

Prepared By and Return To:
Edward Vogler II, Esquire
Vogler Ashton, PLLC
705 10th Avenue W., Unit 103
Palmetto, Florida 34221
(941) 304-3400

**THIRD AMENDMENT TO DECLARATION OF
CONDOMINIUM OF AVALON OF NAPLES III, A CONDOMINIUM**

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OF AVALON OF NAPLES III, A CONDOMINIUM (“Third Amendment”) is made as of the 29 day of July, 2019, 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 III, a Condominium, recorded in Official Records Book 5594, Page 1162, of the Public Records of Collier County, Florida (the “Declaration”), as amended by the First Amendment to the Declaration of Condominium of Avalon of Naples III, a Condominium as recorded in Official Records Book 5595, Page 998, Second Amendment to Declaration of Condominium of Avalon of Naples III as recorded in Official Records Book 5642, Page 2825 of said records, 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 Third 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 Third 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 Third 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

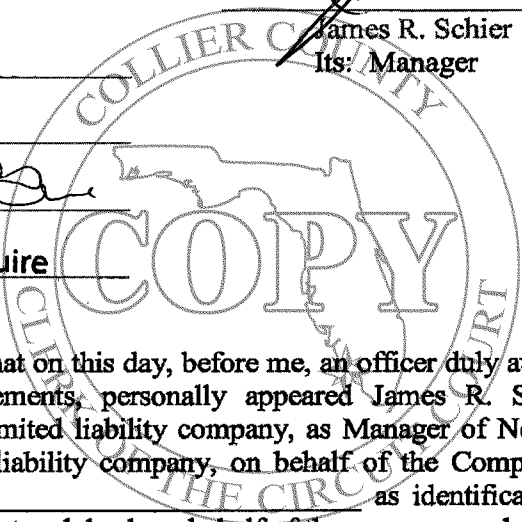
By: NCDG Management, LLC, a Florida
limited liability company, Its Manager

By:

James R. Schier
Its: Manager

Amy R. Mallon
Signature
Amy R. Mallon

Veronica McGuire
Signature
Veronica McGuire
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 27th day of July, 2019.

Michelle M. Nagy
NOTARY PUBLIC, State of Florida

My Commission Expires:

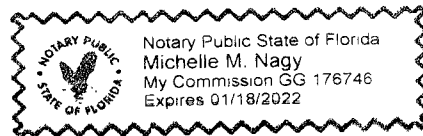
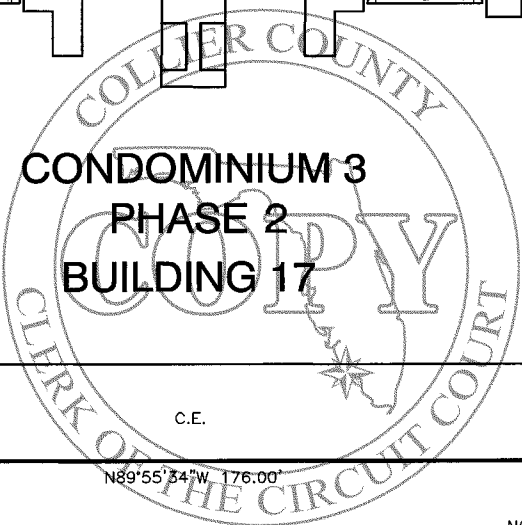
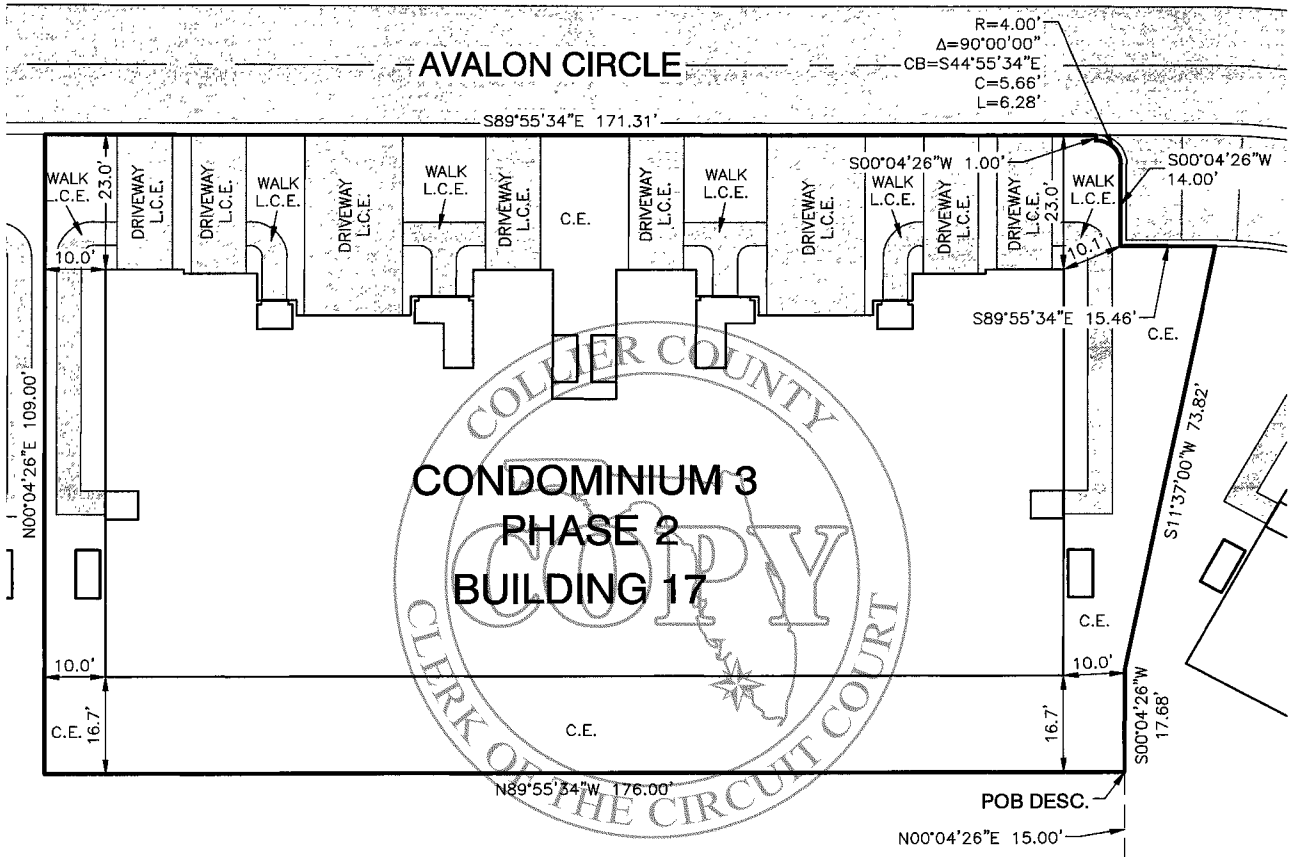


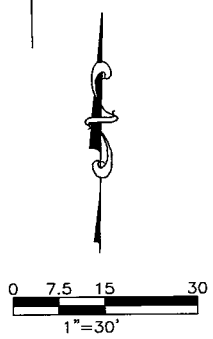
EXHIBIT "B-II"



CONDOMINIUM 3
PHASE 2
BUILDING 17

SOUTH LINE OF THE NW
1/4 OF THE NE 1/4 OF
THE NW 1/4 OF SECTION 8

N89°55'34"W 10.11'
POC DESC.
SE CORNER OF
THE NW 1/4 OF
THE NE 1/4 OF
THE NW 1/4 OF
SECTION 8



November 2, 2017 2:12 PM K:\2014\140013.01.04 Avalon Of Naples Condominium Exhibits\Condo 3\Rev 03\001 CD3SP2.dwg

DATE: 11/2/17
PROJECT NO.: 140013.01.04
FILE NAME.:001 CD3SP2
SHEET NUMBER:1 OF 9
DRAWN: TJD
CHECKED: MAW

SEC: 8 TWP: 50 RGE: 26 SCALE: 1" = 30'
PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
TITLE: PHASE 2 SITE PLAN - BUILDING 17
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 17
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 SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 8 THENCE N.89°55'34"W. ON THE SOUTH LINE OF SAID FRACTION FOR 10.11 FEET;

THENCE N.00°04'26"E. DEPARTING SAID SOUTH LINE FOR 15.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE N.89°55'34"W., FOR 176.00 FEET;

THENCE N.00°04'26"E., FOR DEPARTING SAID SOUTH LINE 109.00 FEET;

THENCE S.89°55'34"E., FOR 171.31 FEET;

THENCE S.00°04'26"W., FOR 1.00 FEET TO A POINT ON A CURVE;

THENCE SOUTHEASTERLY 6.28 FEET ALONG THE ARC OF A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 4.00 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.44°55'34"E. FOR 5.66 FEET;

THENCE S.00°04'26"W., FOR 14.00 FEET;

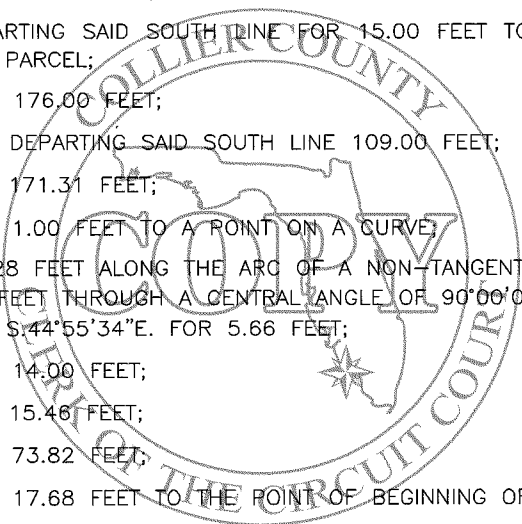
THENCE S.89°55'34"E., FOR 15.46 FEET;

THENCE S.11°37'00"W., FOR 73.82 FEET;

THENCE S.00°04'26"W., FOR 17.68 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

CONTAINING 19,697 SQUARE FEET OR 0.45 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.

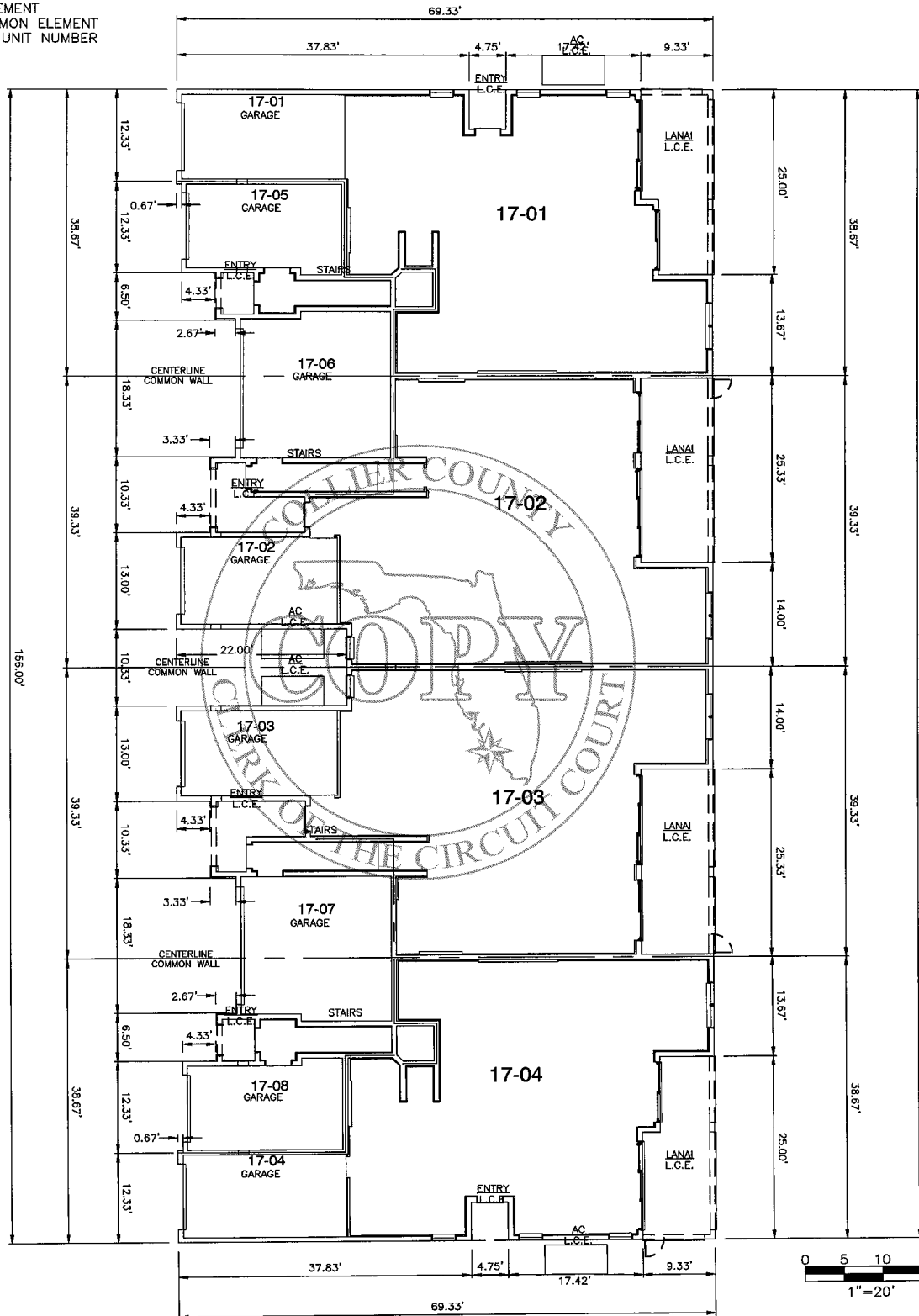


November 2, 2017 2:12 PM K:\2014\140013.01.04 Avalon Of Naples Condominium Documents\001 Condominium Exhibits\Condo 3\Rev 03\001 CD3SP2.dwg

<p>DATE: 11/2/17 PROJECT NO.: 140013.01.04 FILE NAME.: 001 CD3SP2 SHEET NUMBER 2 OF 9 DRAWN: TJD CHECKED: MAW</p>	<p>SEC: 8 TWP: 50 RGE: 26 SCALE: N/A PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM TITLE: PHASE 2 DESCRIPTION - BUILDING 17 CLIENT: AVALON OF NAPLES, LLC</p>	<p>RWA ENGINEERING 6610 Willow Park Drive, Suite 200 Naples, Florida 34109 Phone: (239) 597-0575 FAX: (239) 597-0578 LB No.: 6952</p>
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EXHIBIT "B-II"

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



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DATE: 11/2/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD3SP2
 SHEET NUMBER: 3 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E
 SCALE: 1" = 20'
 PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
 TITLE: EXTERIOR DIMENSIONS - FIRST FLOOR
 CLIENT: AVALON OF NAPLES, LLC

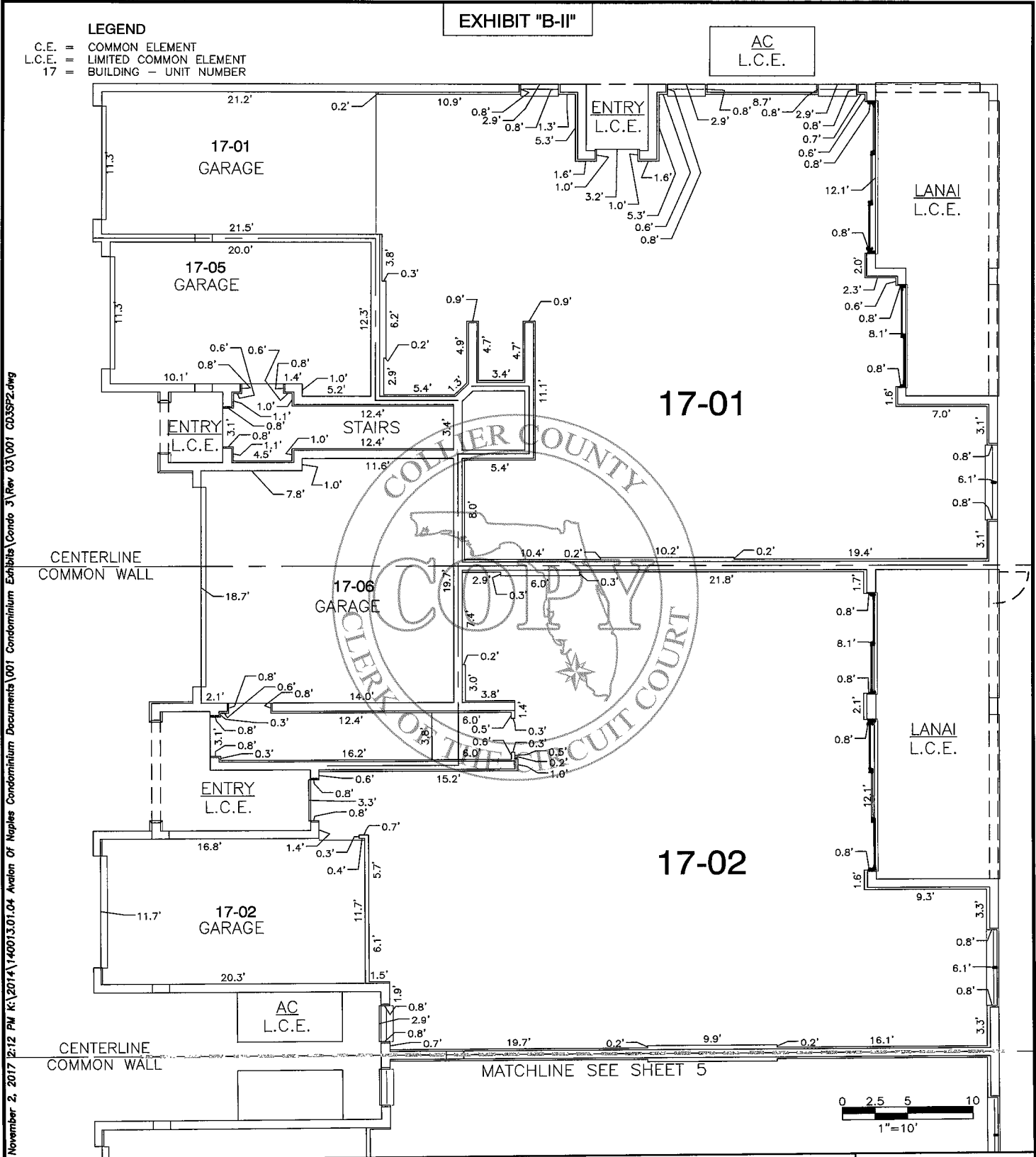
RWA
ENGINEERING
 6610 Willow Park Drive, Suite 200
 Naples, Florida 34109
 Phone: (239) 597-0575
 FAX: (239) 597-0578
 LB No.: 6952

EXHIBIT "B-II"

LEGEND

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

AC
L.C.E.

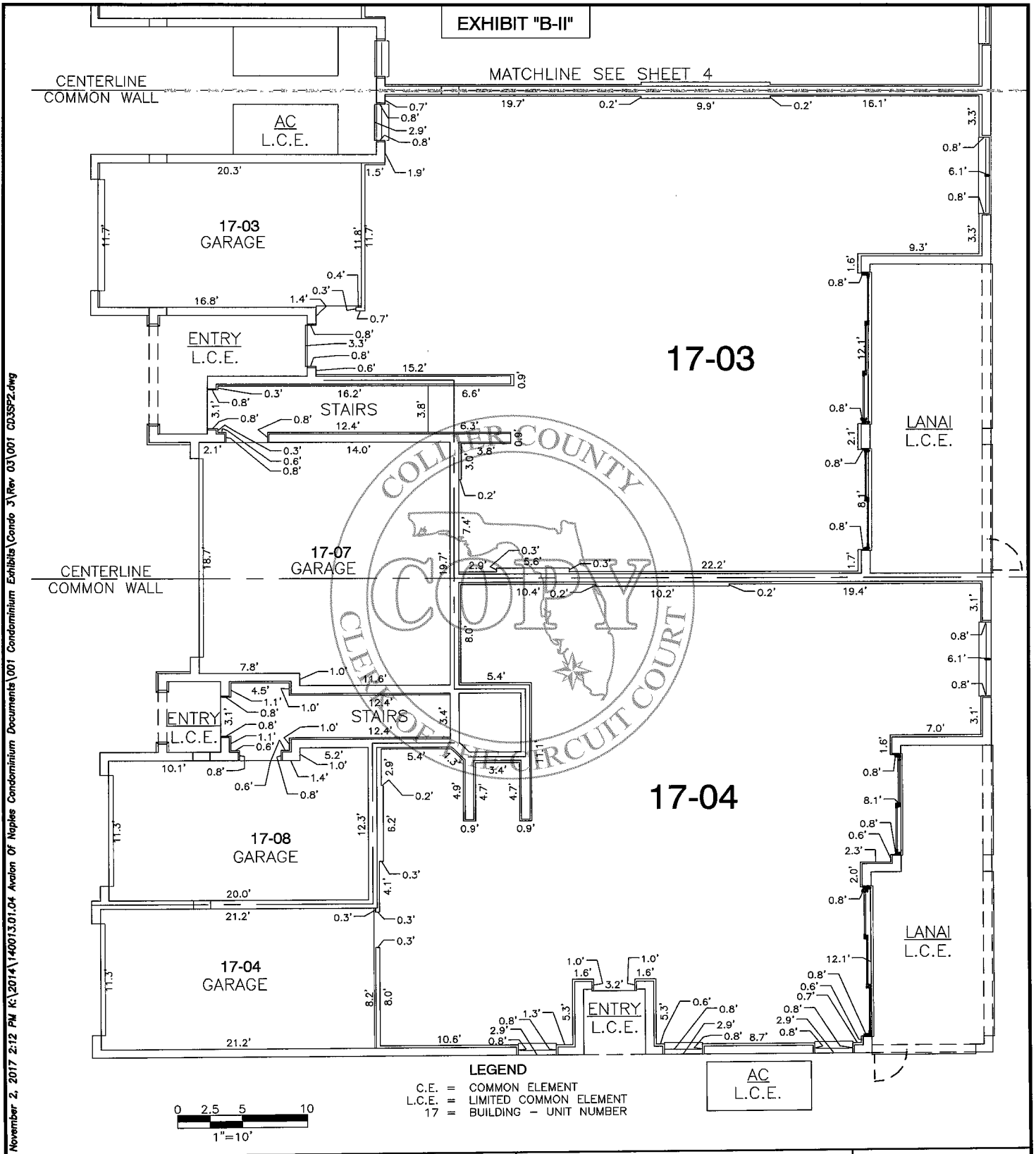


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DATE: 11/2/17
 PROJECT NO.: 140013.01.04
 FILE NAME: .001 CD3SP2
 SHEET NUMBER: 4 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E
 SCALE: 1" = 10'
 PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - FIRST FLOOR
 17-1 & 17-2
 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



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DATE: 11/2/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD3SP2
 SHEET NUMBER: 5 OF 9
 DRAWN: JMP
 CHECKED: TJD

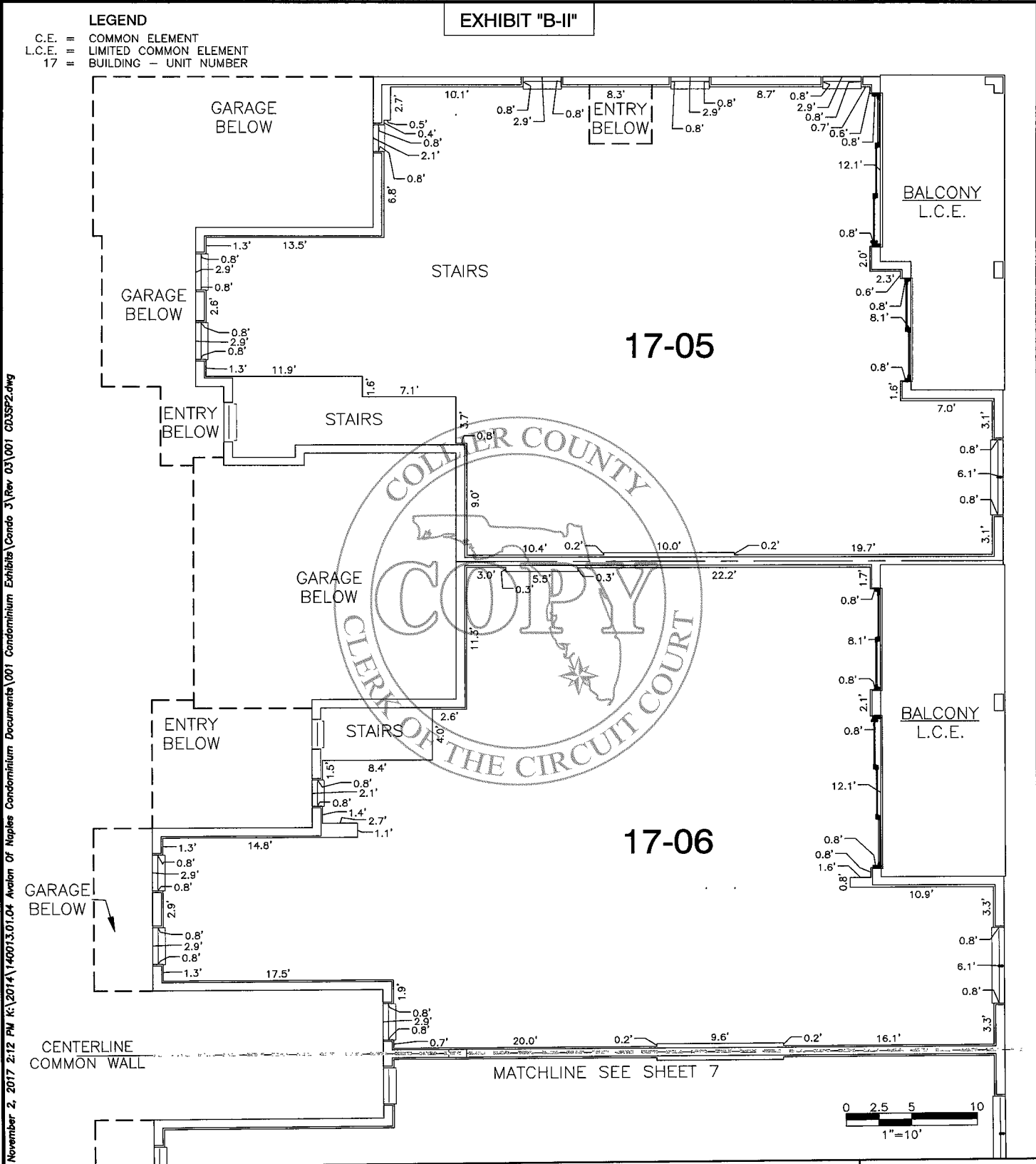
SEC: 8 TWP: 50S RGE: 26E SCALE: 1" = 10'

PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - FIRST FLOOR
 17-3 & 17-4
 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"

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

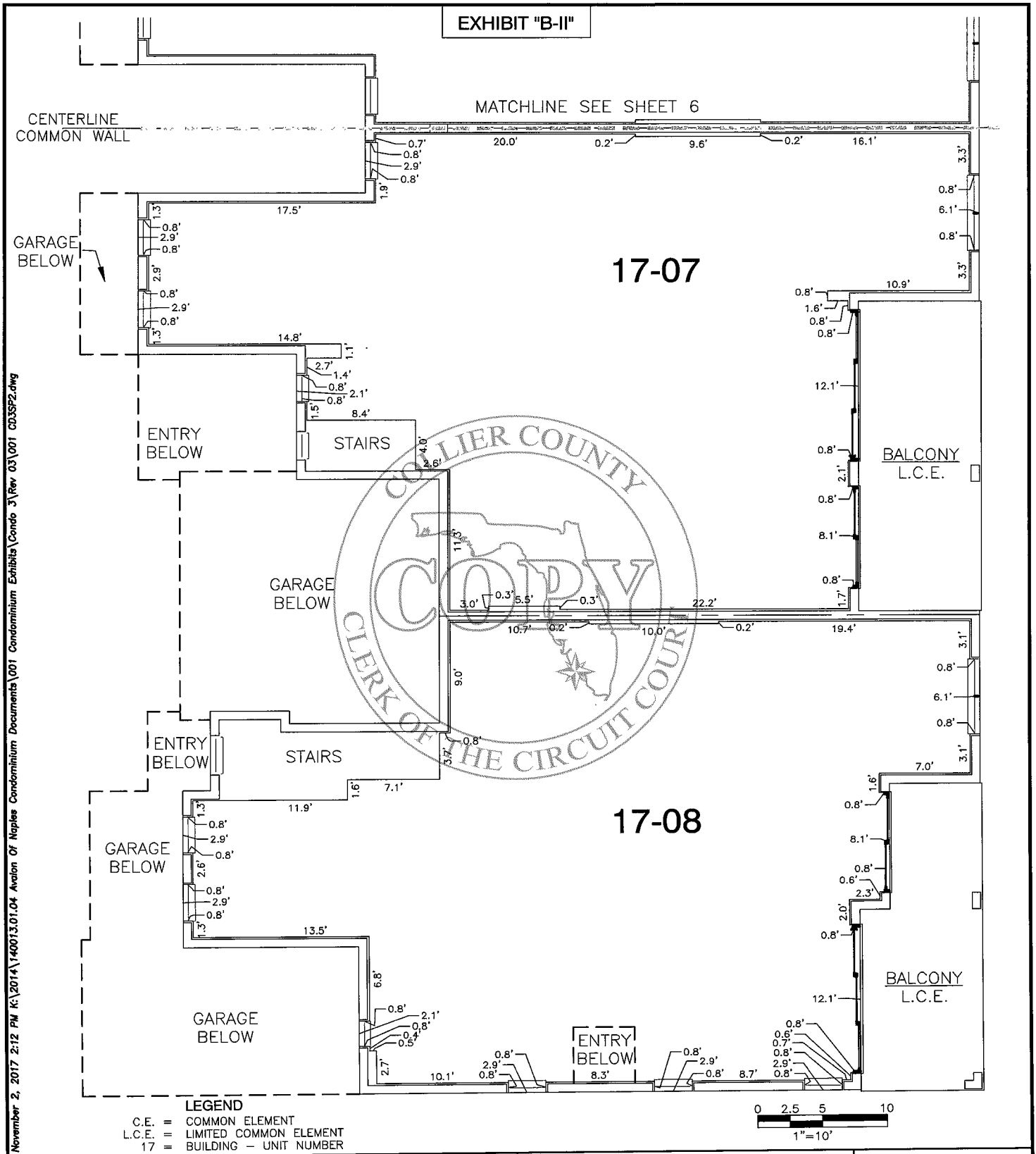


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DATE: 11/2/17
 PROJECT NO.: 140013.01.04
 FILE NAME.:001 CD3SP2
 SHEET NUMBER: 6 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E
 SCALE: 1" = 10'
 PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - SECOND FLOOR
 17-5 & 17-6
 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



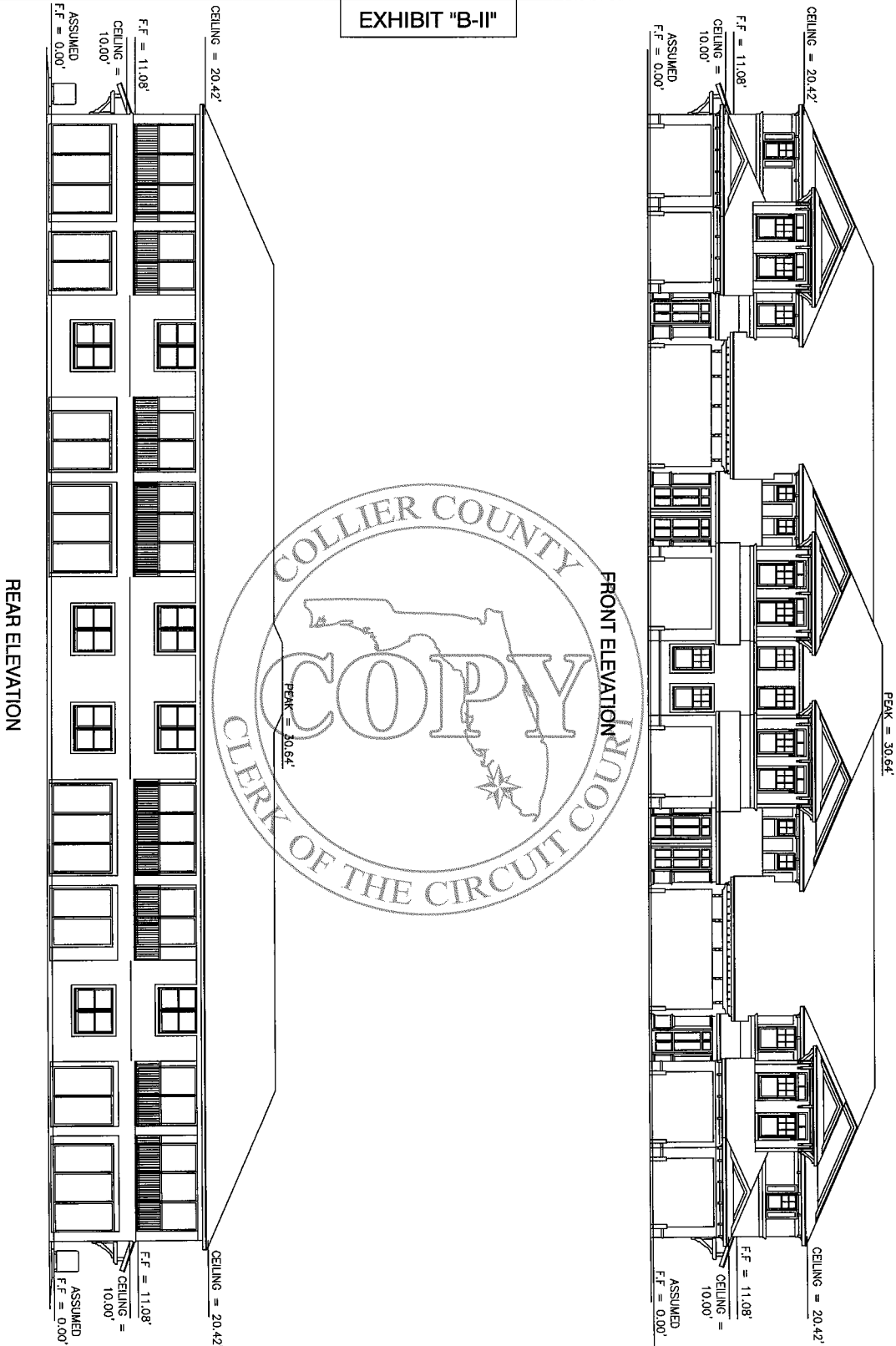
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DATE: 11/2/17
 PROJECT NO. 140016.01.04
 FILE NAME.: 001 CD3SP2
 SHEET NUMBER: 7 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50s RGE: 26e SCALE: 1" = 10'
 PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - SECOND FLOOR
 17-7 & 17-8
 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"



LEGEND
F.F. = FINISHED FLOOR

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DATE: 11/2/17
PROJECT NO.: 140013.01.04
FILE NAME.:001 CD3SP2
SHEET NUMBER: 8 OF 9
DRAWN: JMP
CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E

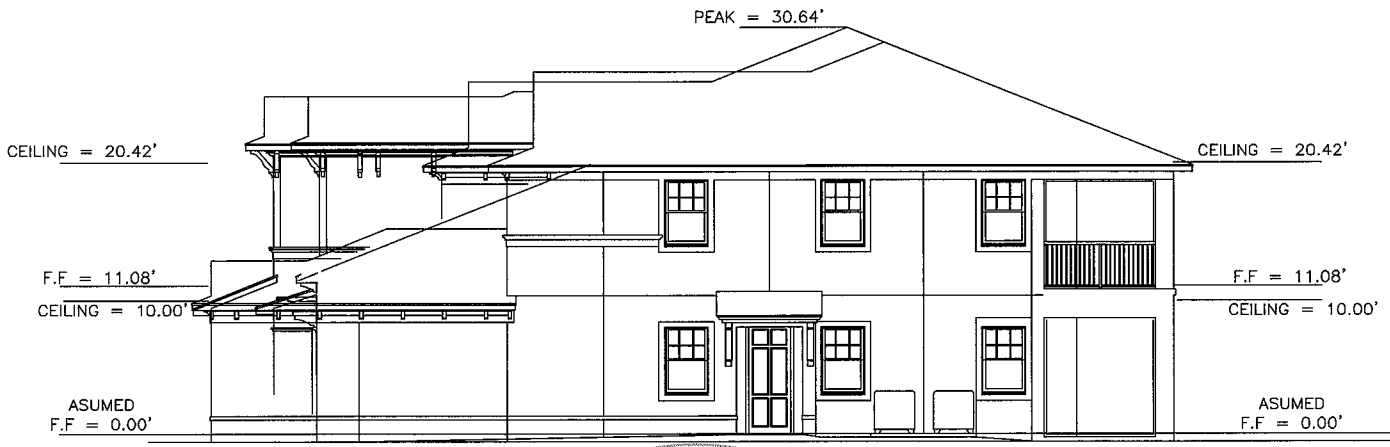
SCALE: N.T.S.

PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
TITLE: ELEVATIONS FRONT AND REAR
CLIENT: AVALON OF NAPLES, LLC

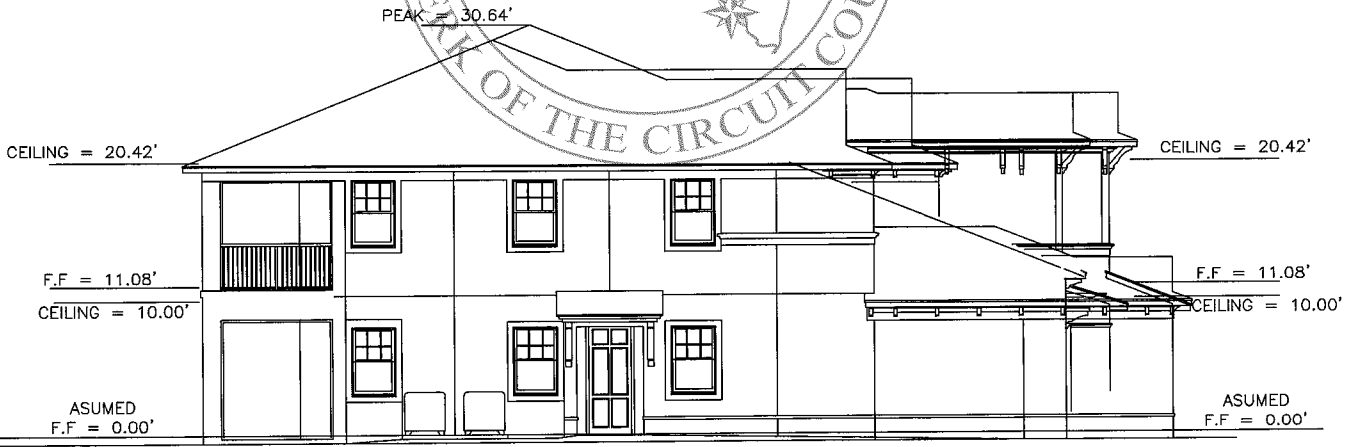
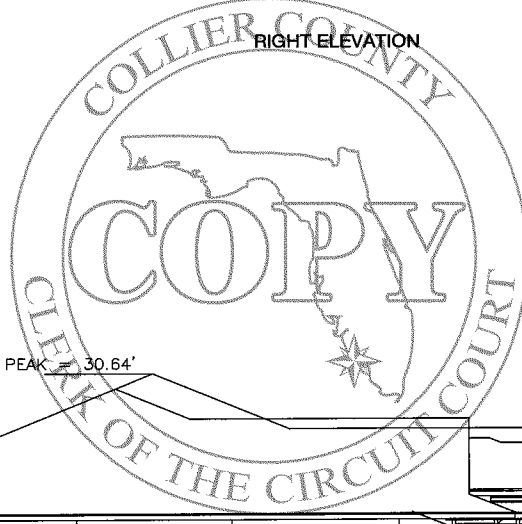


6610 Willow Park Drive, Suite 200
Naples, Florida 34109
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FAX: (239) 597-0578
LB No.: 6952

EXHIBIT "B-II"



RIGHT ELEVATION



LEFT ELEVATION

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LEGEND
F.F. = FINISHED FLOOR

DATE: 11/2/17
PROJECT NO.: 140013.01.04
FILE NAME.:001 CD3SP2
SHEET NUMBER: 9 OF 9
DRAWN: JMP
CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E SCALE: N.T.S.
PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
TITLE: ELEVATIONS RIGHT AND LEFT
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

First Floor Overall

Keswick

Living Area	1339 S.F.
Land	200 S.F.
Garage	240 S.F.
Covered Entry	26 S.F.
Total Area	1812 S.F.

Kendall

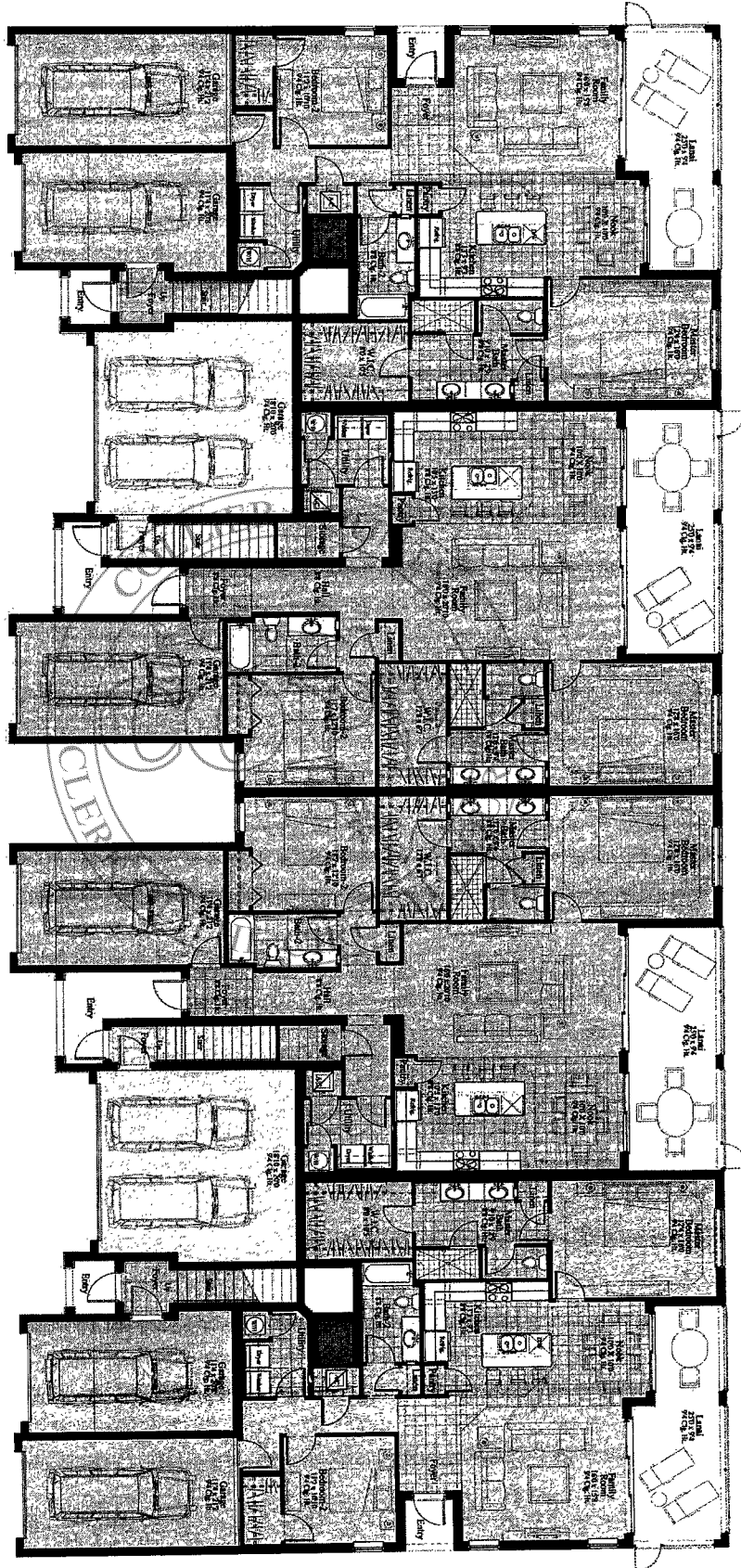
Living Area	1467 S.F.
Land	217 S.F.
Garage	236 S.F.
Covered Entry	38 S.F.
Total Area	1967 S.F.

Kendall

Living Area	1467 S.F.
Land	217 S.F.
Garage	236 S.F.
Covered Entry	38 S.F.
Total Area	1967 S.F.

Keswick

Living Area	1339 S.F.
Land	200 S.F.
Garage	240 S.F.
Covered Entry	26 S.F.
Total Area	1812 S.F.



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NO.	DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	08/14/14	W.H.	
2	ISSUED FOR CONSTRUCTION	08/14/14	W.H.	
3	ISSUED FOR OCCUPANCY	08/14/14	W.H.	
4	ISSUED FOR RECORD	08/14/14	W.H.	
5	ISSUED FOR AS-BUILT	08/14/14	W.H.	
6	ISSUED FOR FINAL	08/14/14	W.H.	
7	ISSUED FOR ARCHIVE	08/14/14	W.H.	
8	ISSUED FOR DESTRUCTION	08/14/14	W.H.	
9	ISSUED FOR REVISION	08/14/14	W.H.	
10	ISSUED FOR CANCEL	08/14/14	W.H.	

Second Floor Overall

Whitehaven

Living Area	1469 S.F.
Land	207 S.F.
Garage	231 S.F.
Covered Entry	26 S.F.
Total Area	2134 S.F.

Whitehaven

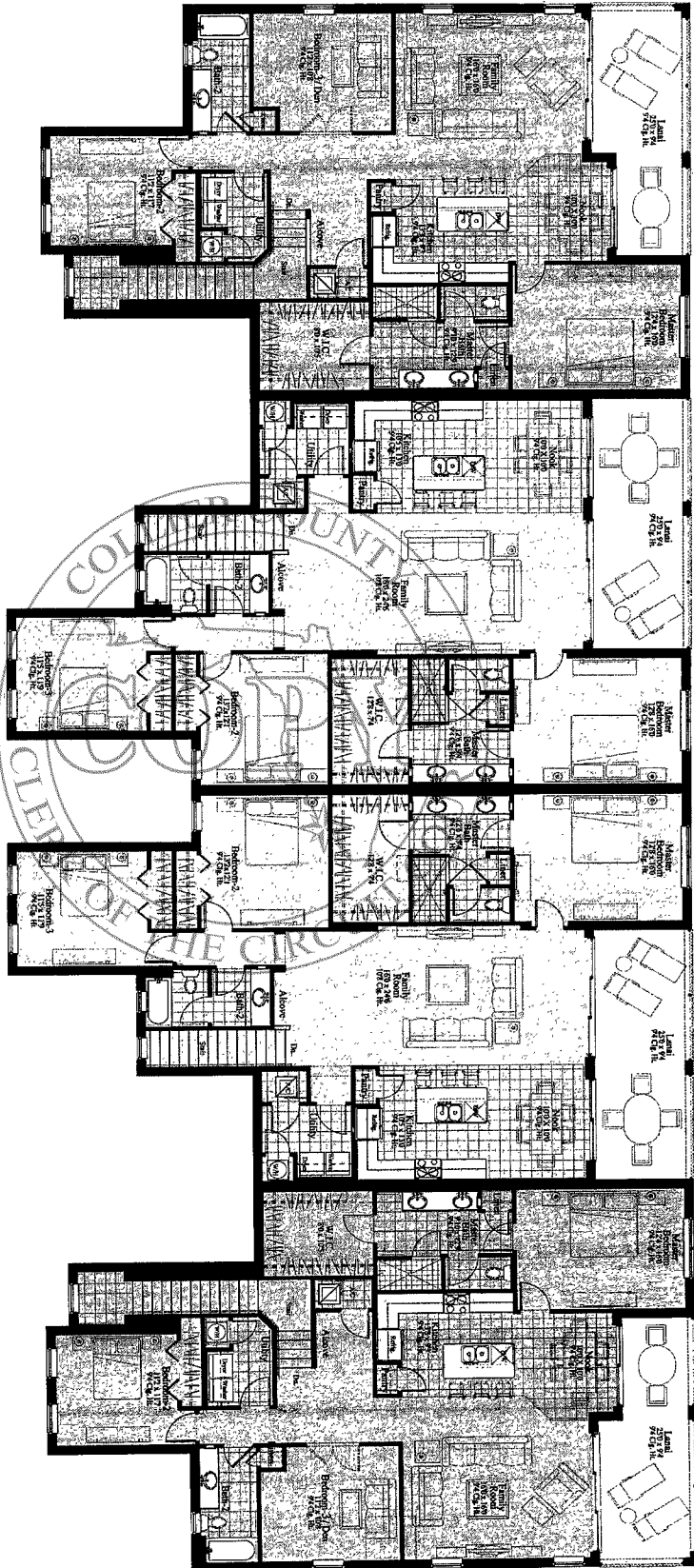
Living Area	1725 S.F.
Land	232 S.F.
Garage	372 S.F.
Covered Entry	58 S.F.
Total Area	2387 S.F.

Whitehaven

Living Area	1725 S.F.
Land	232 S.F.
Garage	372 S.F.
Covered Entry	58 S.F.
Total Area	2387 S.F.

Whitehaven

Living Area	1469 S.F.
Land	207 S.F.
Garage	231 S.F.
Covered Entry	26 S.F.
Total Area	2134 S.F.



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A-2

NO.	DATE	REVISIONS
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EXHIBIT C

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

1. Phase I (Building 7)

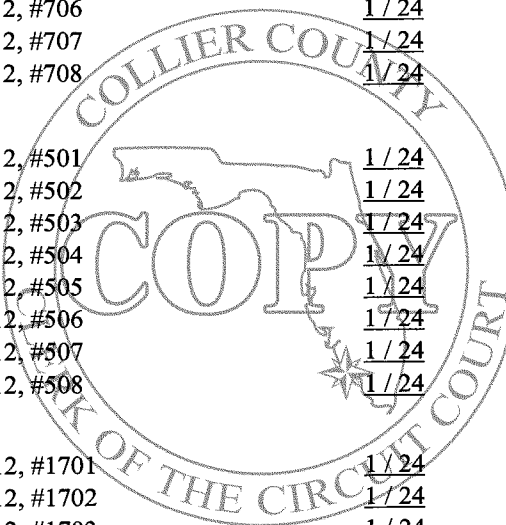
6954 Avalon Circle, Naples, FL 34112, #701	<u>1 / 24</u>	4.1667%
6954 Avalon Circle, Naples, FL 34112, #702	<u>1 / 24</u>	4.1667%
6954 Avalon Circle, Naples, FL 34112, #703	<u>1 / 24</u>	4.1667%
6954 Avalon Circle, Naples, FL 34112, #704	<u>1 / 24</u>	4.1667%
6954 Avalon Circle, Naples, FL 34112, #705	<u>1 / 24</u>	4.1667%
6954 Avalon Circle, Naples, FL 34112, #706	<u>1 / 24</u>	4.1667%
6954 Avalon Circle, Naples, FL 34112, #707	<u>1 / 24</u>	4.1667%
6954 Avalon Circle, Naples, FL 34112, #708	<u>1 / 24</u>	4.1667%

2. Phase V (Building 5)

6940 Avalon Circle, Naples, FL 34112, #501	<u>1 / 24</u>	4.1667%
6940 Avalon Circle, Naples, FL 34112, #502	<u>1 / 24</u>	4.1667%
6940 Avalon Circle, Naples, FL 34112, #503	<u>1 / 24</u>	4.1667%
6940 Avalon Circle, Naples, FL 34112, #504	<u>1 / 24</u>	4.1667%
6940 Avalon Circle, Naples, FL 34112, #505	<u>1 / 24</u>	4.1667%
6940 Avalon Circle, Naples, FL 34112, #506	<u>1 / 24</u>	4.1667%
6940 Avalon Circle, Naples, FL 34112, #507	<u>1 / 24</u>	4.1667%
6940 Avalon Circle, Naples, FL 34112, #508	<u>1 / 24</u>	4.1667%

3. Phase II (Building 17)

6959 Avalon Circle, Naples, FL 34112, #1701	<u>1 / 24</u>	4.1667%
6959 Avalon Circle, Naples, FL 34112, #1702	<u>1 / 24</u>	4.1667%
6959 Avalon Circle, Naples, FL 34112, #1703	<u>1 / 24</u>	4.1667%
6959 Avalon Circle, Naples, FL 34112, #1704	<u>1 / 24</u>	4.1667%
6959 Avalon Circle, Naples, FL 34112, #1705	<u>1 / 24</u>	4.1667%
6959 Avalon Circle, Naples, FL 34112, #1706	<u>1 / 24</u>	4.1667%
6959 Avalon Circle, Naples, FL 34112, #1707	<u>1 / 24</u>	4.1667%
6959 Avalon Circle, Naples, FL 34112, #1708	<u>1 / 24</u>	4.1667%



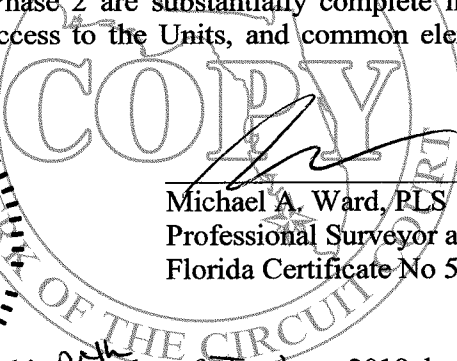
CERTIFICATE OF SURVEYOR

STATE OF FLORIDA)
) SS
COUNTY OF COLLIER)

Before me, the undersigned authority, personally appeared Michael A. Ward, who after being duly sworn, deposes and says:

1. That Affiant is a registered Surveyor and Mapper holding Florida Certificate No. 5301, and is the surveyor who surveyed the property known and identified as "AVALON OF NAPLES III", a condominium, as per Declaration of Condominium recorded in Official Record Book 5594, Page 1162, of the Public Records of Collier County, Florida (the "Condominium").

2. The construction of the improvements, with respect to all Units within Building 17 of Phase 2 of the Condominium are substantially complete so that the provisions of the Declaration describing the condominium property, is an accurate representation of the location and dimensions of the improvements, and that the identification, location, and dimensions of the common elements and of each Unit within Building 17 of Phase 2 can be determined from those materials. I further certify that the construction of all planned improvements with respect to all Units within Building 17 of Phase 2 are substantially complete including, but not limited to landscaping, utility services, access to the Units, and common elements facilities serving said Building 17 of Phase 2.



Michael A. Ward, PLS
Professional Surveyor and Mapper
Florida Certificate No 5301

7/26/19

Signed and sworn to before me this 26 day of July, 2019, by Michael A. Ward who X is personally known to me or X has produced _____ as identification.



KATHY HORN
MY COMMISSION # GG 082273
EXPIRES: June 3, 2021
Bonded Thru Budget Notary Services

Kathy Horn
Notary Public, State of Florida
Kathy Horn
Printed Name of Notary Public
My Commission Expires: 6-3-21

NOTE: It is requested that, subsequent to the recording of this affidavit, the clerk make a marginal notation on the face of the desk copy of said plat referencing this affidavit.

PREPARED BY: Edward Vogler II, Esq.
Vogler Ashton, PLLC
705 10th Avenue W., Unit 103
Palmetto, FL 34221