

AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM
OF
NANCY LANE, A CONDOMINIUM

**SUBSTANTIAL REWORDING OF DECLARATION OF CONDOMINIUM-
 SEE CURRENT DECLARATION OF CONDOMINIUM FOR CURRENT TEXT**

RECITALS:

In a Declaration of Condominium recorded at O.R. Book 1700, Pages 4622 et seq. of the Lee County Public Records on December 5, 1983. The Condominium Developer did submit to condominium ownership pursuant to Chapter 718, Florida Statutes, known as the Condominium Act, that property situated in Lee County, Florida, more particularly described as follows:

A TRACT OF LAND LYING IN GOVERNMENT LOT 4, SECTION 19, TOWNSHIP 46 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, WHICH TRACT IS DESCRIBED AS FOLLOWS: FROM THE INTERSECTION OF THE EAST LINE OF SAID GOVERNMENT LOT 4 AND THE NORTHEASTERLY LINE OF MAIN STREET AS DESCRIBED IN DEED BOOK 137 AT PAGE 117 OF THE PUBLIC RECORDS OF LEE COUNTY, RUN N 55°19'00"W ALONG SAID NORTHERLY LINE OF MAIN STREET FOR 351.96 FEET; THENCE RUN N 37°41'18"E FOR 183.33 FEET TO THE APPROXIMATE CENTERLINE OF AN EXISTING WATERWAY TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT. FROM SAID POINT OF BEGINNING RUN S 37°41'18" W FOR 183.33 FEET TO SAID NORTHEASTERLY LINE OF MAIN STREET; THENCE RUN N 55°19'00"W ALONG SAID NORTHEASTERLY LIEN OF MAIN STREET FOR 244.30 FEET; THENCE RUN N 76°35'00" W ALONG SAID NORTHEASTERLY LINE OF MAIN STREET FOR 33.27 FEET; THENCE RUN N 1°19'37" W FOR 125.00 FEET; THENCE RUN S 76°35'00" E FOR 38.78 FEET TO THE APPROXIMATE CENTERLINE OF AN EXISTING WATERWAY; THENCE RUN N 0°07'24" W ALONG SAID APPROXIMATE CENTERLINE OF SAID WATERWAY FOR 1250 FEET MORE OR LESS TO A WESTERLY PROLONGATION OF THE WATERS OF HURRICANE BAY; THENCE RUN NORTHEASTERLY AND EASTERLY ALONG SAID PROLONGATION ALONG SAID WATERS AND ALONG A SOUTHEASTERLY PROLONGATION TO AN INTERSECTION WITH A LINE BEARING N 0°08'17" W PASSING THROUGH THE POINT OF BEGINNING; THENCE RUN S 0°08'17" E ALONG SAID LINE ALONG THE APPROXIMATE CENTERLINE OF AN EXISTING WATERWAY FOR 1370 FEET MORE OR LESS TO THE POINT OF BEGINNING. BEARING HEREINABOVE MENTIONED ARE FROM CONSIDERING THE LINE COMMON TO GOVERNMENT LOTS 3 AND 4 AS BEING NORTH-SOUTH.

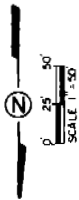
The Condominium Property is further described at Condominium Plat Book 8, Pages 216 et seq., Lee County Public Records.

Amended and Restated Declaration of Condominium
 (Page 1 of 34)

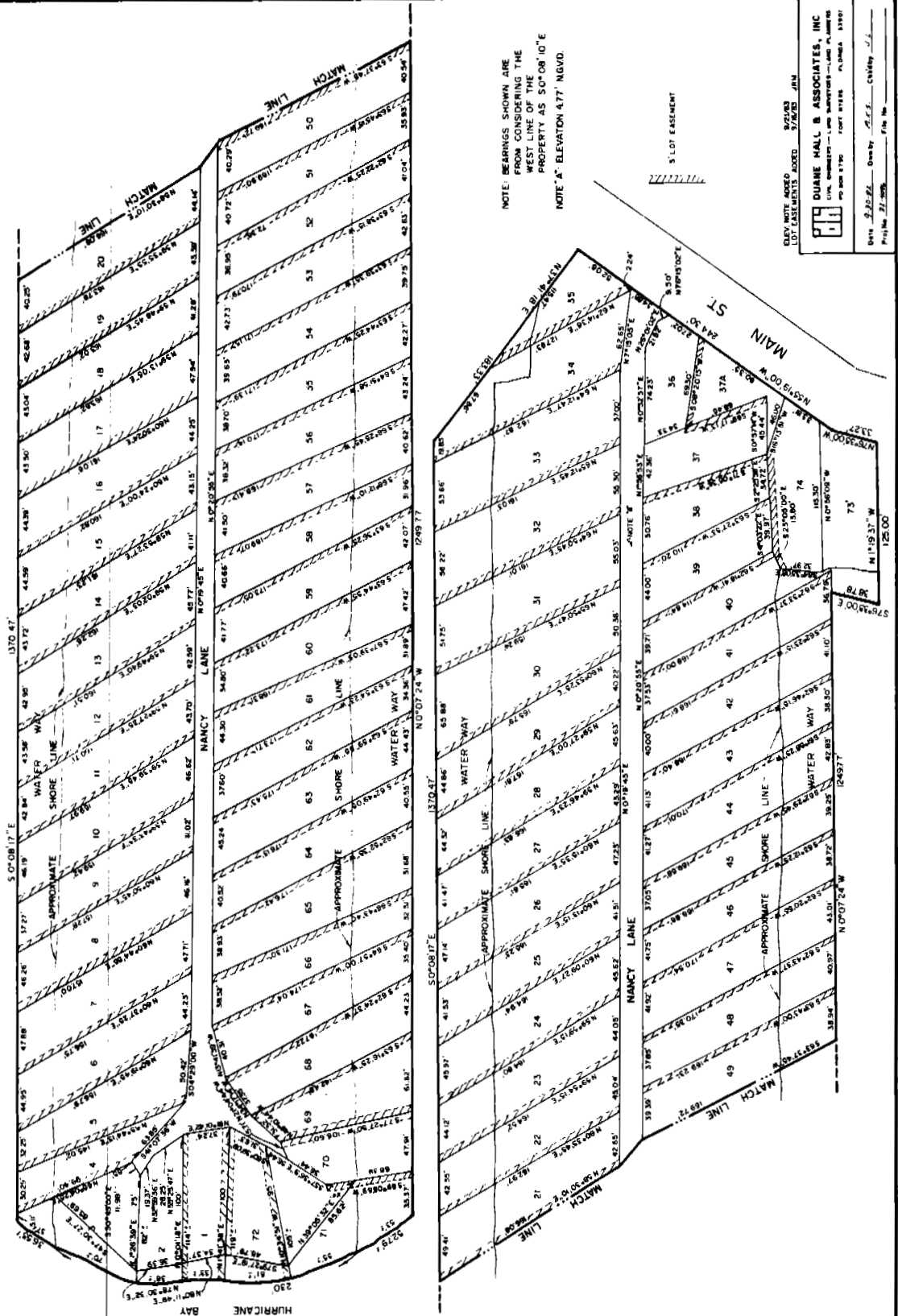
LAW OFFICES
 BECKER & POLIAKOFF, P.A. • 14241 METROPOLIS AVENUE, SUITE 100 • FT. MYERS, FLORIDA 33912
 TELEPHONE (239) 433-7707
 WWW.BECKER-POLIAKOFF.COM

NANCY LANE

*A CONDOMINIUM
LYING IN PART OF GOV'T LOT 4 SECTION 19, T46S, R24E
FORT MYERS BEACH LEE COUNTY, FLORIDA
OCTOBER 1982
EXHIBIT "B"*

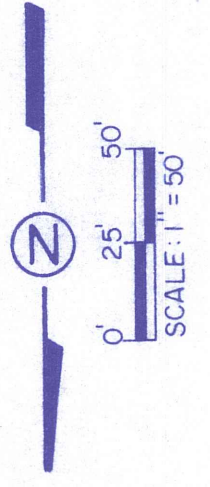


CONDOMINIUM
PLAT BOOK 8 PAGE 262
SHEET 2 OF 2

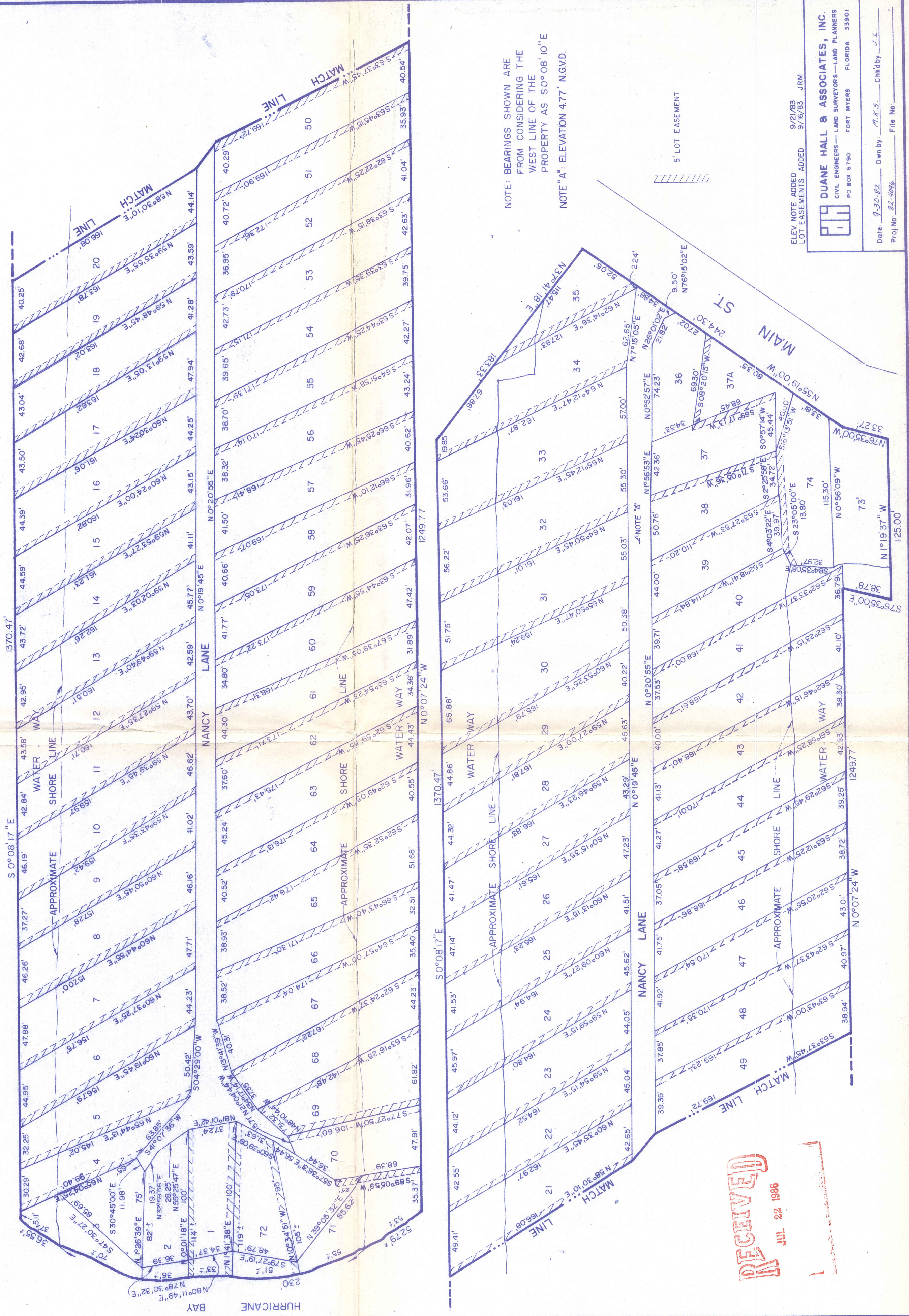


NANCY LANE

A CONDOMINIUM
LYING IN PART OF GOV'T LOT 4 SECTION 19, T46S, R24E
FORT MYERS BEACH
LEE COUNTY, FLORIDA
OCTOBER 1982
EXHIBIT "B"



APPROVED
Master Concept Plan
Site Plan 86-218 Page 3 of 248
Subject to conditions in Resolution 2-86-218
Zoning Ord. 86-12-15 Dec 1



NOTE: BEARINGS SHOWN ARE
FROM CONSIDERING THE
WEST LINE OF THE
PROPERTY AS S 0° 08' 10" E
NOTE "A": ELEVATION 4.77' NGVD.

RECEIVED
JUL 22 1986

ELEV NOTE ADDED LOT EASEMENTS ADDED	9/2/83 9/16/83	JRM
DUANE HALL & ASSOCIATES, INC. CIVIL ENGINEERS—LAND SURVEYORS—LAND PLANNERS FORT MYERS FLORIDA 33901 PO BOX 6790		
Date 9-30-82	Drawn by M.K.S.	CHK'd by J.L.
Proj No. 82-4086	File No.	

CANAL PT TRAIL PARK

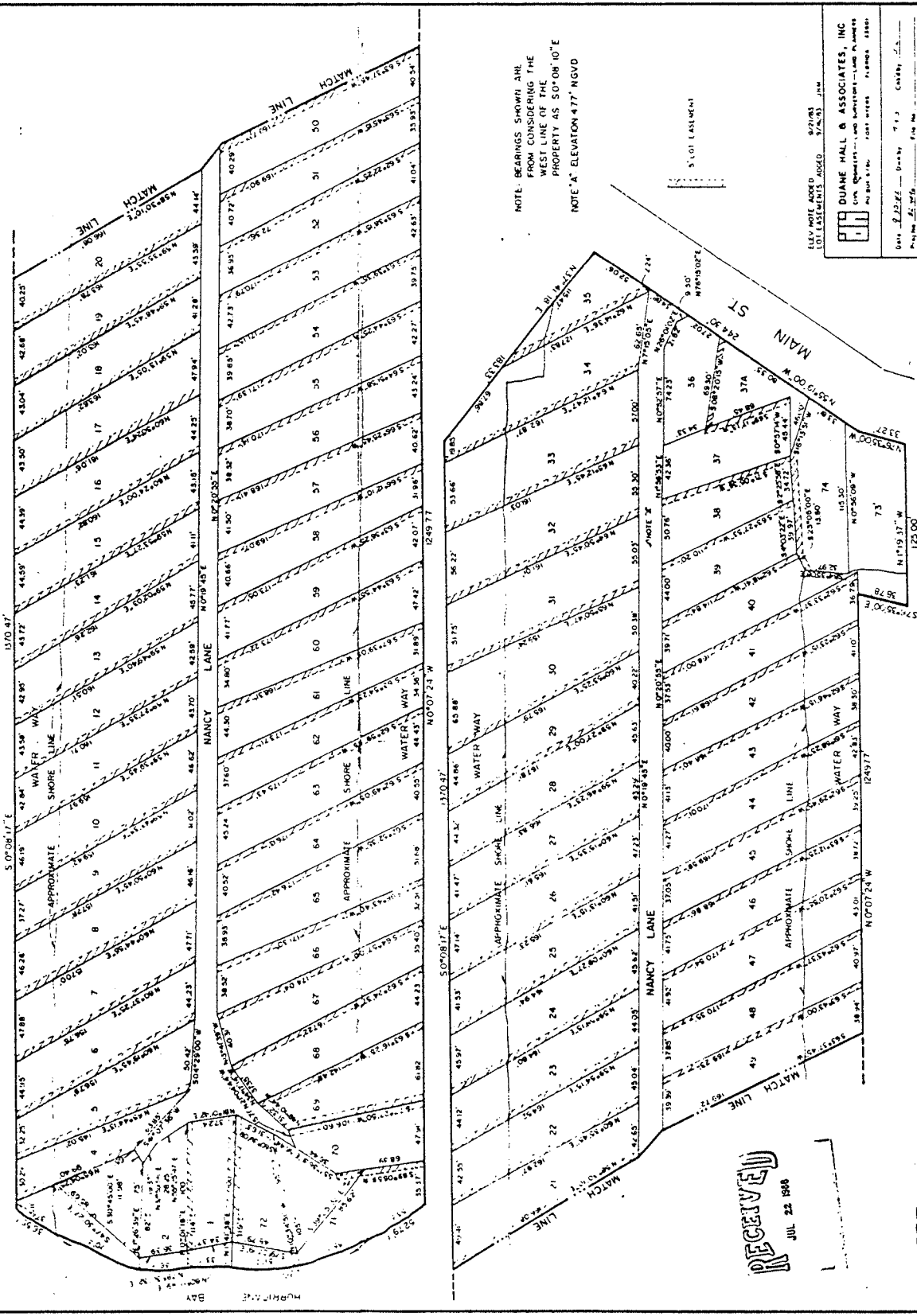
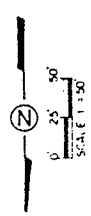
RECORDED AND RECORD VERIFIED
CLEAN CIRCUIT COURT
LEE COUNTY FLA
APR 16 9 02 AM '87

CONDOMINIUM
PLAT BOOK PAGE
SHEET 2 OF 2

NANCY LANE

A CONDOMINIUM
LYING IN PART OF GOV'T LOT 4 SECTION 19, T46S, R24E
FORT MYERS BEACH LEE COUNTY, FLORIDA
OCTOBER 1982
EXHIBIT "B"

APPROVED
Master Concept Plan
Site Plan No. 211 Page 2 of 2
Subject to conditions in Resolution 2-11-216
Zoning Ordinance 24-12-15 De X



NOTE: BEARINGS SHOWN ARE FROM CONSIDERING THE WEST LINE OF THE PROPERTY AS S 0° 04' 10" E
NOTE "A" ELEVATION 477' NGVD

DUANE HALL & ASSOCIATES, INC.
Civil Engineers - Land Surveyors - Land Planners
101 EAST WHEELER STREET
FORT MYERS, FLORIDA 33901
Phone 461-2221
Fax 461-2222

Box 178
Hough St.15.00
BILLED

2587059

COVENANT OF UNIFIED CONTROL

I DO HEREBY swear and affirm that I,
RAYMOND C. HEINOLD, am authorized to speak
 (name)

on behalf of the owner of the property, and that I am fully
 capable of legally binding the owner of the property.

That The Nancy Lane Association, Inc. does hereby swear and
 (name of property owner)

affirm that I/we am/are the Condominium Governing Body
 (fee simple, life estate)

title holder and the owner of record of the property known
 as Nancy Lane, Ft Myers Beach, FL A Condominium
 (common address)

and described more particularly as follows:

Legal Description:

NANCY LANE, A CONDOMINIUM, according to the Declaration thereof recorded in
 OR Book 1700, Page 4622 and PB 8, Page 261, all of the Public Records of Lee
 County, Florida.

That the property in question is subject to an application
 for RPD/ IPD/ CPD MHPD zoning.
 (circle correct category)

That I (as owner or agent) do hereby swear and affirm:

1. That I, Raymond C. Heinold as the owner, or
 (name of owner)

agent of the owner, am and shall remain fully responsible for
 compliance with all conditions placed on the property described
 herein by the County during the planned development process.

OR2044

PG2103

RECORD VERIFIED - CHARLIE GREEN, CLERK
 BY: H. FERNSTRÖM, P.C.

Covenant of Unified Control
Page 2 of 3.

2. That the property described herein shall be developed and used in conformity and compliance with the approved Master Concept Plan, with the conditions placed on the planned development, and with all commitments agreed to by the applicant for the planned development.

3. That I recognize that I, or the corporation, partnership or legal entity that I represent, shall remain wholly responsible for compliance with all terms, conditions, safeguards and stipulations made at the time of approval of the Master Concept Plan, even if the property is sold in whole or in part, unless and until a new or amended Covenant of Unified Control is submitted by the subsequent owner, and received and recorded by the County.

4. That I, or the corporation, partnership or legal entity I represent, do hereby recognize that a departure from the provisions of the approved plans, and/or a failure to comply with any and all requirements, conditions or safeguards provided for in the planned development process shall constitute a violation of the zoning regulations, and that I or the entity I represent wholly accepts responsibility for such a violation of the zoning regulations.

5. That I, or the corporation, partnership or legal entity I represent, agree and do hereby accept responsibility for the inclusion and imposition through covenants and restrictions of all terms, conditions and safeguards of the planned development on any subsequent owner of all or any part of the subject property, including lots, development parcels and outparcels.

6. That The Nancy Lane Association, Inc. does hereby recognize
(name of owner)

and accepts total responsibility for the obligation to enforce the terms, conditions and safeguards of the planned development until such time as all of the subject property is developed and certified for use or occupancy or until a subsequent owner takes up that obligation for all or part of the subject property.

OR2044

PG2104

Covenant of Unified Control
Page 3 of 3.

RECORDED & RECORD VERIFIED

CLERK CIRCUIT COURT
LEE COUNTY, FLA.

JAN 24 10 40 AM '89

7. That The Nancy Lane Association, Inc. does hereby recognize
(name of owner)

and acknowledge that the completion and conveyance, or vacation of a phase of the development parcel or outparcel, shall relieve me of any liability and responsibility for compliance with all of the terms, conditions and safeguards of the planned development only insofar as that phase, development, parcel or outparcel is concerned, and then only when the notice provided for in Section 626.C.3.c, Lee County Zoning Regulations, is properly filed and recorded.

8. That The Nancy Lane Association, Inc. does hereby acknowledge
(name of owner)

and accept the fact that at any time while this Covenant of Unified Control is of force and effect that Lee County can, upon discovery of non-compliance with the terms, safeguards and conditions of the planned development, seek equitable relief as necessary to compel compliance. It is further recognized that no permit, certificate or license to occupy or use any part of the planned development shall be issued and ongoing construction shall be stopped until the project is brought into compliance with the terms, conditions and safeguards of the planned development.

THE NANCY LANE ASSOCIATION, Inc.

Raymond C. Heinold

BY: RAYMOND C. HEINOLD, President

Agent/Owner Signature

If Corporation,
Seal of the Corporation:

SWORN TO and subscribed before me this 12th day
of July, 1986.

Catherine J. Haas
Notary Public

My Commission Expires:

My Commission Expires
October 6, 1989

(0550L)
(1/86)

86-12 15 DCI

OR2044

PG2105