THENCE N.47°55'04"E. FOR 164.15 FEET; THENCE S.22°57'41"E. FOR 158.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.522 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY
OF RECORD.

BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF THE
SOUTHWESTERLY QUARTER OF SAID SECTION 4 BEING S.88°25'47"W. AS
RECORDED IN SAID O.R. BOOK 1976, PAGE 175.

INK ENGINEERING, INC.

NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4568

11 July 1951

AMENDMENT TO DECLARATION OF CONDOMINIUM

OF

SUNGATE VILLAS AT FOUNTAIN LAKES, A CONDOMINIUM

NOTE: WORDS HIGHLIGHTED ARE ADDITIONS AND WORDS
STRICKEN THROUGH ARE DELETIONS

The Declaration of Condominium of SUNGATE VILLAS AT FOUNTAIN LAKES, A CONDOMINIUM, per Declaration recorded in O. R. Book 2198 at Page 4337, Public Records of Lee County, Florida, is hereby amended in the following respect:

Paragraph 24 is amended to read as follows:

24. DEVELOPER AMENDMENTS - Until relinquishment of Developer control of the Association (Turnover) and except as otherwise provided by law in F.S. 718.110(2), (4) and (8) the Developer specifically reserves the right, without the joinder of any person, to make such amendments to the Declaration and its exhibits or to the plan of development, as may be deemed desirable by the Developer in order to accommodate unit owners or contract purchasers who wish their units and lands to be suited to their requirements, or as may be required by any lender or governmental authority. This paragraph shall take precedence over any other provision of the Declaration or its exhibits.

END OF AMENDMENTS.

OR2322 PG3548

CHARLIE GREEN LEE CITY FL
92 AUG 26 PM 4:50

2993807

AMENDMENT TO DECLARATION OF CONDOMINIUM

OF

SUNGATE VILLAS AT FOUNTAIN LAKES, A CONDOMINIUM

NOTE: WORDS HIGHLIGHTED ARE ADDITIONS AND WORDS
STRICKEN THROUGH ARE DELETIONS

Pursuant to the authority reserved by the Developer contained in Paragraph 24, the Declaration of Sungate Villas At Fountain Lakes, A Condominium, as recorded in Official Record Book 2198, Page 4337, Public Records of Lee County, Florida, is hereby amended as follows:

By-Law 7.4. is amended to read as follows:

7.4. SPECIAL ASSESSMENTS AND CHARGES - Assessments and charges for expenses which are not provided for and or funded in the Budget shall also be made by the Board of Directors, and the time of payment shall likewise be determined by them.

END OF AMENDMENT.

THIS AMENDMENT made and entered this 11 day of March, 1991.

WITNESSES:

Susan Garbina
Susan Garbina

Barbara Harris
Barbara Harris

KRAUS-ANDERSON DEVELOPMENT
AND FINANCE COMPANY, a Minnesota
Corporation

By Tore Wistrom
Vice President
Tore Wistrom

RECORDER'S MEMO
Legibility of Writing, Typing or Printing Unsatisfactory in This Document When Received.

VERIFIED - CHARLIE GREEN, CLERK
BY: SUSAN THOMPSON

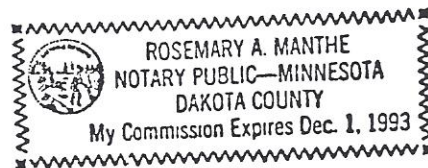
STATE OF MINNESOTA

COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this 11 day of March, 1991, by TORE WISTROM, as Vice President of KRAUS-ANDERSON DEVELOPMENT AND FINANCE COMPANY, a Minnesota corporation, on behalf of said corporation.

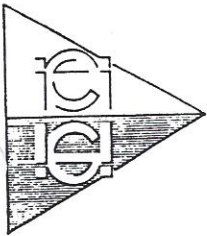
Rosemary A. Manthe
NOTARY PUBLIC

MY COMMISSION EXPIRES: 12-1-93



OR2209 Pg1397

RECORDED & VERIFIED
Chadwick
CLERK OF DISTRICT COURT
LEE COUNTY, FLA.
MAR 19 4 10 PM '91



INK ENGINEERING INC.

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6320 BEAU DRIVE
(813) 995-8500

NORTH FORT MYERS, FLORIDA 33903
FAX (813) 997-3407

SURVEYOR'S CERTIFICATE

SUNGATE VILLAS AT FOUNTAIN LAKES, A CONDOMINIUM
PHASE 1, A PHASE CONDOMINIUM

WE HEREBY CERTIFY: THAT THE BOUNDARIES OF THE REAL PROPERTY OF SUNGATE VILLAS AT FOUNTAIN LAKES, A CONDOMINIUM, A PHASE CONDOMINIUM AS SHOWN AND DESCRIBED HEREON THIS EXHIBIT "B" ON SHEETS 1 THROUGH 5, DATED JULY 16, 1990 ARE TRUE AND CORRECT TO THE BEST OF OUR INFORMATION, KNOWLEDGE AND BELIEF; THE SAME BEING BASED ON A BOUNDARY SURVEY OF THE LANDS OF THE SUNGATE VILLAS AT FOUNTAIN LAKES CONDOMINIUM ASSOCIATION BY INK ENGINEERING, INC. ON OCTOBER 28, 1989, PERFORMED UNDER THE PERSONAL DIRECTION AND CONTROL OF THE FLORIDA PROFESSIONAL LAND SURVEYOR NAMED BELOW, AND FURTHER; THAT THE CONSTRUCTION OF THE IMPROVEMENTS INDICATED ON THIS EXHIBIT "B", SHEETS 1 THROUGH 5 AND AS DESCRIBED IN THE DECLARATION OF CONDOMINIUM IS SUBSTANTIALLY COMPLETE AS INDICATED HEREON, SO THAT THIS EXHIBIT, TOGETHER WITH THE PROVISIONS OF THE DECLARATION DESCRIBING THE CONDOMINIUM AND SPECIFICALLY RELATING TO MATTERS OF SURVEY IS AN ACCURATE REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS, AND OF EACH UNIT, AND WHERE APPLICABLE, THE IDENTIFICATION, LOCATION AND DIMENSIONS OF THE LIMITED COMMON ELEMENTS AND THE COMMON ELEMENTS CAN BE DETERMINED FROM THESE MATERIALS, AND FURTHER; THAT ALL PLANNED IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, UTILITY SERVICES AND ACCESS TO THE UNIT, AND COMMON ELEMENT FACILITIES SERVING THE BUILDING HERETO CERTIFIED IN WHICH THE UNITS TO BE CONVEYED ARE LOCATED HAVE BEEN SUBSTANTIALLY COMPLETED. ALL AS PRESCRIBED BY 718.104(4)(e). FLORIDA STATUTES.

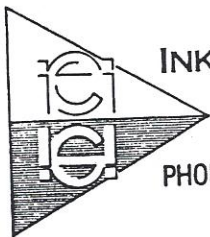
AS TO PHASE 1
CERTIFIED TO:
SUNGATE VILLAS AT
FOUNTAIN LAKES CONDOMINIUM
ASSOCIATION, INC.

INK ENGINEERING, INC.
FOR THE FIRM

BY: Nick Poulos 1/14/91
NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NO. 4568
JOB NUMBER 8476-R
JANUARY 14, 1991

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PHONE (813) 995-8500

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NORTH FORT MYERS, FLORIDA 33903

NOT COMMITTED AT THIS TIME

JULY 16, 1990
JOB NUMBER 8476-R

EXHIBIT "E"
SUNGATE VILLAS AT FOUNTAIN LAKES,
A CONDOMINIUM, A PHASE CONDOMINIUM

PHASE 4

DESCRIPTION

TRACT OR PARCEL OF LAND IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE S.88°25'47"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 4 FOR 383.68 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 500.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WESTERLY RIGHT OF WAY LINE OF S.R. 45 (U.S. 41); THENCE S.06°41'21"E. FOR 765.46 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AS RECORDED IN OFFICIAL RECORD BOOK 1976, PAGE 175, LEE COUNTY, FLORIDA; THENCE CONTINUE S.06°41'21"E. FOR 345.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.06°41'21"E. FOR 166.76 FEET; THENCE S.62°55'08"W. FOR 167.47 FEET; THENCE N.22°57'41"W. FOR 158.74 FEET; THENCE N.47°55'04"E. FOR 22.38 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, RADIUS 100.0 FEET, CENTRAL ANGLE 31°18'30"; THENCE NORTHEASTERLY FOR 54.64 FEET ALONG THE ARC OF SAID CURVE; THENCE N.76°30'42"E. FOR 150.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.767 ACRES MORE OR LESS.

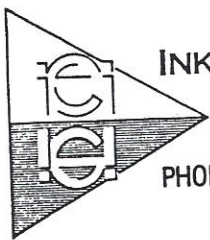
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SOUTHWESTERLY QUARTER OF SAID SECTION 4 BEING S.88°25'47"W. AS RECORDED IN SAID O.R. BOOK 1976, PAGE 175.

INK ENGINEERING, INC.

Nick Poulos 7/26/90
NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4568

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JULY 16, 1990
JOB NUMBER 8476-R

EXHIBIT "E"
SUNGATE VILLAS AT FOUNTAIN LAKES,
A CONDOMINIUM, A PHASE CONDOMINIUM

PHASE 5

DESCRIPTION

TRACT OR PARCEL OF LAND IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE S.88°25'47"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 4 FOR 383.68 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 500.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WESTERLY RIGHT OF WAY LINE OF S.R. 45 (U.S. 41); THENCE S.06°41'21"E. FOR 765.46 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AS RECORDED IN OFFICIAL RECORD BOOK 1976, PAGE 175, LEE COUNTY, FLORIDA; THENCE CONTINUE S.06°41'21"E. FOR 206.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.06°41'21"E. FOR 138.22 FEET; THENCE S.76°30'42"W. FOR 150.33 FEET TO A CURVE TO THE LEFT, CONCAVE NORTHWESTERLY, RADIUS 100.0 FEET, CENTRAL ANGLE 27°03'09", CHORD 46.78 FEET, CHORD BEARING N.03°04'59"E; THENCE NORTHEASTELY AND NORTHWESTERLY FOR 47.22 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF TANGENCY; THENCE N.10°26'36"W. FOR 70.54 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, RADIUS 150.00 FEET, CENTRAL ANGLE 11°23'15"; THENCE NORTHWESTERLY FOR 29.81 FEET ALONG THE ARC OF SAID CURVE; THENCE N.79°27'18"E. NON-RADIALLY FOR 151.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.471 ACRES MORE OR LESS.

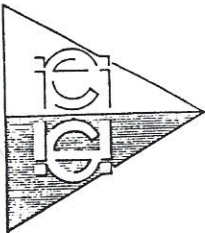
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SOUTHWESTERLY QUARTER OF SAID SECTION 4 BEING S.88°25'47"W. AS RECORDED IN SAID O.R. BOOK 1976, PAGE 175.

INK ENGINEERING, INC.

Nick Poulos 7/26/90
NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4568

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JULY 16, 1990
JOB NUMBER 8476-R

NOT COMMITTED AT THIS TIME

EXHIBIT "E"
SUNGATE VILLAS AT FOUNTAIN LAKES,
A CONDOMINIUM, A PHASE CONDOMINIUM

PHASE 6

DESCRIPTION

TRACT OR PARCEL OF LAND IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE S.88°25'47"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 4 FOR 383.68 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 500.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WESTERLY RIGHT OF WAY LINE OF S.R. 45 (U.S. 41); THENCE S.06°41'21"E. FOR 765.46 FEET ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING AND INTERSECTION WITH THE SOUTHERLY LINE OF AN INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AS RECORDED IN OFFICIAL RECORD BOOK 1976, PAGE 175, LEE COUNTY, FLORIDA; THENCE CONTINUE S.06°41'21"E. FOR 206.79 FEET; THENCE S.79°27'18"W. FOR 151.18 FEET TO A CURVE TO THE LEFT, CONCAVE SOUTHWESTERLY, RADIUS 150.0 FEET, CENTRAL ANGLE 34°19'11", CHORD 88.51 FEET, CHORD BEARING N.38°59'26"W.; THENCE NORTHWESTELY FOR 89.85 FEET ALONG THE ARC OF SAID CURVE TO A CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY, RADIUS 370.0 FEET, CENTRAL ANGLE 38°28'51", CHORD 243.85 FEET, CHORD BEARING N.47°39'17"E.; THENCE NORTHEASTERLY FOR 248.50 FEET ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY LINE OF SAID INGRESS-EGRESS AND UTILITY EASEMENT TO THE POINT OF BEGINNING.

CONTAINING 0.674 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

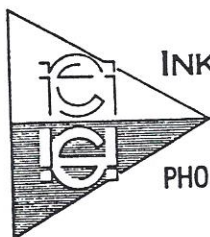
BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SOUTHWESTERLY QUARTER OF SAID SECTION 4 BEING S.88°25'47"W. AS RECORDED IN SAID O.R. BOOK 1976, PAGE 175.

INK ENGINEERING, INC.

Nick Poulos 1/21/91
NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4568

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PHONE (813) 995-8500

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NORTH FORT MYERS, FLORIDA 33903

NOT COMMITTED AT THIS TIME

JULY 16, 1970
JOB NUMBER 8476-R
PAGE 1 OF 2

EXHIBIT "E"
SUNGATE VILLAS AT FOUNTAIN LAKES,
A CONDOMINIUM, A PHASE CONDOMINIUM

PHASE 7

DESCRIPTION

TRACT OR PARCEL OF LAND IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE S.88°25'47"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 4 FOR 383.68 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 500.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WESTERLY RIGHT OF WAY LINE OF S.R. 45 (U.S. 41); THENCE S.06°41'21"E. FOR 765.46 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AS RECORDED IN OFFICIAL RECORD BOOK 1976, PAGE 175, LEE COUNTY, FLORIDA; AND A CURVE TO THE LEFT, RADIUS 370.0 FEET, CONCAVE SOUTHEASTERLY, CENTRAL ANGLE 38°28'51", CHORD 243.85 FEET, CHORD BEARING S.47°39'17"W.; THENCE SOUTHWESTERLY FOR 248.50 FEET ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY LINE OF SAID INGRESS-EGRESS AND UTILITY EASEMENT TO THE POINT OF BEGINNING AND THE CONTINUATION OF SAID CURVE TO THE LEFT, CENTRAL ANGLE 12°05'59"; THENCE SOUTHWESTERLY FOR 78.14 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, RADIUS 390.0 FEET, CENTRAL ANGLE 19°26'00"; THENCE SOUTHWESTERLY FOR 132.28 FEET ALONG THE ARC OF SAID CURVE; THENCE S.54°15'07"E., RADIALLY FOR 143.25 FEET; THENCE N.47°55'04"E. FOR 22.38 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, RADIUS 100.0 FEET, CENTRAL ANGLE 58°21'39"; THENCE NORTHEASTERLY AND NORTHWESTERLY FOR 101.86 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF TANGENCY; THENCE N.10°26'36"W. FOR 70.54 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, RADIUS 150.0 FEET; CENTRAL ANGLE 45°42'25"; THENCE NORTHWESTERLY FOR 119.66 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF BEGINNING.

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JULY 16, 1990
JOB NUMBER 8476-R
PAGE 2 OF 2

PHASE 7

CONTAINING 0.597 ACRES MORE OR LESS.

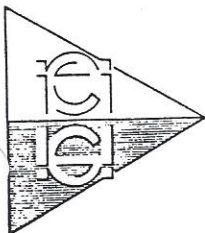
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SOUTHWESTERLY QUARTER OF SAID SECTION 4 BEING S.88°25'47"W. AS RECORDED IN SAID O.R. BOOK 1976, PAGE 175.

INK ENGINEERING, INC.

Nick Poulos 7/26/90
NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4568

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JULY 16, 1990
JOB NUMBER 8476-R

NOT COMMITTED AT THIS TIME

EXHIBIT "E"
SUNGATE VILLAS AT FOUNTAIN LAKES,
A CONDOMINIUM, A PHASE CONDOMINIUM

PHASE 8

DESCRIPTION

TRACT OR PARCEL OF LAND IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE S.88°25'47"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 4 FOR 383.68 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 500.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WESTERLY RIGHT OF WAY LINE OF S.R. 45 (U.S. 41); THENCE S.06°41'21"E. FOR 765.46 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN INGRESS-EGRESS AND UTILITY EASEMENT (A.K.A. FOUNTAIN LAKES BOULEVARD) AS RECORDED IN OFFICIAL RECORD BOOK 1976, PAGE 175, LEE COUNTY, FLORIDA; AND A CURVE TO THE LEFT, RADIUS 370.0 FEET, CONCAVE SOUTHEASTERLY, CENTRAL ANGLE 50°34'50", CHORD 316.13 FEET, CHORD BEARING S.41°36'17"W.; THENCE SOUTHWESTERLY FOR 326.63 FEET ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY LINE OF SAID INGRESS-EGRESS AND UTILITY EASEMENT TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, RADIUS 390.0 FEET, CENTRAL ANGLE 19°26'00"; THENCE SOUTHWESTERLY FOR 132.28 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF BEGINNING AND THE CONTINUATION OF SAID CURVE TO THE RIGHT, CENTRAL ANGLE 17°50'17"; THENCE SOUTHWESTERLY FOR 121.42 FEET ALONG THE ARC OF SAID CURVE; THENCE S.36°24'51"E., RADIALLY FOR 133.83 FEET; THENCE N.47°55'04"E. FOR 164.15 FEET; THENCE N.54°15'07"W. RADIALLY TO AFOREMENTIONED CURVE FOR 143.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.439 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SOUTHWESTERLY QUARTER OF SAID SECTION 4 BEING S.88°25'47"W. AS RECORDED IN SAID O.R. BOOK 1976, PAGE 175.

INK ENGINEERING, INC.

Nick Poulos 1/21/91
NICK POULOS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4568

EXHIBIT "F"

SUNGATE VILLAS AT FOUNTAIN LAKES

PERCENTAGES OF OWNERSHIP OF THE COMMON ELEMENTS

Each unit in the Condominium will be apportioned an equal share in the common expenses and ownership of the common elements as follows:

That fraction the numerator of which is 1 and the denominator of which is the total number of units which have been submitted to the condominium form of ownership from time to time by the Declaration and Amendments thereto, which total shall not exceed 23.

01/10/1991 05:17:00