

Prepared By and Return To:
Edward Vogler II, Esquire
Vogler Ashton, PLLC
2411-A Manatee Avenue West
Bradenton, Florida 34205
(941) 388-9400

**FIRST AMENDMENT TO DECLARATION OF
CONDOMINIUM OF AVALON OF NAPLES II, A CONDOMINIUM**

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OF AVALON OF NAPLES II, A CONDOMINIUM ("First Amendment") is made as of the 4 day of June, 2018, by Neal Communities on the Braden River, LLC, a Florida limited liability company, whose address is 5800 Lakewood Ranch Blvd., Sarasota, FL 34240, for itself, its successors, grantees, and assigns ("NCBR").

WHEREAS, NCBR is the Developer ("Developer") described in that certain Declaration of Condominium for Avalon of Naples II, a Condominium, recorded in Official Records Book 5517, Page 2347, of the Public Records of Collier County, Florida (the "Declaration"), and;

WHEREAS, Developer was the owner and holder of all of the Condominium Property delineated on and submitted to the condominium form of ownership pursuant to Section 1.2 of said Declaration on the date of the execution and recording of the Declaration, and is the present owner and holder of the Condominium Property described in this Fourth Amendment, and;

WHEREAS, Developer desires to amend the Declaration as provided herein pursuant to authority retained by the Developer in the Declaration and as authorized by the Condominium Act,

NOW THEREFORE, in consideration of the foregoing, Developer makes the following amendment to the Declaration:

1. **Recitals.** The above recitals are true and correct and are hereby incorporated herein.
2. **Amendment.**

a. Developer does hereby declare and submit the lands and all improvements erected or to be erected thereon, all rights and appurtenants belonging thereto, and all other property, real, personal or mixed, now or hereafter situated on or within the said lands it owns as identified and described in the legal description, survey, plot plan, and graphic descriptions for Phase II of the Condominium, as more fully set forth and described in Exhibit "B-II" attached hereto, which lands and improvements comprise Phase II of the Condominium, to condominium ownership pursuant to the provisions of Chapter 718, Florida Statute, and to the terms and conditions of the Declaration.

b. The unit numbers and the Percentage Ownership Schedule of Common Elements, Common Surplus, and Obligations for Common Expenses, attributable to each Unit is set forth on Exhibit C to this First Amendment.

3. **Capitalized Terms.** All capitalized terms shall have the same meanings as defined in the Declaration, unless previously amended or as otherwise defined herein.

4. **No Further Amendment.** Except as specifically provided herein the Declaration remains unchanged and in full force and effect.

IN WITNESS WHEREOF, Neal Communities on the Braden River, LLC, a Florida limited liability company, as Developer, has caused this First Amendment to be executed in its name as of the day and year first written above.

WITNESSES:

Neal Communities on the Braden River, LLC,
a Florida limited liability company

By: NCDG Management, LLC, a Florida
limited liability company, Its Manager

By:

James R. Schier
Its: Manager

Cheryl Picerno

Signature

Cheryl Picerno

Print Name

Signature

Michelle Nagy

Print Name

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgements, personally appeared James R. Schier, as Manager of NCDG Management, LLC, a Florida limited liability company, as Manager of Neal Communities on the Braden River, LLC, a Florida limited liability company, on behalf of the Companies, personally known to me () or who produced _____ as identification, and he acknowledged the execution thereof to be his free act and deed, on behalf of the company and for the uses and purposes therein mentioned.

WITNESS my hand and official seal in the county and state last aforesaid, this 4 day of JUNE, 2018.

Cheryl Picerno

NOTARY PUBLIC, State of Florida

My Commission Expires:

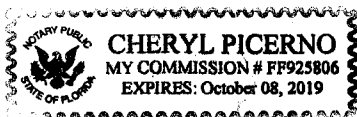
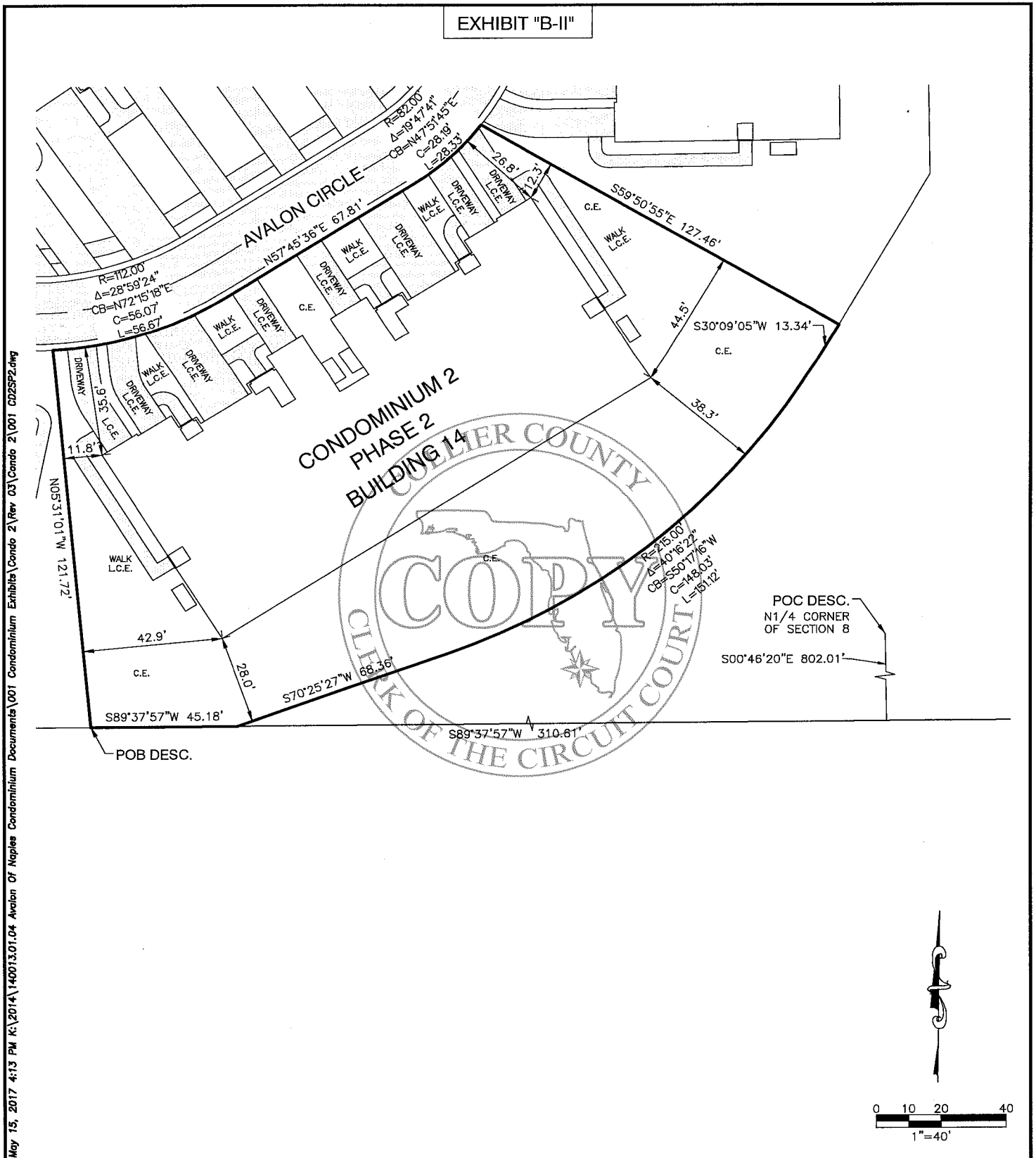


EXHIBIT B-II

[Legal description, survey, plot plan, and graphic descriptions for Phase II]



EXHIBIT "B-II"



DATE: 05/15/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD2SP2
 SHEET NUMBER: 1 OF 9
 DRAWN: TJD
 CHECKED: MAW

SEC: 8 TWP: 50 RGE: 26 SCALE: 1" = 40'

PROJECT: AVALON OF NAPLES 2, A CONDOMINIUM
 TITLE: PHASE 2 SITE PLAN - BUILDING 14
 CLIENT: AVALON OF NAPLES, LLC

RWA
ENGINEERING
 6610 Willow Park Drive, Suite 200
 Naples, Florida 34109
 Phone: (239) 597-0575
 FAX: (239) 597-0578
 LB No.: 6952

EXHIBIT "B-II"

PHASE 2 - BUILDING 14
DESCRIPTION

A TRACT OR PARCEL OF LAND, LYING IN SECTION 8, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 8, THENCE S.00°46'20"E. ON THE NORTH-SOUTH QUARTER SECTION LINE FOR 802.01 FEET;

THENCE S.89°37'57"W. DEPARTING SAID QUARTER SECTION LINE FOR 310.61 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE N.05°31'01"W., FOR 121.72 FEET TO A POINT ON A CURVE;

THENCE EASTERLY 56.67 FEET ALONG THE ARC OF A NON-TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 112.00 FEET THROUGH A CENTRAL ANGLE OF 28°59'24" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.72°15'18"E. FOR 56.07 FEET;

THENCE N.57°45'36"E., FOR 67.81 FEET TO A POINT OF CURVATURE;

THENCE NORTHEASTERLY 28.33 FEET ALONG THE ARC OF A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 82.00 FEET THROUGH A CENTRAL ANGLE OF 19°47'41" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.47°51'45"E. FOR 28.19 FEET;

THENCE S.59°50'55"E., FOR 127.46 FEET;

THENCE S.30°09'05"W., FOR 13.34 FEET TO A POINT OF CURVATURE;

THENCE SOUTHWESTERLY 151.12 FEET ALONG THE ARC OF A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 215.00 FEET THROUGH A CENTRAL ANGLE OF 40°16'22" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.50°17'16"W. FOR 148.03 FEET;

THENCE S.70°25'27"W., FOR 68.36 FEET;

THENCE S.89°37'57"W., FOR 45.18 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

CONTAINING 28,337 SQUARE FEET OR 0.65 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NSRS 2011) WHEREIN THE NORTH-SOUTH QUARTER SECTION OF LINE OF SAID SECTION 8 BEARS S.00°46'20"E.

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DATE: 05/15/17
PROJECT NO.: 140013.01.04
FILE NAME.: 001 CD2SP2
SHEET NUMBER: 2 OF 9
DRAWN: TJD
CHECKED: MAW

SEC: 8 TWP: 50 RGE: 26

SCALE: N/A

PROJECT: AVALON OF NAPLES 2, A CONDOMINIUM

TITLE: PHASE 2 DESCRIPTION - BUILDING 14

CLIENT: AVALON OF NAPLES, LLC

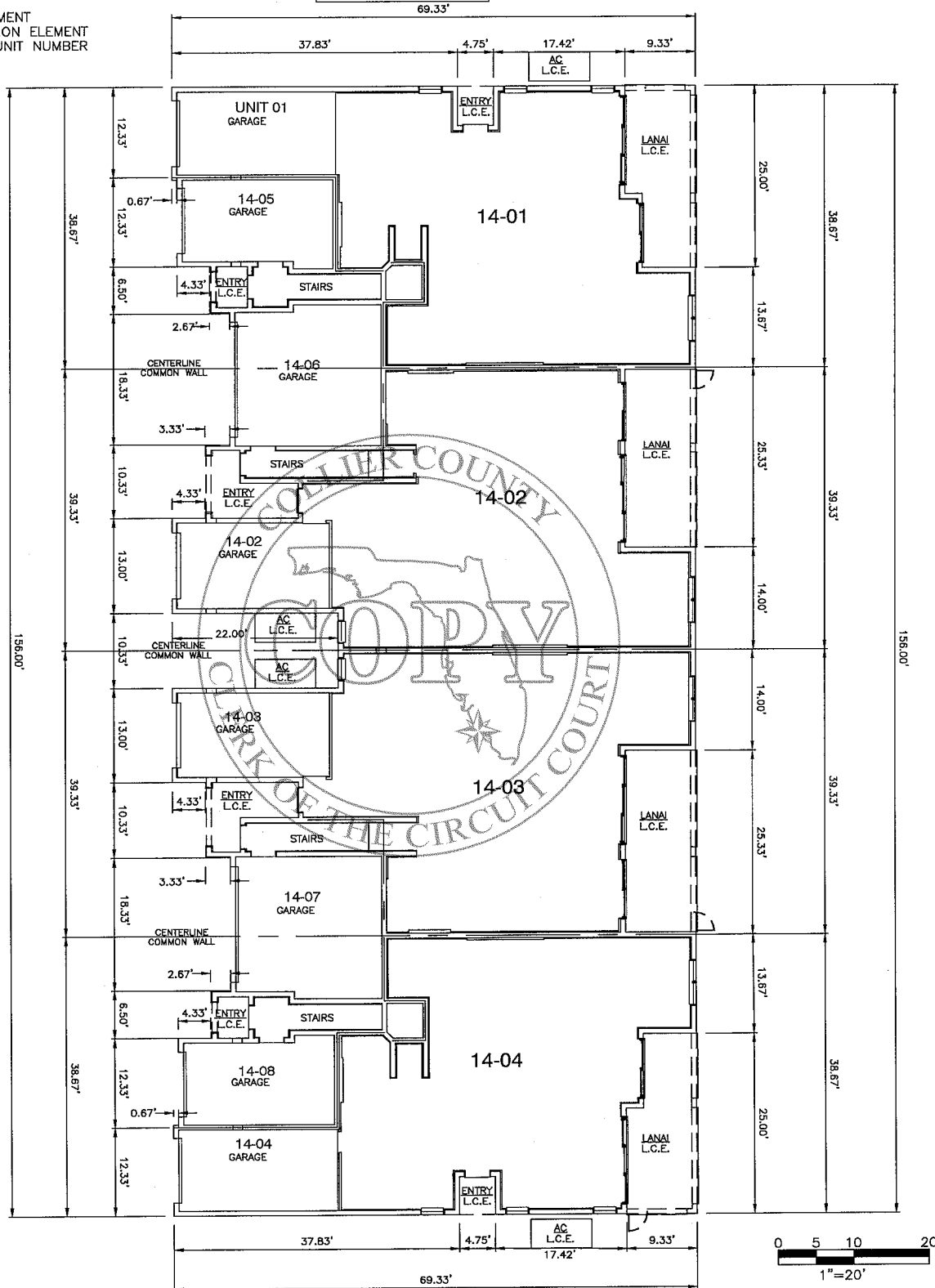


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FAX: (239) 597-0578
LB No.: 6952

EXHIBIT "II"

LEGEND

C.E. = COMMON ELEMENT
 L.C.E. = LIMITED COMMON ELEMENT
 14 = BUILDING - UNIT NUMBER



DATE: 05/15/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD2SP2
 SHEET NUMBER: 3 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E

SCALE: 1" = 20'

PROJECT: AVALON OF NAPLES 2, A CONDOMINIUM
 TITLE: EXTERIOR DIMENSIONS - FIRST FLOOR
 CLIENT: AVALON OF NAPLES, LLC



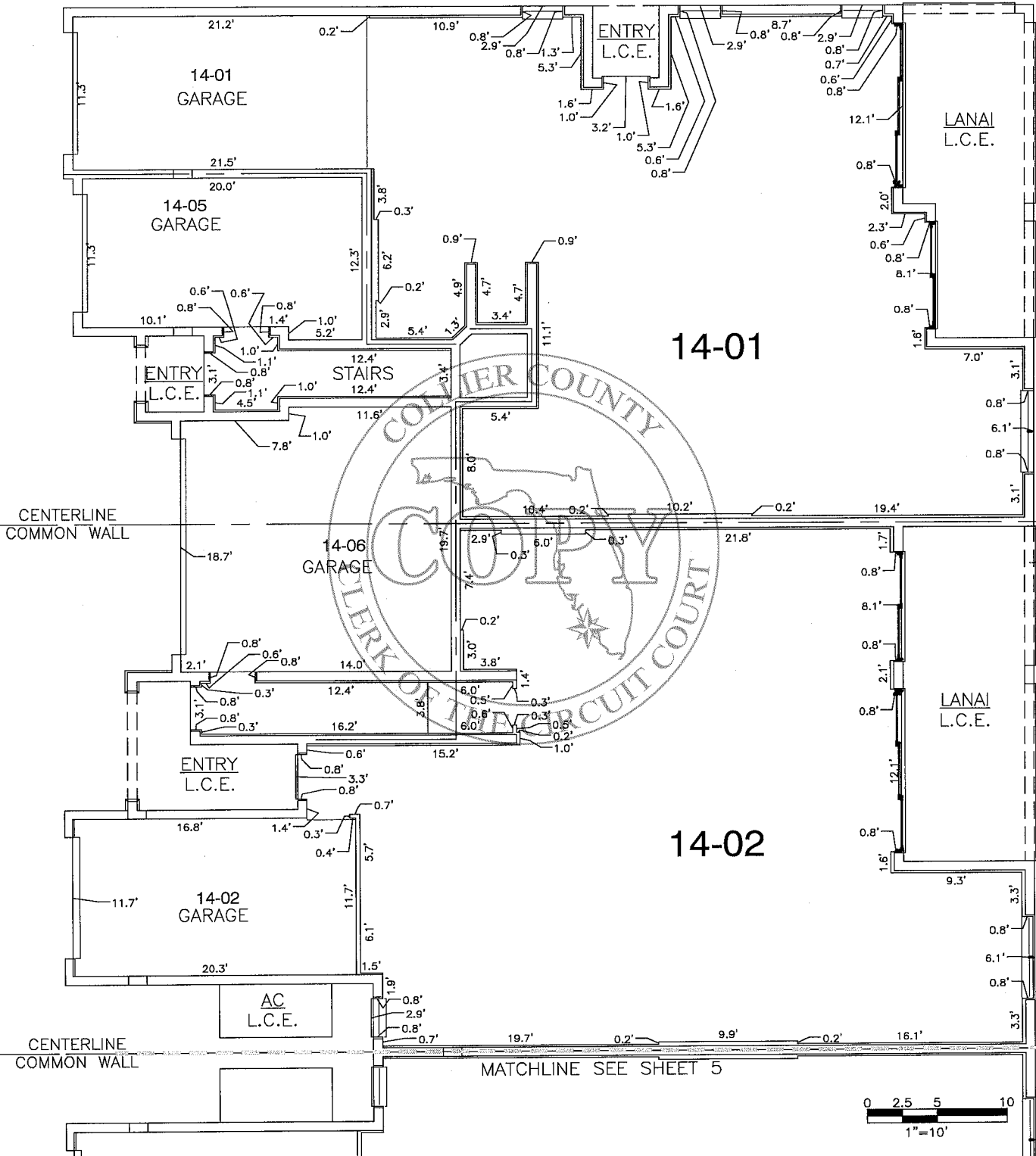
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EXHIBIT "B-II"

LEGEND

C.E. = COMMON ELEMENT
 L.C.E. = LIMITED COMMON ELEMENT
 14 = BUILDING - UNIT NUMBER

AC
L.C.E.

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DATE: 05/15/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD2SP2
 SHEET NUMBER: 4 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E

SCALE: 1" = 10'

PROJECT: AVALON OF NAPLES 2, A CONDOMINIUM
 INTERIOR DIMENSIONS - FIRST FLOOR
 TITLE: 14-1 & 14-2
 CLIENT: AVALON OF NAPLES, LLC



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EXHIBIT "B-II"

MATCHLINE SEE SHEET 4

CENTERLINE
COMMON WALLAC
L.C.E.14-03
GARAGEENTRY
L.C.E.

STAIRS

14-03

LANAI
L.C.E.CENTERLINE
COMMON WALL14-07
GARAGE

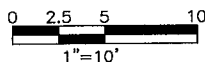
STAIRS

14-04

LANAI
L.C.E.14-08
GARAGE14-04
GARAGEENTRY
L.C.E.AC
L.C.E.

LEGEND

- C.E. = COMMON ELEMENT
 L.C.E. = LIMITED COMMON ELEMENT
 14 = BUILDING - UNIT NUMBER



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DATE: 05/15/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD2SP2
 SHEET NUMBER: 5 OF 9
 DRAWN: JMP
 CHECKED: TJD

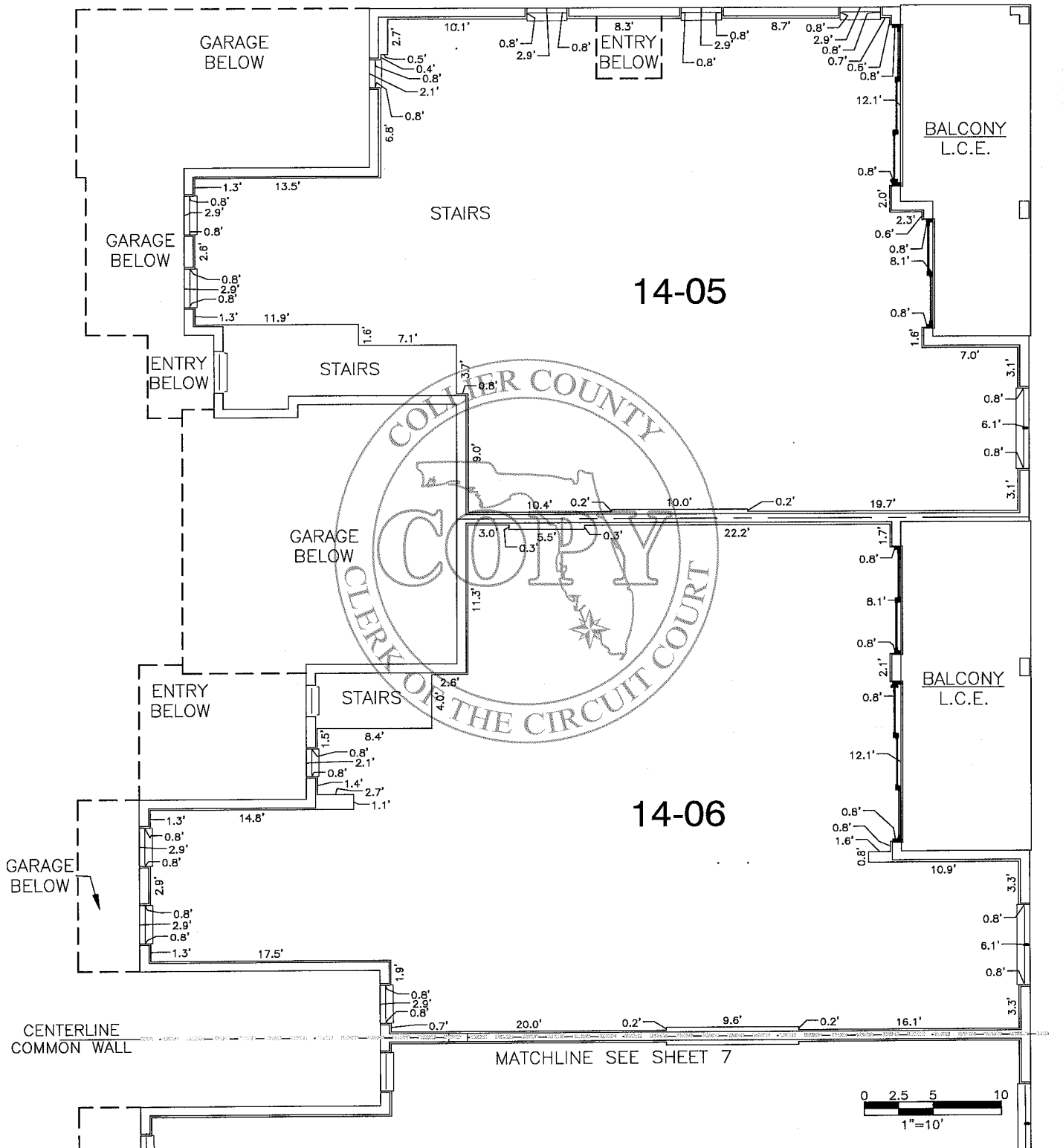
SEC: 8 TWP: 50S RGE: 26E SCALE: 1" = 10'
 PROJECT: AVALON OF NAPLES 2, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - FIRST FLOOR
 14-3 & 14-4
 CLIENT: AVALON OF NAPLES, LLC

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EXHIBIT "B-II"

LEGEND
 C.E. = COMMON ELEMENT
 L.C.E. = LIMITED COMMON ELEMENT
 14 = BUILDING - UNIT NUMBER



DATE: 05/15/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD2SP2
 SHEET NUMBER: 6 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E

SCALE: 1" = 10'

PROJECT: AVALON OF NAPLES 2, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - SECOND FLOOR
 14-5 & 14-6
 CLIENT: AVALON OF NAPLES, LLC



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EXHIBIT "B-II"

MATCHLINE SEE SHEET 6

CENTERLINE
COMMON WALLGARAGE
BELOW

14-07

ENTRY
BELOW

STAIRS

GARAGE
BELOWBALCONY
L.C.E.ENTRY
BELOW

STAIRS

GARAGE
BELOW

14-08

GARAGE
BELOWBALCONY
L.C.E.

LEGEND
 C.E. = COMMON ELEMENT
 L.C.E. = LIMITED COMMON ELEMENT
 14 = BUILDING - UNIT NUMBER

0 2.5 5 10
 1"=10'

DATE: 05/15/17

PROJECT NO. 140016.01.04

FILE NAME.: 001 CD2SP2

SHEET NUMBER: 7 OF 9

DRAWN: JMP

CHECKED: TJD

SEC: 8

TWP: 50s RGE: 26e

SCALE: 1" = 10'

PROJECT: AVALON OF NAPLES 2, A CONDOMINIUM

TITLE: INTERIOR DIMENSIONS - SECOND FLOOR
14-7 & 14-8

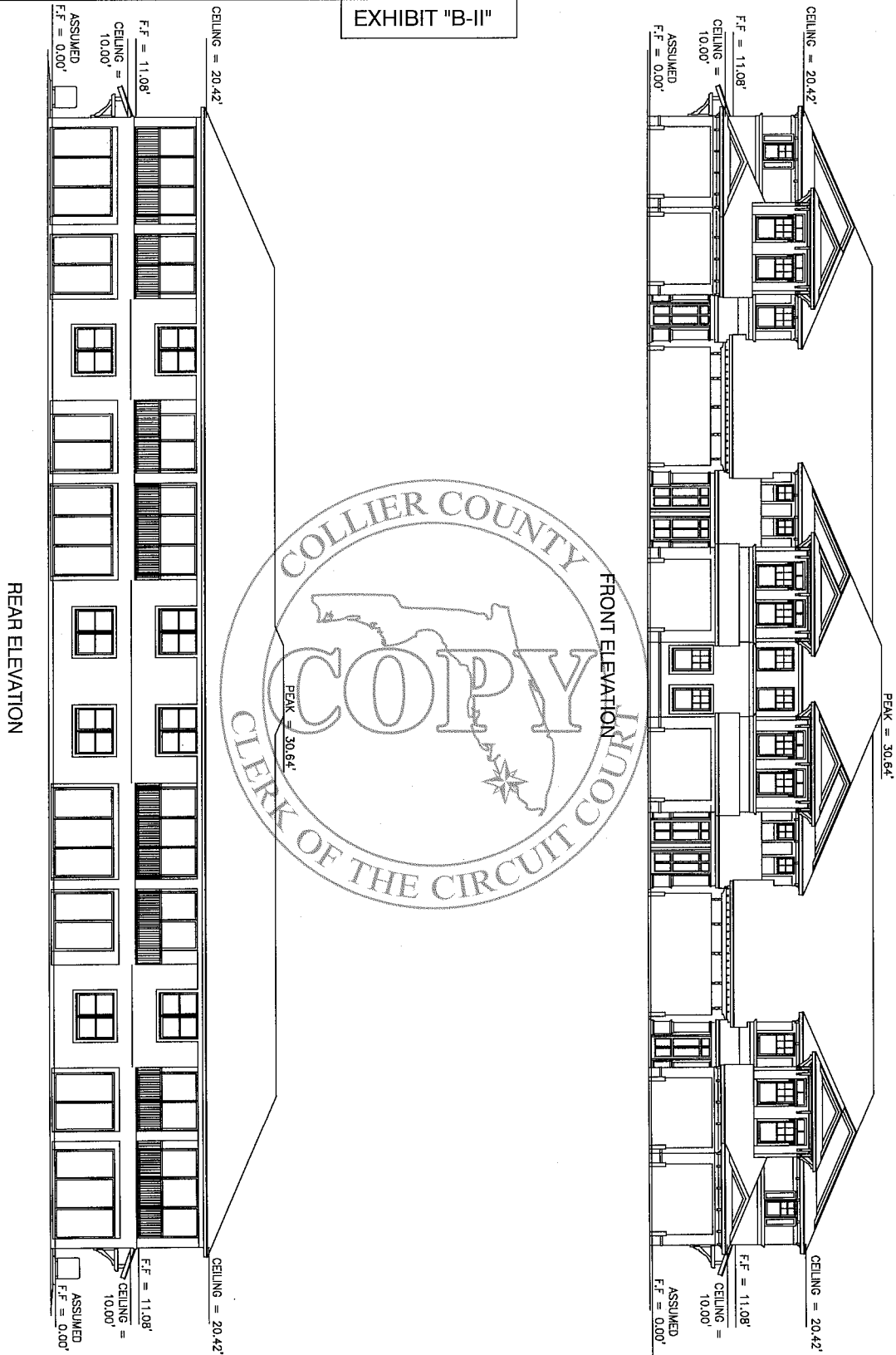
CLIENT: AVALON OF NAPLES, LLC

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EXHIBIT "B-II"



LEGEND
F.F. = FINISHED FLOOR

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DATE: 05/15/17
PROJECT NO.: 140013.01.04
FILE NAME.: 001 CD2SP2
SHEET NUMBER: 8 OF 9
DRAWN: JMP
CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E

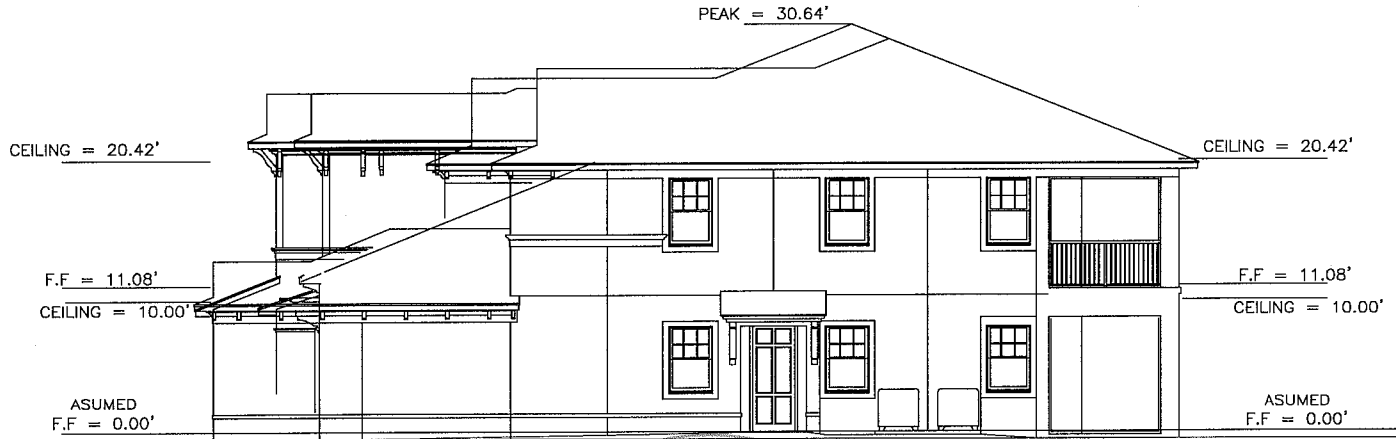
SCALE: N.T.S.

PROJECT: AVALON OF NAPLES 2, A CONDOMINIUM
TITLE: ELEVATIONS FRONT AND REAR
CLIENT: AVALON OF NAPLES, LLC

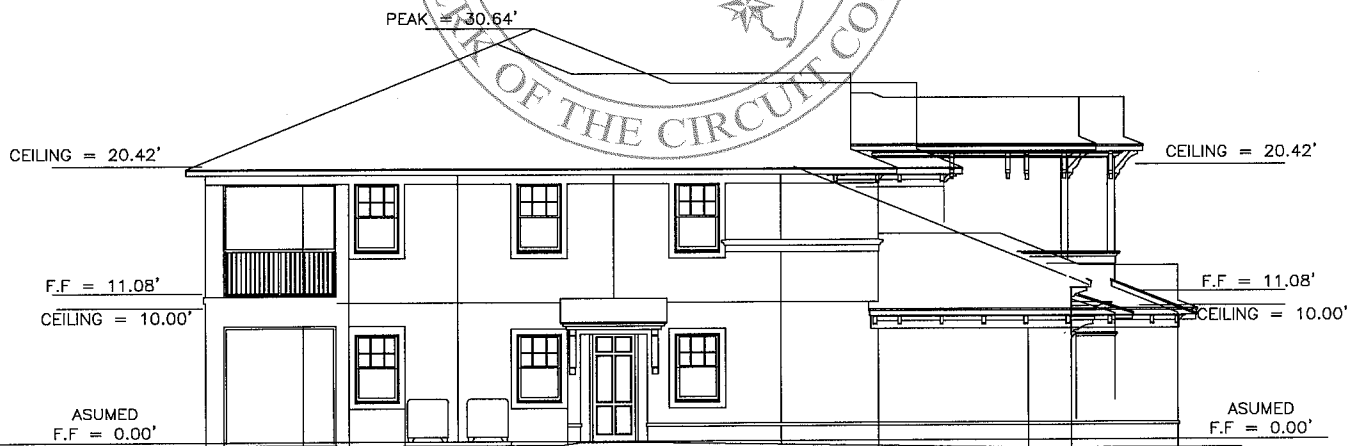


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EXHIBIT "B-II"



RIGHT ELEVATION



LEFT ELEVATION

LEGEND

F.F. = FINISHED FLOOR

DATE: 05/15/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD2SP2
 SHEET NUMBER: 9 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E

SCALE: N.T.S.

PROJECT: AVALON OF NAPLES 2, A CONDOMINIUM

TITLE: ELEVATIONS RIGHT AND LEFT

CLIENT: AVALON OF NAPLES, LLC



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EXHIBIT C

Percentage Ownership Schedule of Common Elements, Common Surplus, and Obligations for Common Expenses

1. Phase I (Building 10)		
6972 Avalon Circle, Naples, FL 34112, #1001	<u>1 / 16</u>	6.2500%
6972 Avalon Circle, Naples, FL 34112, #1002	<u>1 / 16</u>	6.2500%
6972 Avalon Circle, Naples, FL 34112, #1003	<u>1 / 16</u>	6.2500%
6972 Avalon Circle, Naples, FL 34112, #1004	<u>1 / 16</u>	6.2500%
6972 Avalon Circle, Naples, FL 34112, #1005	<u>1 / 16</u>	6.2500%
6972 Avalon Circle, Naples, FL 34112, #1006	<u>1 / 16</u>	6.2500%
6972 Avalon Circle, Naples, FL 34112, #1007	<u>1 / 16</u>	6.2500%
6972 Avalon Circle, Naples, FL 34112, #1008	<u>1 / 16</u>	6.2500%
2. Phase II (Building 14)		
6973 Avalon Circle, Naples, FL 34112, #1401	<u>1 / 16</u>	6.2500%
6973 Avalon Circle, Naples, FL 34112, #1402	<u>1 / 16</u>	6.2500%
6973 Avalon Circle, Naples, FL 34112, #1403	<u>1 / 16</u>	6.2500%
6973 Avalon Circle, Naples, FL 34112, #1404	<u>1 / 16</u>	6.2500%
6973 Avalon Circle, Naples, FL 34112, #1405	<u>1 / 16</u>	6.2500%
6973 Avalon Circle, Naples, FL 34112, #1406	<u>1 / 16</u>	6.2500%
6973 Avalon Circle, Naples, FL 34112, #1407	<u>1 / 16</u>	6.2500%
6973 Avalon Circle, Naples, FL 34112, #1408	<u>1 / 16</u>	6.2500%
	16	100.00%