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AMENDMENT TO DECLARATION OF
CONDOMINIUM OF SANTA MARIA II,
a Condominium

ADDING PHASE II

OR2263 PG3388

KNOW ALL MEN BY THESE PRESENTS, that DIAMONDHEAD PROPERTY DEVELOPMENT, INC., a Florida corporation, the Developer described in that certain Declaration of Condominium of SANTA MARIA II, a Condominium, recorded in Official Records Book 2259, Pages 4512 through 4591, inclusive, of the Public Records of Lee County, Florida, (hereinafter the "Declaration") and as the present owner and holder of the property described on Exhibit "A" attached hereto and by reference incorporated herein, which property is designated Phase II, therein and on Exhibit "I" of the Declaration; and

IN ACCORDANCE WITH Paragraphs 20 and 24(F) of the Declaration, and pursuant to Section 718.403 Florida Statutes does hereby declare and submit to Condominium Ownership the property described as "Phase II" on Exhibit "A", declaring and making said Phase II a part of the Condominium and Condominium Property of SANTA MARIA II, a Condominium.

THE SHARE OF THE COMMON ELEMENTS, COMMON EXPENSE AND COMMON SURPLUS attributable to each unit upon the addition of Phase II is reflected on Exhibit "J" to the Declaration as originally recorded, which Exhibit "J" appears in Official Records Book 2259, at Page 4588, Public Records of Lee County, Florida, as demonstrated thereon when Phase I and II are completed and declared a part of this Condominium.

IN WITNESS WHEREOF, DIAMONDHEAD PROPERTY DEVELOPMENT, INC., has caused this AMENDMENT TO DECLARATION OF CONDOMINIUM OF SANTA MARIA II, a Condominium, ADDING PHASE II to be executed by its duly authorized officer and its seal to be affixed this 10th day of December, 1991.

Witnesses:

Victoria L. Fahey

Witness #1 - Signature

VICTORIA L. FAHEY
Witness #1 - Printed Name

Beth Lotier

Witness #2 - Signature

BETH LOTIER
Witness #2 - Printed Name

DIAMONDHEAD PROPERTY DEVELOPMENT, INC., a Florida corporation

By: [Signature]

James D. Vogel, Vice President

(Corporate Seal)

RECORD VERIFIED - CHAHE GREEN, CLERK &
BY J. JUREK, D.C.

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing Amendment to Declaration was acknowledged before me this 10th day of December, 1991, by James D. Vogel, as Vice President of Diamondhead Property Development, Inc., a Florida Corporation, on behalf of the corporation. He is personally known to me.

(SEAL)

Dee Rimmer

Notary Public
My Commission Expires:
Notary Public, State of Florida
My Commission Expires Oct. 4, 1993
Bonded Thru Troy Fair - Insurance Inc.

OR2263 PG3389

CONSENT OF MORTGAGEE

THIS CONSENT is given this 6th day of December, 1991, on behalf of THE CITIZENS AND SOUTHERN NATIONAL BANK OF FLORIDA, a Corporation organized and existing under the National Banking Laws of the United States of America, with offices located at Fort Myers, Lee County, Florida ("Mortgagee"), being owner and holder of that certain mortgage given by DIAMONDHEAD PROPERTY DEVELOPMENT, INC., a Florida corporation ("Mortgagor") dated December 28, 1990, and recorded in Official Records Book 2195, Page 0007 of the Public Records of Lee County, Florida.

WHEREAS, Mortgagor has requested Mortgagee to consent to the recording of the foregoing Amendment to Declaration of Condominium of Santa Maria II, a Condominium, Adding Phase II for SANTA MARIA II, a Condominium, recorded November 20, 1991, in Official Records Book 2259, Pages 4512 through 4591, inclusive, Public Records of Lee County, Florida, (the "Amendment to Declaration").

NOW THEREFORE, Mortgagee consents to the recordation of the Amendment to Declaration.

Mortgagee makes no warranty or any representation of any kind or nature concerning the Amendment to Declaration, any of its terms or provisions, or the legal sufficiency thereof, and disavows participation in the development of SANTA MARIA II, a Condominium, and does not assume and shall not be responsible for any of the obligations or liabilities of the developer contained in the Declaration, Amendment to Declaration or the prospectus, (if any) or other documents issued in the connection with promotion of SANTA MARIA II, a Condominium. None of the representations contained in the prospectus, (if any) or other documents shall be deemed to have been made by Mortgagee, nor shall they be construed to create any obligation on Mortgagee to any person relying thereon. This consent is limited to the purposes and requirements of Section 718.104, Florida Statutes, and does not affect or impair the rights and remedies of Mortgagee as set forth in the Mortgage or in the Declaration.

Made as of the day and year first above written.

IN WITNESS WHEREOF, Mortgagee, has caused these presents to be duly executed by its duly authorized officer this 10th day of December, 1991.

Yvonne M. Hurt Klode
Yvonne M. Hurt Klode, P. O. Box 130
Ft. Myers, FL. 33902

THE CITIZENS AND SOUTHERN
NATIONAL BANK OF FLORIDA

W. Perry Roberts
W. Perry Roberts, Vice President
P. O. Box 130, Ft. Myers, Fl. 33902

P. O. Box 130, Ft. Myers, Fl. 33902

OR 2263 PG3390

STATE OF FLORIDA)
) ss:
COUNTY OF LEE)

BEFORE ME, the undersigned authority, personally appeared W. Perry Roberts, the Vice President of The Citizens and Southern National Bank of Florida ("Bank") to me known to be the person who signed the foregoing instrument as such officer and acknowledged the execution to be his free act and deed as such officer for the uses and purposes therein mentioned and that he affixed thereto the Official Seal of the "Bank" and that said instrument is the act and deed of said "Bank".

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Fort Myers, said County and State, this 10th day of December, 1991.

(SEAL)

Yvonne M. Hurt Kloog
Notary Public
My Commission Expires:

Yvonne M. Hurt Kloog (address on front)

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: FEB. 25, 1992.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

This instrument was prepared by:

Linda C. Brinkman, Esq.
Vogel, Brinkman & Wolfe
3936 Tamiami Trail North
Suite B
Naples, Florida 33940
(813) 262-2211
Florida Bar No. 637068

OR2263 PG3391

AMENDMENT TO DECLARATION OF
CONDOMINIUM OF SANTA MARIA II,
a Condominium

ADDING PHASE II

KNOW ALL MEN BY THESE PRESENTS, that DIAMONDHEAD PROPERTY DEVELOPMENT, INC., a Florida corporation, the Developer described in that certain Declaration of Condominium of SANTA MARIA II, a Condominium, recorded in Official Records Book 2259, Pages 4512 through 4591, inclusive, of the Public Records of Lee County, Florida, (hereinafter the "Declaration") and as the present owner and holder of the property described on Exhibit "A" attached hereto and by reference incorporated herein, which property is designated Phase II, therein and on Exhibit "I" of the Declaration; and

IN ACCORDANCE WITH Paragraphs 20 and 24(F) of the Declaration, and pursuant to Section 718.403 Florida Statutes does hereby declare and submit to Condominium Ownership the property described as "Phase II" on Exhibit "A", declaring and making said Phase II a part of the Condominium and Condominium Property of SANTA MARIA II, a Condominium.

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IN WITNESS WHEREOF, DIAMONDHEAD PROPERTY DEVELOPMENT, INC., has caused this AMENDMENT TO DECLARATION OF CONDOMINIUM OF SANTA MARIA II, a Condominium, ADDING PHASE II to be executed by its duly authorized officer and its seal to be affixed this _____ day of December, 1991.

Witnesses:

DIAMONDHEAD PROPERTY
DEVELOPMENT, INC., a Florida
corporation

Witness #1 - Signature

Witness #1 - Printed Name

Witness #2 - Signature

Witness #2 - Printed Name

By: _____
David A. Lawrence, Vice
President

(Corporate Seal)

OR2263 PG3392

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing Amendment to Declaration was acknowledged before me this _____ day of December, 1991, by David A. Lawrence, as Vice President of Diamondhead Property Development, Inc., a Florida Corporation, on behalf of the corporation. He is personally known to me.

(SEAL)

Notary Public
My Commission Expires:

OR2263 PG3393

CHARLIE GREEN LEE CITY FL
91 DEC 11 AM 9:53