

WCI Communities

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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

Prepared By and To Be Returned To:
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2015 MAR 18 11:50 AM

**SPECIAL AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
CAPPELLO II AT VENETIAN GOLF & RIVER CLUB, A CONDOMINIUM**

THIS SECOND SPECIAL AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
CAPPELLO II AT VENETIAN GOLF & RIVER CLUB, A CONDOMINIUM (~~Special Amendment~~) is
made by WCI Communities, L.L.C. a Delaware limited liability company ("WCI").

WITNESSETH:

WHEREAS, the Declaration of Condominium for Cappello II at Venetian Golf & River Club, A
Condominium, was recorded on April 29, 2014, in Official Records Instrument Number 2014049436,
public records of Sarasota County, Florida, as has been or may be amended from time to time
(collectively, "Declaration"); and

WHEREAS, WCI is the Developer under the Declaration ("Developer"); and

WHEREAS, based upon recent changes in the requirements of the Florida Fire Prevention Code,
Developer has determined that certain provisions of the Declaration require revision in order to be
consistent with such code; and

WHEREAS, Section 6.2(b) of the Declaration provides that the Developer has the right and
power, without requirement for consent by any party, to record an amendment to modify the Declaration
so as to bring the Declaration into compliance with applicable laws, ordinances or governmental
regulations until the earlier of (a) such time as the Developer has conveyed all Units to third parties or (b)
December 31, 2025; and

WHEREAS, Developer has not conveyed 100% of the Units to third parties as of the effective
date hereof, and the threshold end date for the right to make special amendments has not yet occurred;
and

WHEREAS, Developer now desires to undertake an amendment to the Declaration in
accordance with the foregoing, as more particularly provided hereinafter; and

NOW, THEREFORE, WCI, as Developer under the Declaration, hereby declares as follows

1. The foregoing recitals are true and correct and are hereby incorporated herein as if fully
set forth hereinafter.
2. All defined terms herein shall have the same meaning as set forth in the Declaration,
unless the context in this Special Amendment requires otherwise.
3. Section 18.12 of the Declaration is hereby deleted in its entirety and is replaced with the
following:

18.12 Grills and Other Similar Devices. Use of barbecue grills shall only be
allowed in areas designated as safe and appropriate by the Board, in accordance with
the Florida Fire Prevention Code (Fifth Edition), effective December 31, 2014, no
hibachis, grills or other similar devices for cooking, heating or any other purpose shall be

used, kindled or stored on balconies, lanais, loggias, patios, and/or porches or any other Limited Common Element areas, or within 10 feet of any Building or other structure.

4. Except to the extent modified herein, the Declaration remains valid and in full force and effect.

5. In the event of a conflict between the terms and provisions of the Declaration and this Special Amendment, the terms and provisions of this Special Amendment shall control.

IN WITNESS WHEREOF, Developer has caused this Special Amendment to be executed by the individual named below, such individual having authority to execute same on behalf of Developer, on this 13 day of March, 2015.

WITNESSES:

DEVELOPER:

WCI Communities, LLC, a Delaware limited liability company authorized to do business in Florida

Signature: Mary S. Cook
Printed Name: Mary S. Cook

[Handwritten Signature]
Nicole Marginian Swartz, Vice President

(SEAL)

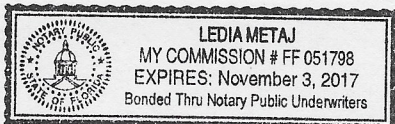
Signature: Ledia Metaj
Printed Name: LEDIA METAJ

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 13th day of March, 2015, by Nicole Marginian Swartz, as Vice President of WCI Communities, LLC, a Delaware limited liability company authorized to do business in Florida. She is personally known to me or has produced _____ as identification.

My Commission Expires:

Ledia Metaj
(Signature)
Name: LEDIA METAJ
(Legibly Printed)



Notary Public, State of Florida

FF051798
(Commission Number, if any)