

WHEN RECORDED RETURN TO:

Gregory W. Marler, Esq.  
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Naples, Florida 34108

INSTR 4816342 OR 4900 PG 2575  
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DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT  
COLLIER COUNTY FLORIDA  
REC \$18.50

Recording Fee: \$18.50

**CERTIFICATE OF AMENDMENT**

**DECLARATION OF CONDOMINIUM**

**FOR**

**GRANDE EXCELSIOR AT THE GRANDE PRESERVE, A CONDOMINIUM**

I HEREBY CERTIFY that the following amendment to the Declaration of Condominium was duly adopted by the Association membership at the duly noticed Annual Members' Meeting of the Association on the 4<sup>th</sup> day of March, 2013. The original Declaration of Condominium is recorded at O.R. Book 3665, Page 3838, of the Public Records of Collier County, Florida.

Additions indicated by underlining.  
Deletions indicated by ~~striking through~~.

**Proposed Amendment:** **Article 10, Section 10.4; Declaration**

**10. ASSESSMENTS AND LIENS.** The Association has the power to levy and collect assessments against each unit and unit owner in order to provide the necessary funds for proper operation and management of the Condominium and for the operation of the Association, including regular assessments for each unit's share of the common expenses as set forth in the annual budget, and special assessments for unusual, non-recurring or unbudgeted common expenses. The Association may also levy special charges against any individual unit for any amounts other than common expenses which are properly chargeable against such unit under this Declaration and Bylaws. Assessments shall be levied and payment enforced as provided in Section 6 of the Bylaws and as follows:

(Sections 10.1 through 10.3 Remain Unchanged)

**10.4 Who is Liable for Assessments.** The owner of each unit, regardless of how title was acquired, is liable for all assessments and installments thereon coming due while he or she is the Owner. Multiple Owners are jointly and severally liable. Except as provided in Section 20.3 below, whenever title to a condominium parcel unit is transferred for any reason, the transferee is jointly and severally liable with the transferor for all unpaid assessments against the transferor, without prejudice to any right the transferee may have to recover from the transferor any amounts paid by the transferee. Notwithstanding the foregoing or anything to the contrary contained in the Condominium Documents and/or Chapter 718, Florida Statutes (A) the Association, upon taking title to a unit in connection with a foreclosure sale or deed in lieu of foreclosure (i) shall not be deemed an "Owner" or "Apartment Owner" for purpose of payment of assessments, regular and special, and other charges allocated to said unit, whether prior to or after the date the Association takes title to said unit, but said

assessments and charges shall be a common expense of the Association, and (ii) shall not be jointly and severally liable with the previous owner of said unit for unpaid assessments and other charges that came due up to the time of transfer of title to said unit to the Association; and (B) any person or entity (a "purchaser") taking title to a unit, whether in connection with a foreclosure sale, deed in lieu of foreclosure or otherwise, that was previously owned by the Association shall not have any claim or cause of action against the Association for payment of said assessments and other charges which came due prior to and/or during the time the Association was the owner of said unit, all such assessments and other charges shall be payable by the purchaser.

(Remainder of Article 10 Remains Unchanged)

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WITNESSES:  
(TWO)

GRANDE EXCELSIOR AT THE GRANDE  
PRESERVE CONDOMINIUM ASSOCIATION, INC.

Sandra A. Chylinski  
Signature  
Sandra A. Chylinski  
Printed Name

BY: Albert S. Haberer  
GRANDE EXCELSIOR, President

Date: MARCH 18, 2013

(CORPORATE SEAL)

Arell Harris  
Signature  
Arell Harris  
Printed Name

STATE OF FLORIDA            )  
  ) SS:  
COUNTY OF COLLIER        )

The foregoing instrument was acknowledged before me this 18 day of MARCH, 2013, by ALBERT HABERER as President of **Grande Excelsior at the Grande Preserve Condominium Association, Inc.**, a Florida Corporation, on behalf of the corporation. He/She is personally known to me or produced \_\_\_\_\_ as identification.

Connie Long  
Notary Public  
Connie Long  
Printed Name

My commission expires: 8/6/14

ACTIVE: 4562683\_1

