

THIS INSTRUMENT PREPARED BY:  
Sean M. Ellis, Esquire  
Roetzel & Andress, LPA  
2320 First Street, Suite 1000  
Fort Myers, Florida 33901

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**FOURTH AMENDMENT TO**  
**DECLARATION OF CONDOMINIUM**  
**OF**  
**SANIBEL HARBOUR YACHT CLUB, A CONDOMINIUM**  
**TO**  
**CORRECT A SCRIVENER'S ERROR**

This Fourth Amendment to the Declaration of Condominium of Sanibel Harbour Yacht Club, a Condominium is made this 20 day of July, 2007, by Steeve Squared, LLC, a Florida limited liability company (the "Declarant" or the "Developer").

WHEREAS, the Declarant executed and recorded that certain Declaration of Condominium of Sanibel Harbour Yacht Club, a Condominium as recorded on April 6, 2006 at Instrument Number 2006000142556, as amended by the First Amendment to the Declaration recorded on November 3, 2006 at Instrument Number 2006000418380, as further amended by the Second Amendment to the Declaration recorded on March 13, 2007 at Instrument Number 2007000081679, and as further amended by that certain Third Amendment to Declaration recorded on June 12, 2007 at Instrument Number 2007000196840, each in the Public Records of Lee County, Florida (the "Declaration"); and

WHEREAS, the Sanibel Harbour Yacht Club Condominium Association, Inc. is currently under Developer control; and

WHEREAS, Developer is the owner of Unit 321, and pursuant to Article 2, Section 11(b) and Article 14, Sections 2 and 5 of the Declaration the Developer may alter such unit boundaries and execute and record this amendment altering such unit boundaries without the joinder of the Association, any Unit Owner, or mortgagee or lienor, and otherwise amend the Declaration to correct scrivener's errors; and

WHEREAS, the boundary for Unit 321 as set forth on Exhibit "D-3" to the Third Amendment to the Declaration contained a scrivener's error in the depiction and designation of the aft unit boundary and the Developer wishes to make this Amendment to correct said scrivener's error; and

NOW, THEREFORE, the Declarant hereby amends the Declaration as follows:

1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

2. Scrivener's Error Amendment. The Unit boundary for Unit 321 of the Condominium shall hereinafter be as depicted on the surveyor's certificate and graphic representation attached hereto. The attached Exhibit "D-4" is hereby annexed to and expressly made a part of Exhibit "D" of the Declaration.

3. Ratification. Except as to the modification set forth in this Fourth Amendment, all other terms and conditions of the Declaration shall remain in full force and effect.

Ester Alvarez  
Print Name: ESTER ALVAREZ  
Alissa Tall  
Print Name: ALISSA TALL

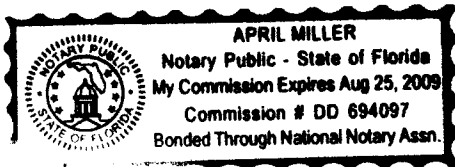
STEVE SQUARED, LLC, a Florida limited liability company  
By: Steeven C. Knight  
Steeven C. Knight, Managing Member

STATE OF FLORIDA            )  
  ) §:  
COUNTY OF LEE            )

The foregoing instrument was acknowledged before me this 20 day of July, 2007, by Steeven C. Knight as Managing Member of STEEVE SQUARED, LLC, a Florida limited liability company, who  is personally known to me OR who  has produced \_\_\_\_\_ as identification.

NOTARY RUBBER STAMP SEAL  
OR EMBOSSED SEAL

April Miller  
Notary Public  
Printed Name: April Miller  
DD694097            AUG 25 2009  
Commission No.       Expiration Date





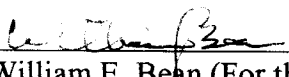
# Bean, Whitaker, Lutz & Kareh, Inc.

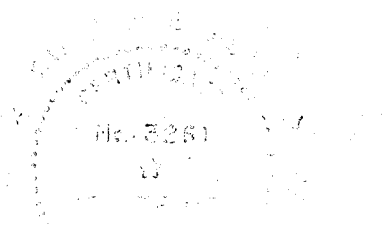
13041 McGregor Boulevard  
Fort Myers, Florida 33919-5910  
email – fmooffice@bwlk.net  
(Ph) 239-481-1331 (Fax) 239-481-1073

## SURVEYORS CERTIFICATE Amendment Number 4 to the Declaration of Condominium for Sanibel Harbour Yacht Club, A Condominium

We hereby certify that the attached Exhibit "D-4" dated 07-10-07 is an accurate representation of the aft unit boundary for Unit 321 as revised in accordance with Article 2, Section 11, (b), (i) of the Declaration of Condominium for Sanibel Harbour Yacht Club, A Condominium, as recorded in Instrument Number 2006000142556 of the public records of Lee County, Florida, and amended by that certain First Amendment recorded at Instrument Number 2006000418380, and by that certain Second Amendment recorded at Instrument Number 2007000081679, and by that certain Third Amendment recorded at Instrument Number 2007000196840. We further certify that the revised dimensions of that unit boundary as shown on this Exhibit "D-4" are true and correct to the best of our knowledge and belief, the same being established based on a verbal request from the developer and represented hereon under the personal direction of the undersigned Registered Land Surveyor, and that this Exhibit "D-4" together with the wording of the Declaration to which it is annexed are sufficient in detail to determine the identification, location and approximate dimensions of the revised Unit and the appurtenances thereto.

Bean, Whitaker, Lutz & Kareh, Inc.

 Date: 7-18-2007  
William E. Bean (For the firm)  
Registered Land Surveyor  
Florida Certificate Number 3261



PRINCIPALS:

- WILLIAM E. BEAN, PSM, CHAIRMAN
- SCOTT C. WHITAKER, PSM, PRESIDENT
- JOSEPH L. LUTZ, PSM
- AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

ASSOCIATES:

- TRACY N. BEAN, AICP
- JAMES A. HESSLER, PSM
- JAMES R. COLEMAN, PSM
- RUDOLF A. NORMAN, PE

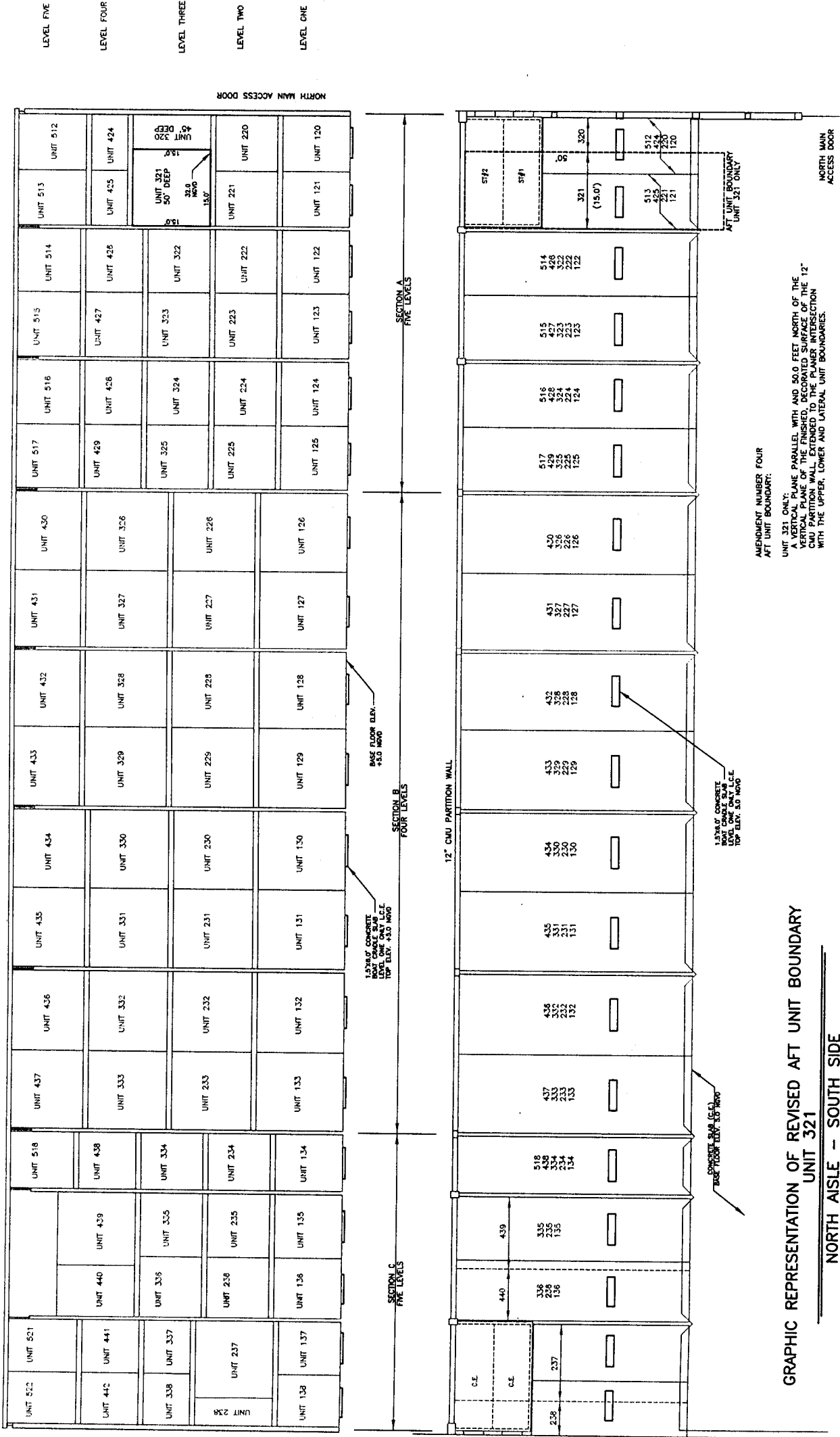
DATE	PROJECT NO.	SHEET	FILE NO. (S-T-R)
07-10-07	37986	1 OF 1	9-46-23

# EXHIBIT "D-4"

ANNEXED TO AND EXPRESSLY MADE A PART OF EXHIBIT "D" OF THE DECLARATION OF CONDOMINIUM FOR SANIBEL HARBOUR YACHT CLUB, A CONDOMINIUM LOCATED IN SECTION 9, TOWNSHIP 46 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA

FILED FOR RECORD IN INSTRUMENT NUMBER 2006000142556 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA

AMENDMENT NUMBER FOUR TO REVISE THE AFT UNIT BOUNDARY OF UNIT 321



GRAPHIC REPRESENTATION OF REVISED AFT UNIT BOUNDARY UNIT 321

NORTH AISLE - SOUTH SIDE

AMENDMENT NUMBER FOUR AFT UNIT BOUNDARY:

UNIT 321 ONLY:  
A VERTICAL PLANE PARALLEL WITH AND 50.0 FEET NORTH OF THE VERTICAL PLANE OF THE FINISHED, DECORATED SURFACE OF THE 12" CMU PARTITION WALL EXTENDED TO THE PLANNER INTERSECTION WITH THE UPPER, LOWER AND LATERAL UNIT BOUNDARIES.