

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

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

THIS SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM OF AVALON OF NAPLES III, A CONDOMINIUM ("Sixth Amendment") is made as of the 7 day of January, 2020, 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, Third Amendment to Declaration of Condominium of Avalon of Naples III as recorded in Official Records Book 5657, Page 667 of said records, and; Fourth Amendment to Declaration of Condominium of Avalon of Naples III as recorded in Official Records Book 5685, Page 1694 of said records, and; Fifth Amendment to the Declaration of Condominium of Avalon of Naples III as recorded in Official Records Book 5688, Page 1551 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 Sixth 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 VI of the Condominium, as more fully set forth and described in Exhibit "B-VI" attached hereto, which lands and improvements comprise Phase VI 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 Sixth Amendment.

c. The Certificate of Surveyor for Building 19 of Phase VI is attached hereto and incorporated herein and confirms that Building 19 of Phase VI is substantially complete in accordance with Chapter 718 of the Florida Statutes.

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 Fifth 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

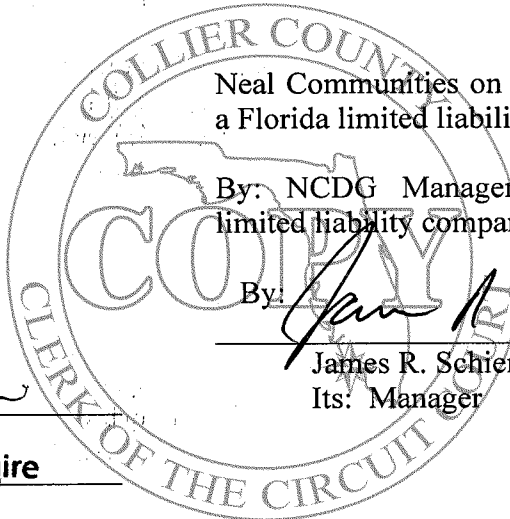
By: NCDG Management, LLC, a Florida
limited liability company, Its Manager

By: James R. Schier
James R. Schier
Its: Manager

Veronica McGuire
Signature
Veronica McGuire

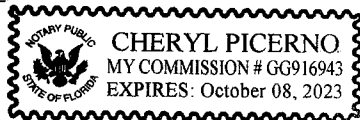
Michelle Nagy
Signature
Michelle Nagy

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 (X) 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 7th day of JANUARY, 2020.



Cheryl Picerno
NOTARY PUBLIC, State of Florida

My Commission Expires:

EXHIBIT B-VI

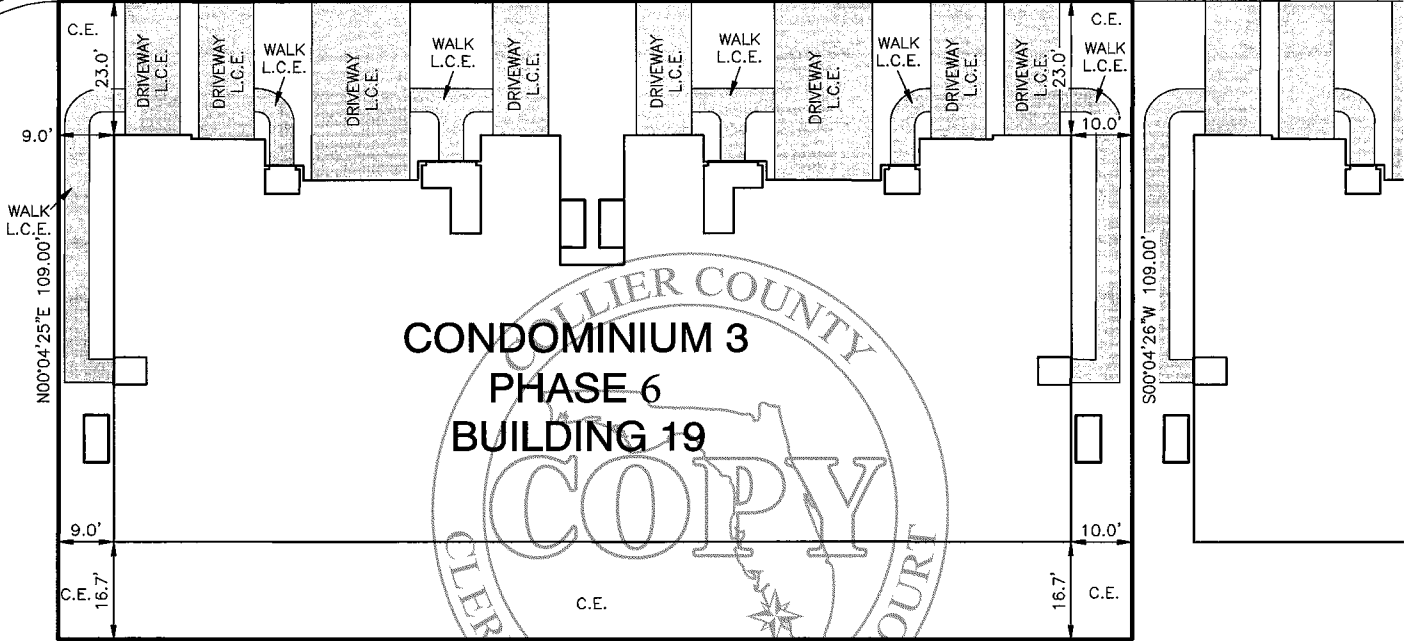
[Legal description, survey, plot plan, and graphic descriptions for Phase VI]



EXHIBIT "B-VI"

AVALON CIRCLE

S89°55'34"E 175.00'



CONDOMINIUM 3
PHASE 6
BUILDING 19

N89°55'34"W 175.00'

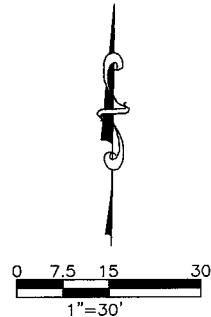
POB DESC.
N00°04'26"E 15.00'

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

N89°55'34"W 362.11'

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 2:19 PM K:\2014\140013.01.04 Avalon Of Naples Condominium Documents\001 Condominium Exhibits\Condo 3\Rev 03\001 CD3SP6.dwg



DATE: 11/2/17
PROJECT NO.: 140013.01.04
FILE NAME.:001 CD3SP6
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 6 SITE PLAN - BUILDING 19
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-VI"

**PHASE 6 - BUILDING 19
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 362.11 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 175.00 FEET;

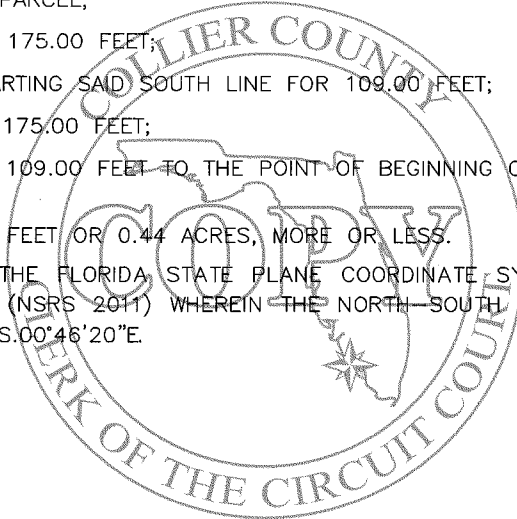
THENCE N.00°04'25"E., DEPARTING SAID SOUTH LINE FOR 109.00 FEET;

THENCE S.89°55'34"E., FOR 175.00 FEET;

THENCE S.00°04'26"W., FOR 109.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

CONTAINING 19,075 SQUARE FEET OR 0.44 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.



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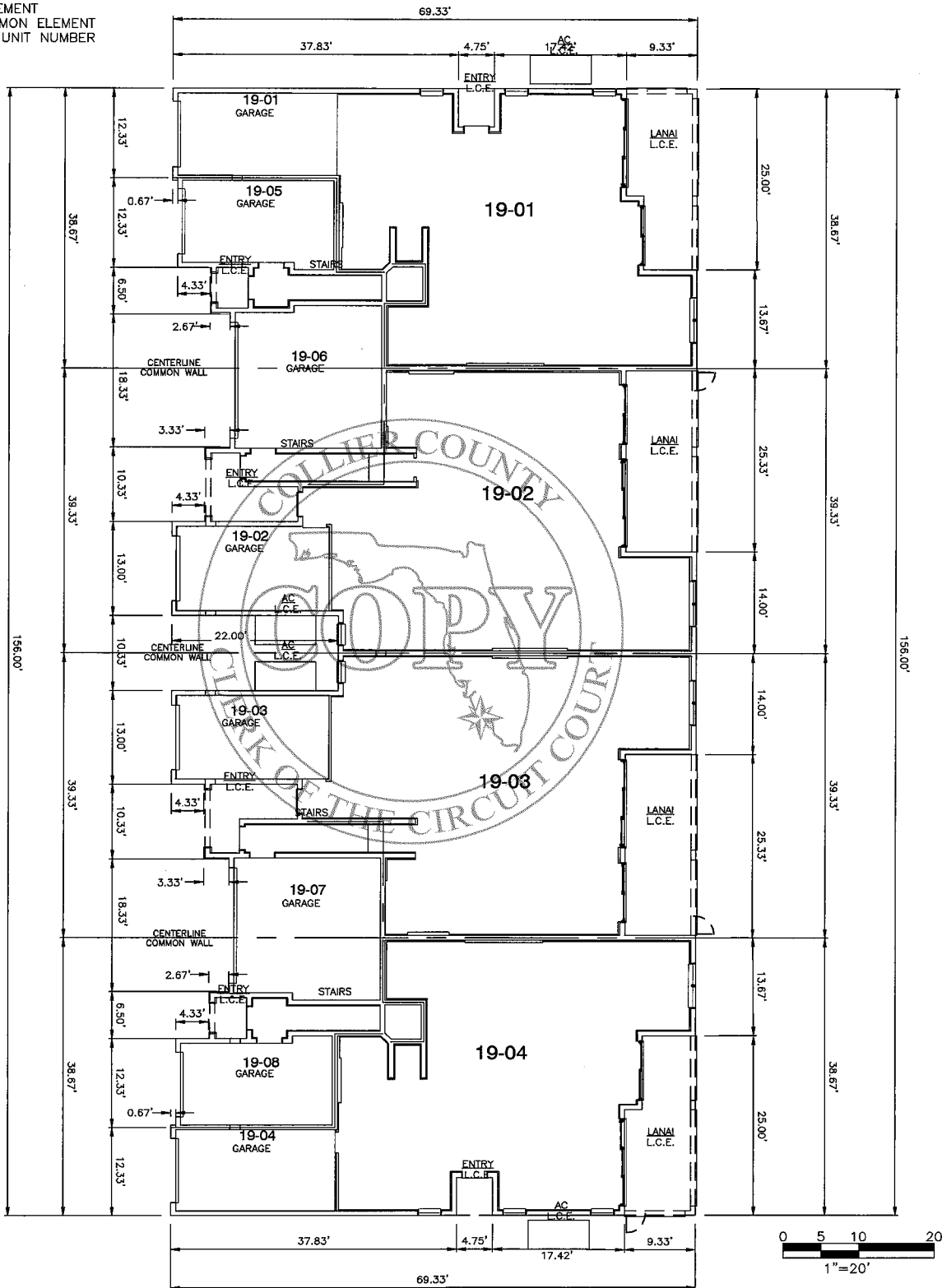
DATE: 11/2/17 PROJECT NO.: 140013.01.04 FILE NAME.: 001 CD3SP6 SHEET NUMBER: 2 OF 9 DRAWN: TJD CHECKED: MAW	SEC: 8 TWP: 50 RGE: 26 PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM TITLE: PHASE 6 DESCRIPTION - BUILDING 19 CLIENT: AVALON OF NAPLES, LLC	SCALE: N/A	 RWA ENGINEERING 6610 Willow Park Drive, Suite 200 Naples, Florida 34109 Phone: (239) 597-0575 FAX: (239) 597-0578 LB No.: 6952
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EXHIBIT "B-VI"

LEGEND

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



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DATE: 11/2/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD3SP6
 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

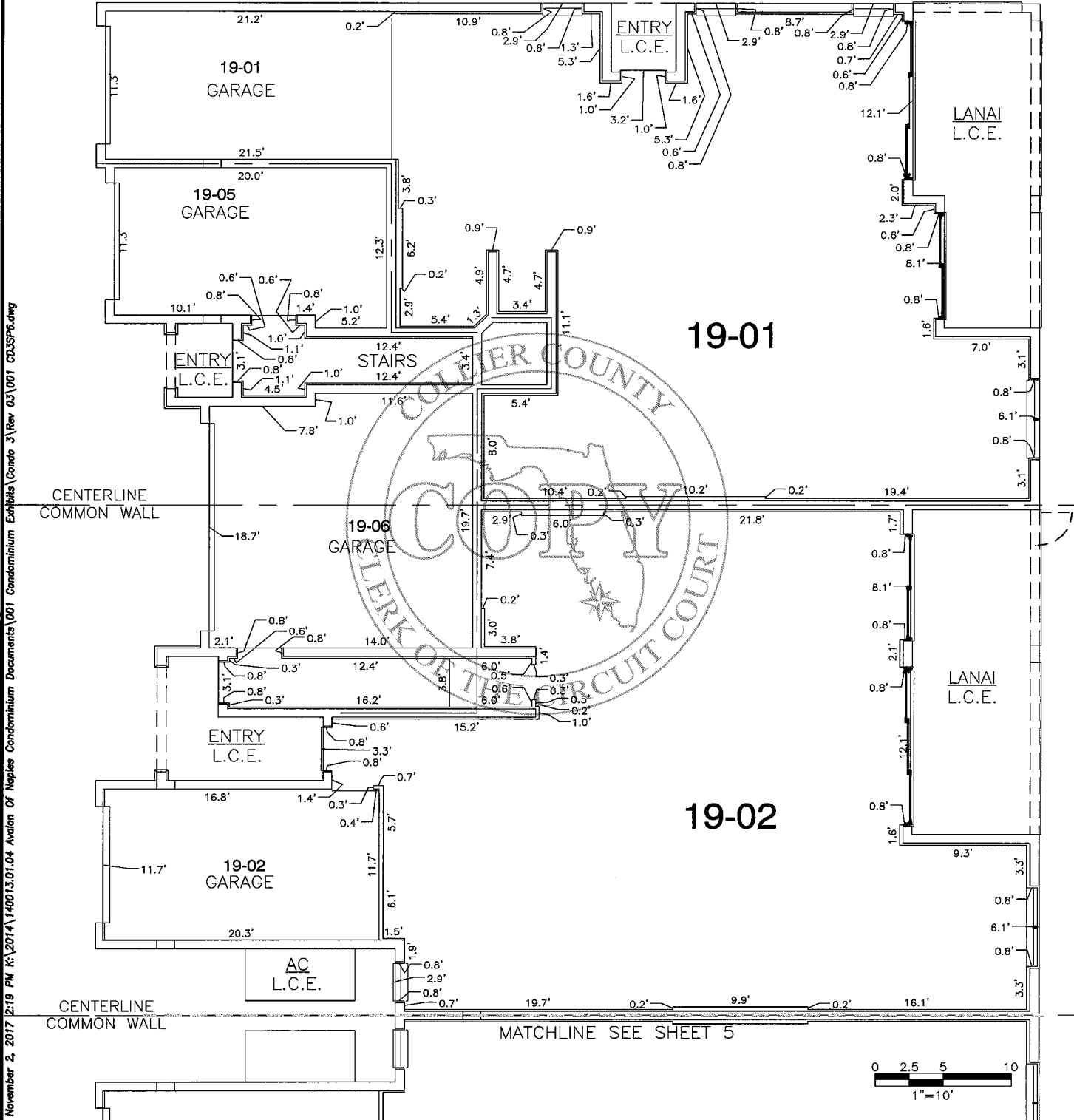
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 6610 Willow Park Drive, Suite 200
 Naples, Florida 34109
 Phone: (239) 597-0575
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EXHIBIT "B-VI"

LEGEND

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

AC
L.C.E.

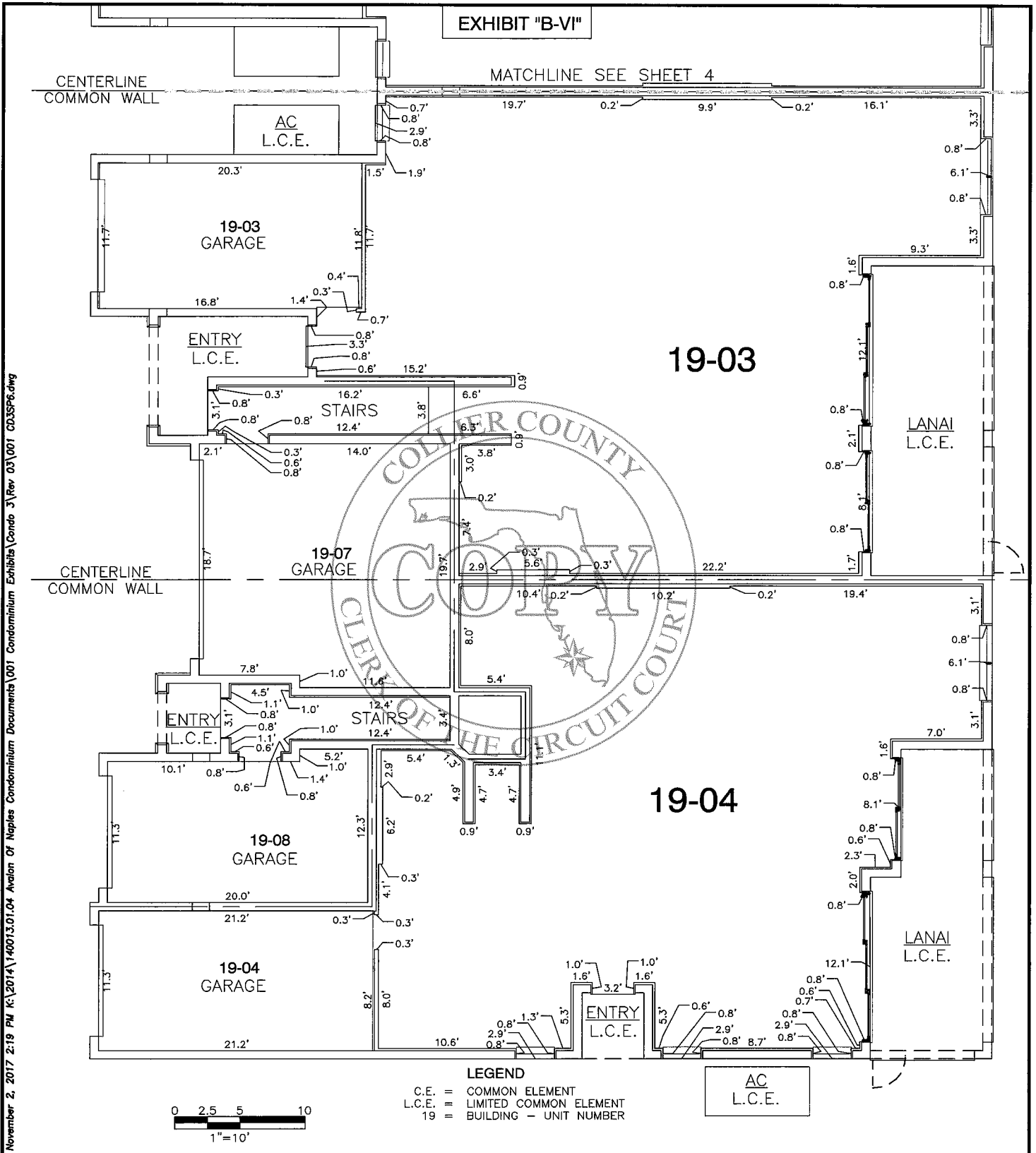


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DATE: 11/2/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD3SP6
 SHEET NUMBER: 4 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E
 SCALE: 1" = 10'
 PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - FIRST FLOOR
 19-1 & 19-2
 CLIENT: AVALON OF NAPLES, LLC

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 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 CD3SP6
 SHEET NUMBER: 5 OF 9
 DRAWN: JMP
 CHECKED: TJD

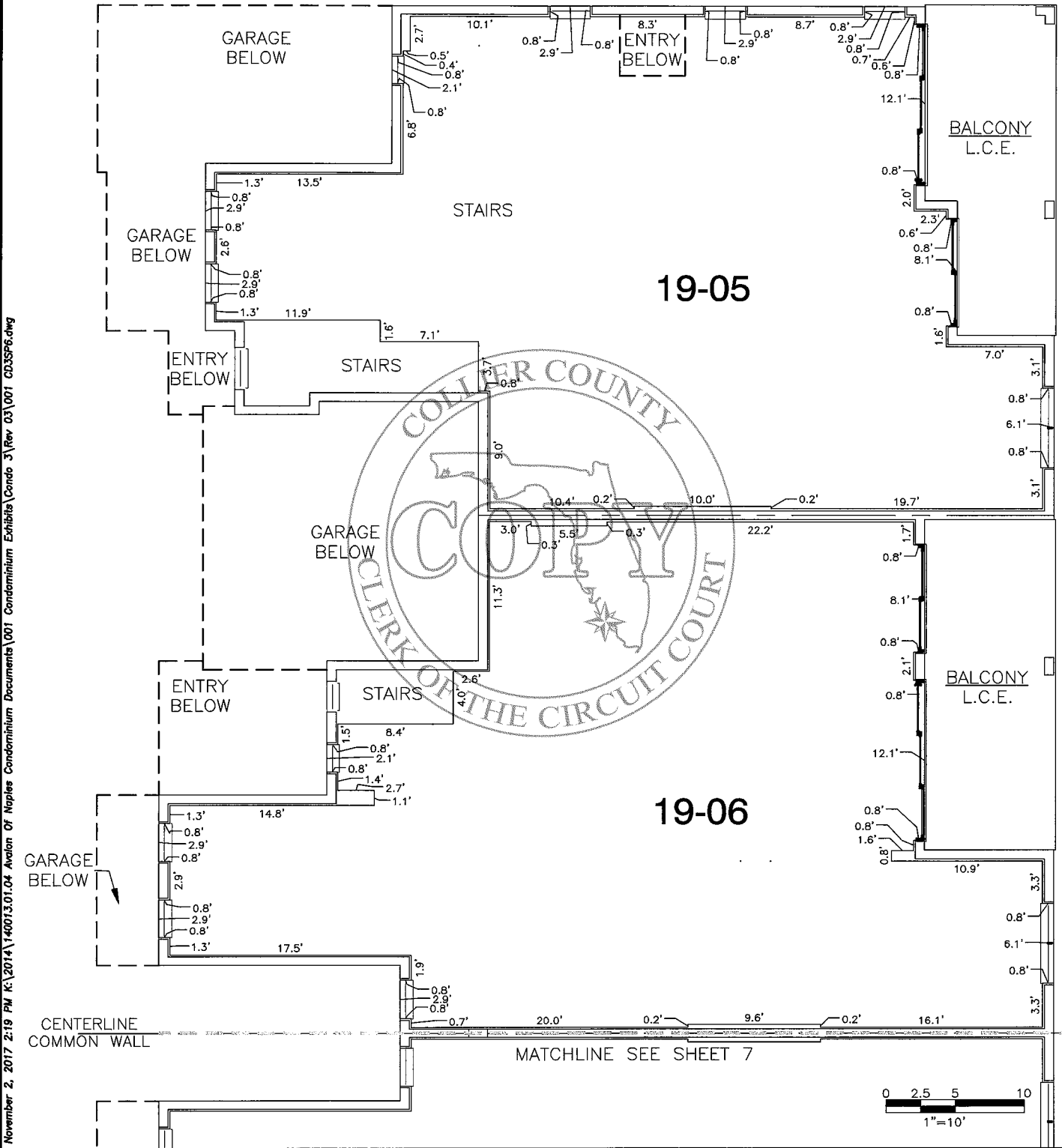
SEC: 8 TWP: 50S RGE: 26E SCALE: 1" = 10'

PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - FIRST FLOOR
 19-3 & 19-4
 CLIENT: AVALON OF NAPLES, LLC

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 LB No.: 6952

EXHIBIT "B-VI"

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

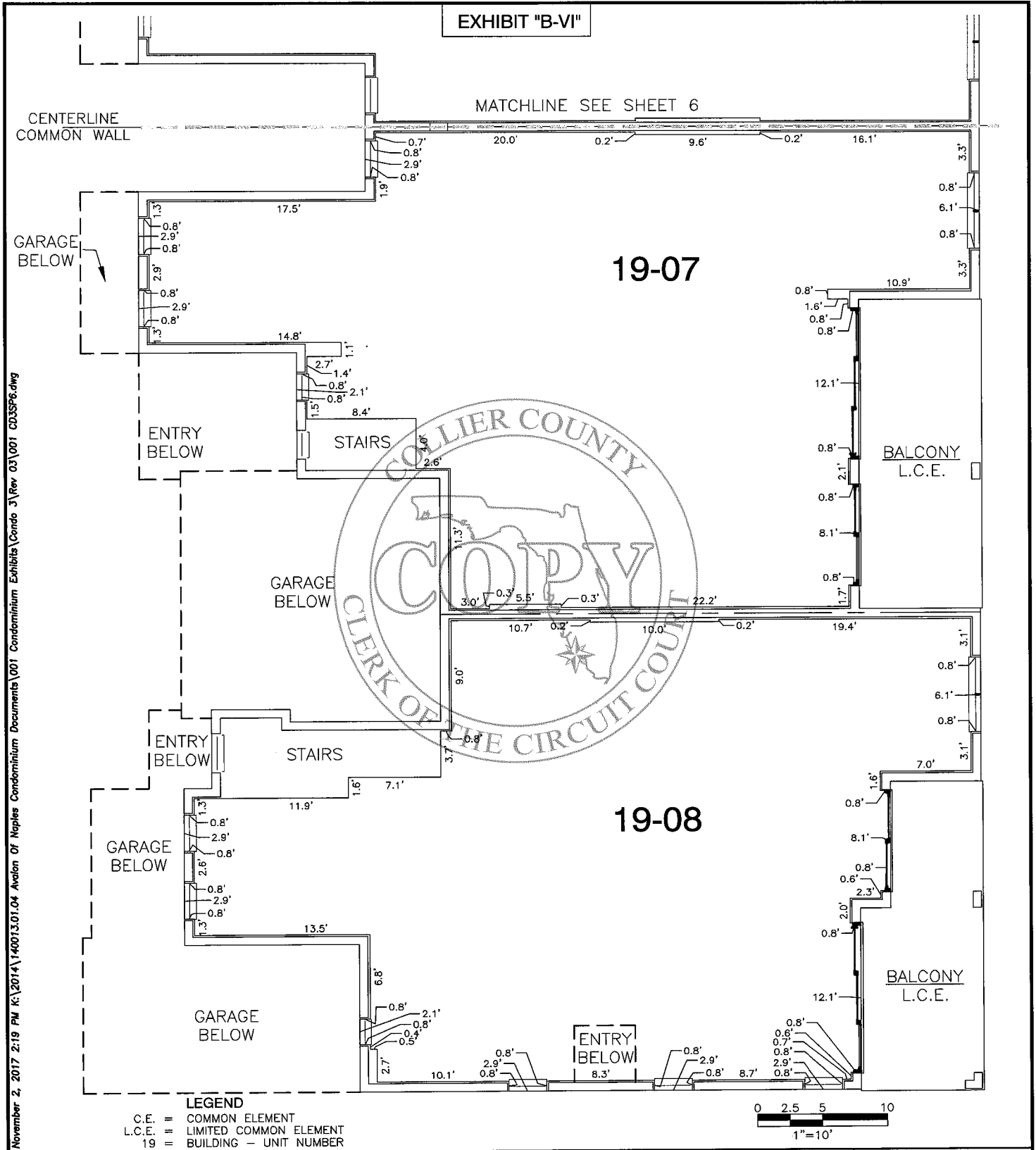


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DATE: 11/2/17
 PROJECT NO.: 140013.01.04
 FILE NAME: 001 CD3SP6
 SHEET NUMBER: 6 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E SCALE: 1" = 10'
 PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - SECOND FLOOR
 19-5 & 19-6
 CLIENT: AVALON OF NAPLES, LLC

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ENGINEERING
 6610 Willow Park Drive, Suite 200
 Naples, Florida 34109
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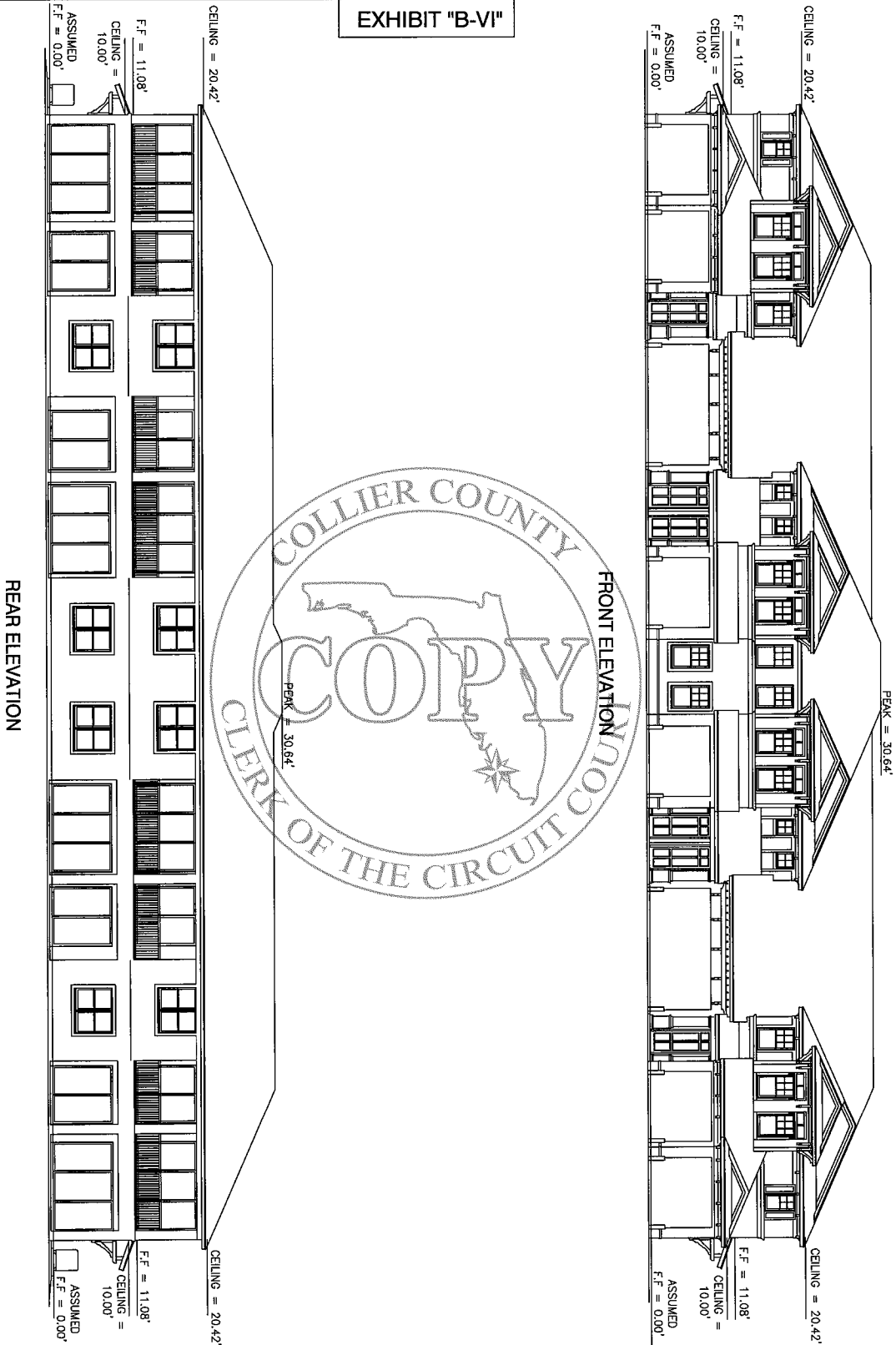
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DATE: 11/2/17
 PROJECT NO. 140016.01.04
 FILE NAME.: 001 CD3SP6
 SHEET NUMBER: 7 OF 9
 DRAWN: JMP
 CHECKED: TJD

SEC: 8 TWP: 50s RGE: 26e SCALE: 1" = 10'
 PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
 TITLE: INTERIOR DIMENSIONS - SECOND FLOOR
 19-7 & 19-8
 CLIENT: AVALON OF NAPLES, LLC

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 Naples, Florida 34109
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 FAX: (239) 597-0578
 LB No.: 6952

EXHIBIT "B-VI"



LEGEND
F.F. = FINISHED FLOOR

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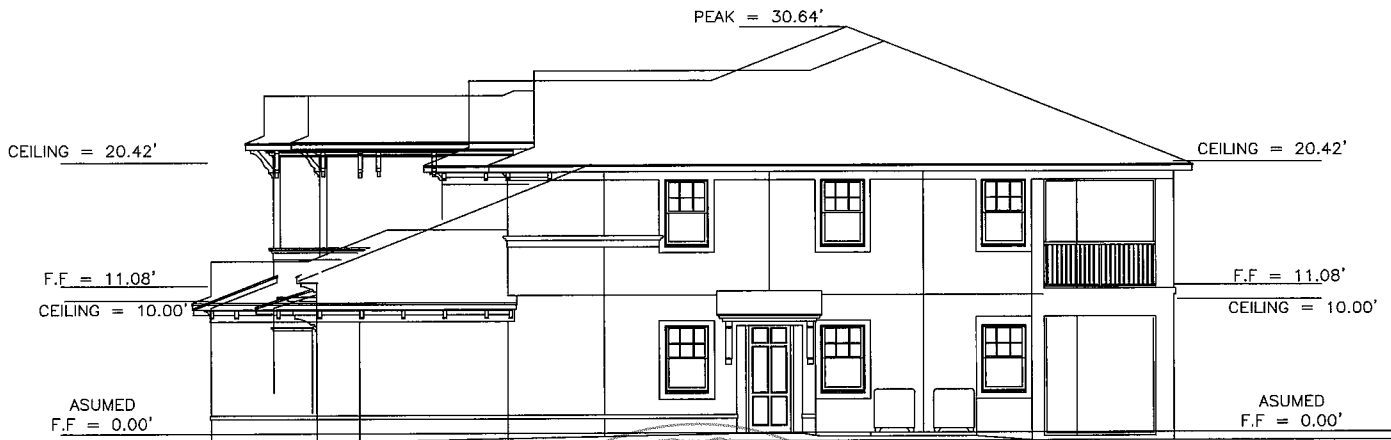
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PROJECT NO.: 140013.01.04
FILE NAME.:001 CD3SP6
SHEET NUMBER: 8 OF 9
DRAWN: JMP
CHECKED: TJD

SEC: 8 TWP: 50S RGE: 26E
PROJECT: AVALON OF NAPLES 3, A CONDOMINIUM
TITLE: ELEVATIONS FRONT AND REAR
CLIENT: AVALON OF NAPLES, LLC

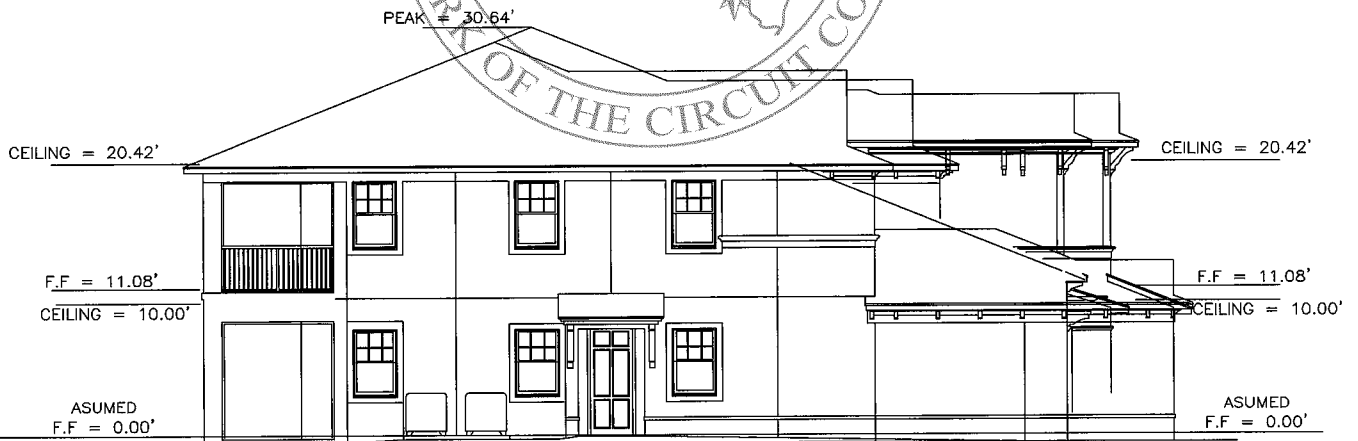
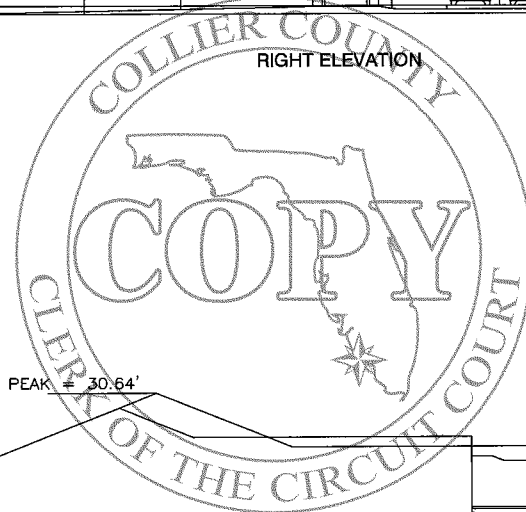
SCALE: N.T.S.

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ENGINEERING
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Naples, Florida 34109
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FAX: (239) 597-0578
LB No.: 6952

EXHIBIT "B-VI"



RIGHT ELEVATION



LEFT ELEVATION

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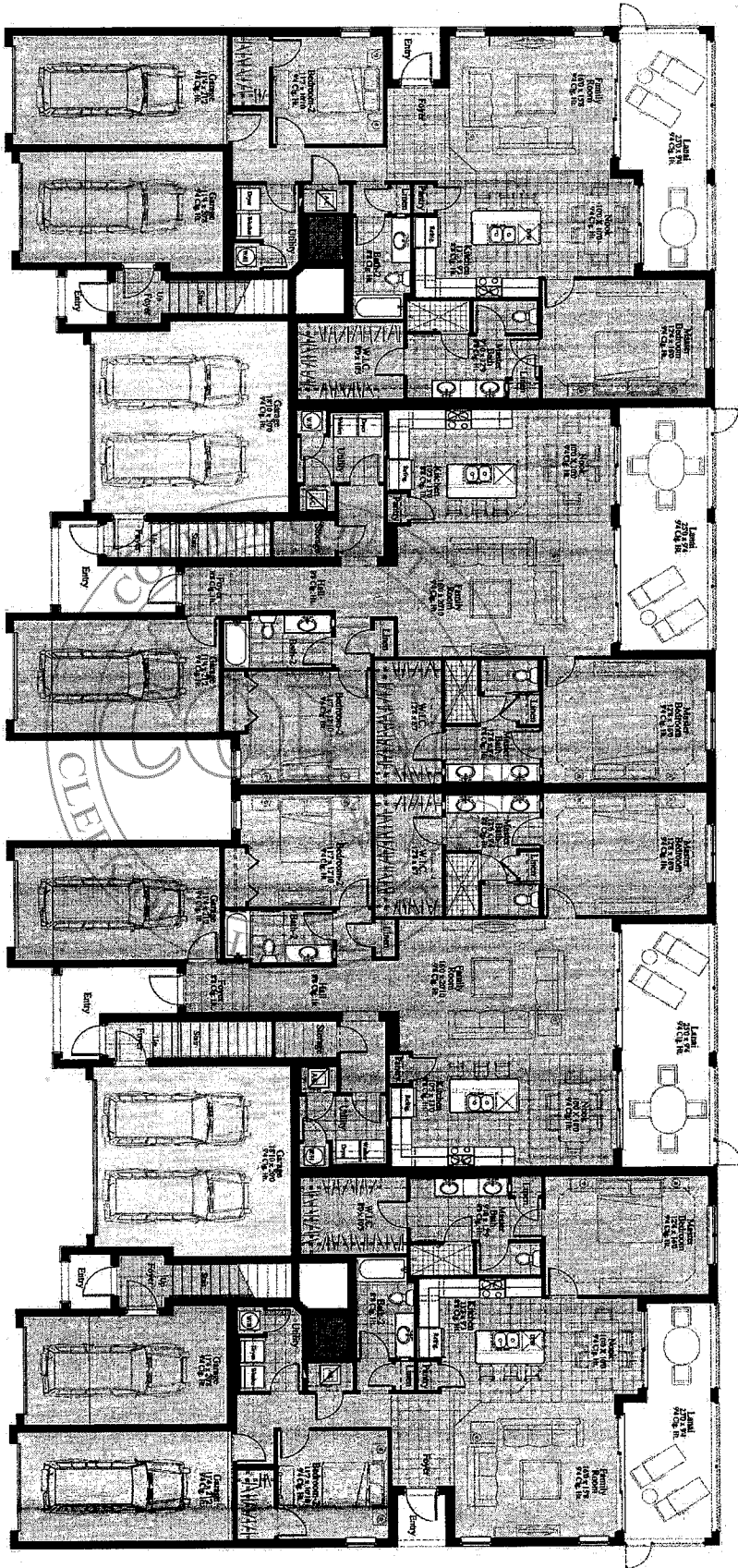
LEGEND

F.F. = FINISHED FLOOR

DATE: 11/2/17
 PROJECT NO.: 140013.01.04
 FILE NAME.: 001 CD3SP6
 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
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 6610 Willow Park Drive, Suite 200
 Naples, Florida 34109
 Phone: (239) 597-0575
 FAX: (239) 597-0578
 LB No.: 6952



Kenside
 Living Area 1339 S.F.
 Land 207 S.F.
 Garage 76 S.F.
 Covered Entry 26 S.F.
 Total Area 1812 S.F.

Kenside
 Living Area 1467 S.F.
 Land 232 S.F.
 Garage 76 S.F.
 Covered Entry 26 S.F.
 Total Area 1903 S.F.

Kenside
 Living Area 1467 S.F.
 Land 232 S.F.
 Garage 76 S.F.
 Covered Entry 26 S.F.
 Total Area 1903 S.F.

Kenside
 Living Area 1339 S.F.
 Land 207 S.F.
 Garage 76 S.F.
 Covered Entry 26 S.F.
 Total Area 1812 S.F.

First Floor Overall

CONTRACT # 214 WILSON - HINKLE ARCHITECTS, INC.



WILLIAMSON-HINKLE architects LLC

NEALCOMMUNITIES
 Building. Home. Ute.

Richmond Park
8-Unit Carriage Homes
 Monkey Plaza Richmond Park
 Callie Casey, Florida

NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	08/12/11	JH	JH
2	ISSUED FOR CONSTRUCTION	08/12/11	JH	JH
3	ISSUED FOR RECORD	08/12/11	JH	JH

Second Floor Overall

Whitehaven

Living Area	1669 S.F.
Land	207 S.F.
Covered Entry	26 S.F.
Total Area	2124 S.F.

Whitehaven

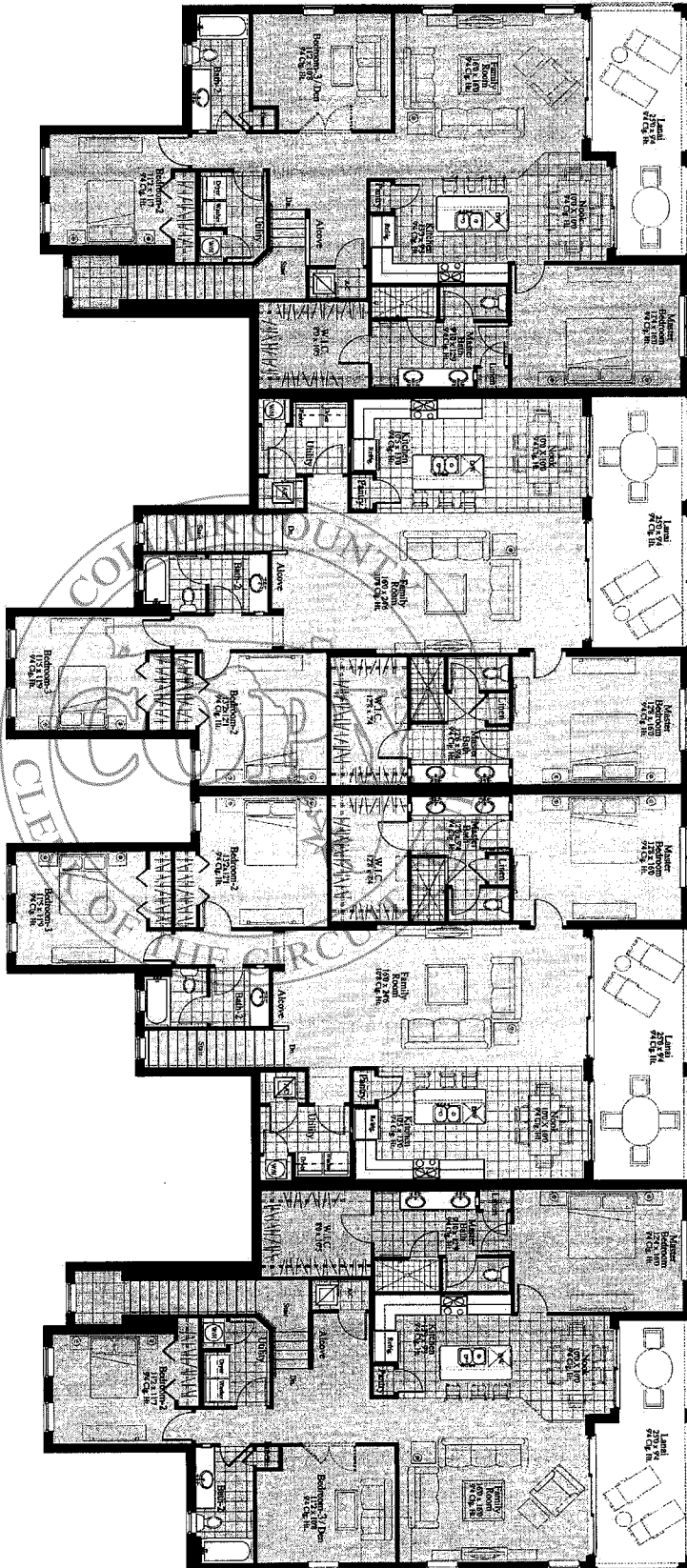
Living Area	1725 S.F.
Land	122 S.F.
Covered Entry	38 S.F.
Total Area	2887 S.F.

Whitehaven

Living Area	1725 S.F.
Land	122 S.F.
Covered Entry	38 S.F.
Total Area	2887 S.F.

Whitehaven

Living Area	1669 S.F.
Land	207 S.F.
Covered Entry	26 S.F.
Total Area	2127 S.F.



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A-2

NO. OF SHEETS	12
SHEET NO.	12
DATE	08/14/14
PROJECT	8-UNIT CARRIAGE HOMES
LOCATION	WILKINSON PARK
OWNER	NEAL COMMUNITIES
ARCHITECT	WILLIAMSON + HINKLE ARCHITECTS, LLC
SCALE	AS SHOWN
DESIGNED BY	WILLIAMSON + HINKLE ARCHITECTS, LLC
DRAWN BY	WILLIAMSON + HINKLE ARCHITECTS, LLC
CHECKED BY	WILLIAMSON + HINKLE ARCHITECTS, LLC
APPROVED BY	WILLIAMSON + HINKLE ARCHITECTS, LLC

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 / 48</u>	2.0833%
6954 Avalon Circle, Naples, FL 34112, #702	<u>1 / 48</u>	2.0833%
6954 Avalon Circle, Naples, FL 34112, #703	<u>1 / 48</u>	2.0833%
6954 Avalon Circle, Naples, FL 34112, #704	<u>1 / 48</u>	2.0833%
6954 Avalon Circle, Naples, FL 34112, #705	<u>1 / 48</u>	2.0833%
6954 Avalon Circle, Naples, FL 34112, #706	<u>1 / 48</u>	2.0833%
6954 Avalon Circle, Naples, FL 34112, #707	<u>1 / 48</u>	2.0833%
6954 Avalon Circle, Naples, FL 34112, #708	<u>1 / 48</u>	2.0833%

2. Phase V (Building 5)

6940 Avalon Circle, Naples, FL 34112, #501	<u>1 / 48</u>	2.0833%
6940 Avalon Circle, Naples, FL 34112, #502	<u>1 / 48</u>	2.0833%
6940 Avalon Circle, Naples, FL 34112, #503	<u>1 / 48</u>	2.0833%
6940 Avalon Circle, Naples, FL 34112, #504	<u>1 / 48</u>	2.0833%
6940 Avalon Circle, Naples, FL 34112, #505	<u>1 / 48</u>	2.0833%
6940 Avalon Circle, Naples, FL 34112, #506	<u>1 / 48</u>	2.0833%
6940 Avalon Circle, Naples, FL 34112, #507	<u>1 / 48</u>	2.0833%
6940 Avalon Circle, Naples, FL 34112, #508	<u>1 / 48</u>	2.0833%

3. Phase II (Building 17)

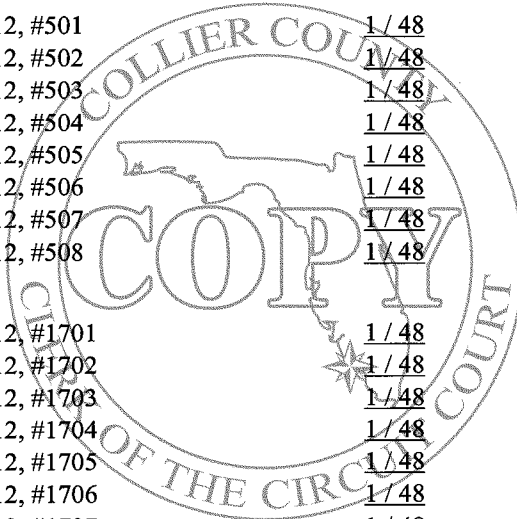
6959 Avalon Circle, Naples, FL 34112, #1701	<u>1 / 48</u>	2.0833%
6959 Avalon Circle, Naples, FL 34112, #1702	<u>1 / 48</u>	2.0833%
6959 Avalon Circle, Naples, FL 34112, #1703	<u>1 / 48</u>	2.0833%
6959 Avalon Circle, Naples, FL 34112, #1704	<u>1 / 48</u>	2.0833%
6959 Avalon Circle, Naples, FL 34112, #1705	<u>1 / 48</u>	2.0833%
6959 Avalon Circle, Naples, FL 34112, #1706	<u>1 / 48</u>	2.0833%
6959 Avalon Circle, Naples, FL 34112, #1707	<u>1 / 48</u>	2.0833%
6959 Avalon Circle, Naples, FL 34112, #1708	<u>1 / 48</u>	2.0833%

4. Phase III (Building 6)

6948 Avalon Circle, Naples, FL 34112, #601	<u>1 / 48</u>	2.0833%
6948 Avalon Circle, Naples, FL 34112, #602	<u>1 / 48</u>	2.0833%
6948 Avalon Circle, Naples, FL 34112, #603	<u>1 / 48</u>	2.0833%
6948 Avalon Circle, Naples, FL 34112, #604	<u>1 / 48</u>	2.0833%
6948 Avalon Circle, Naples, FL 34112, #605	<u>1 / 48</u>	2.0833%
6948 Avalon Circle, Naples, FL 34112, #606	<u>1 / 48</u>	2.0833%
6948 Avalon Circle, Naples, FL 34112, #607	<u>1 / 48</u>	2.0833%
6948 Avalon Circle, Naples, FL 34112, #608	<u>1 / 48</u>	2.0833%

5. Phase IV (Building 18)

6960 Avalon Circle, Naples, FL 34112, #801	<u>1 / 48</u>	2.0833%
6960 Avalon Circle, Naples, FL 34112, #802	<u>1 / 48</u>	2.0833%
6960 Avalon Circle, Naples, FL 34112, #803	<u>1 / 48</u>	2.0833%
6960 Avalon Circle, Naples, FL 34112, #804	<u>1 / 48</u>	2.0833%
6960 Avalon Circle, Naples, FL 34112, #805	<u>1 / 48</u>	2.0833%
6960 Avalon Circle, Naples, FL 34112, #806	<u>1 / 48</u>	2.0833%
6960 Avalon Circle, Naples, FL 34112, #807	<u>1 / 48</u>	2.0833%
6960 Avalon Circle, Naples, FL 34112, #808	<u>1 / 48</u>	2.0833%



6. Phase VI (Building 19)

6965 Avalon Circle, Naples, FL 34112, #1601	<u>1 / 48</u>	2.0833%
6965 Avalon Circle, Naples, FL 34112, #1602	<u>1 / 48</u>	2.0833%
6965 Avalon Circle, Naples, FL 34112, #1603	<u>1 / 48</u>	2.0833%
6965 Avalon Circle, Naples, FL 34112, #1604	<u>1 / 48</u>	2.0833%
6965 Avalon Circle, Naples, FL 34112, #1605	<u>1 / 48</u>	2.0833%
6965 Avalon Circle, Naples, FL 34112, #1606	<u>1 / 48</u>	2.0833%
6965 Avalon Circle, Naples, FL 34112, #1607	<u>1 / 48</u>	2.0833%
6965 Avalon Circle, Naples, FL 34112, #1608	<u>1 / 48</u>	2.0833%
	<hr/> 48	100.00% <hr/>



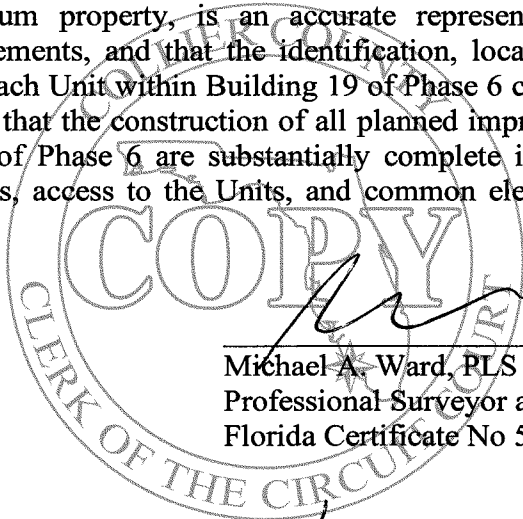
CERTIFICATE OF SURVEYOR

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:

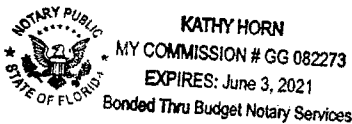
1. That Affiant is a registered Surveyor and Mapper holding Florida Certificate No. 5301, and is the surveyor who surveyed the property known and identified as "AVALON OF NAPLES III", a condominium, as per Declaration of Condominium recorded in Official Record Book 5594, Page 1162, of the Public Records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

2. The construction of the improvements, with respect to all Units within Building 19 of Phase 6 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 19 of Phase 6 can be determined from those materials. I further certify that the construction of all planned improvements with respect to all Units within Building 19 of Phase 6 are substantially complete including, but not limited to landscaping, utility services, access to the Units, and common elements facilities serving said Building 19 of Phase 6.



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

Signed and sworn to before me this 10 day of Jan, 2020, by Michael A. Ward who _____ is personally known to me or _____ has produced _____ as identification.



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