

Prepared by and return to:

Vo Law, P.A.  
97 Orange Street  
St. Augustine, Florida 32084

**THIRD AMENDMENT TO SECOND AMENDED AND RESTATED  
DECLARATION OF CONDOMINIUM OF THE CORTEZ, A CONDOMINIUM**

THIS THIRD AMENDMENT TO SECOND AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OF THE CORTEZ, A CONDOMINIUM is made as of this 23 day of January, 2024 by 1723 Comares, LLC, a Florida limited liability company, whose address is 5744 Castlebay Drive, Springfield, Missouri 65809 (“Developer”).

**RECITALS**

**WHEREAS**, The Second Amended and Restated Declaration of Condominium of The Cortez, a Condominium was recorded on August 24, 2022 in Official Records Book 5621, Page 1263, and rerecorded on February 3, 2023 in Official Records Book 5704, Page 1, as amended, all of the Public Records of St. Johns County, Florida (as amended, the “Declaration”);

**WHEREAS**, Article 26.3 of the Declaration allows Developer, without consent or joinder of any other party, to amend the Declaration to add any Surveyor’s Certificate and to make further amendments so long as the amendment does not materially and adversely affect the property rights of any Unit Owner or permit timeshare estates to be created;

**WHEREAS**, Developer desires to provide the Surveyor’s Certificate for purpose of evidencing substantial completion of the buildings as further described in the Surveyor’s Certificate.

**NOW THEREFORE**, Developer amends the Declaration as set forth below. All capitalized but undefined terms in this Amendment shall have the meaning ascribed to such terms in the Declaration:

1. Surveyor’s Certificates of Substantial Completion. In accordance with Section 718.104, F.S., Developer hereby amends the Declaration to include the Surveyor’s Certificates attached hereto as Exhibit “A” for the purpose of evidencing substantial completion of the condominium buildings as described in the Surveyor’s Certificates.

2. Limitation. Except as amended by this Amendment, the Declaration remains in full force and effect.

IN WITNESS WHEREOF, Developer has executed this Third Amendment to Second Amended and Restated Declaration of Condominium of the Cortez, a Condominium, as of the date set forth above.

Signed, sealed, and delivered in the presence of:

1723 COMARES, LLC, a Florida limited liability company

[Signature]  
Witness Name: ANDREW GRASSI

By [Signature]  
Name: John F. Youngblood  
Title: Manager

[Signature]  
Witness name: Kelly Thomas

STATE OF Missouri  
COUNTY OF Greene

The foregoing was acknowledged, sworn to (or affirmed) and subscribed before me by  remote online notarization or  physical presence on this 23<sup>rd</sup> day of January, 2024, by John F. Youngblood as the Manager of 1723 Comares, LLC, a Florida limited liability company, on behalf of the Company, who  is personally known to me or  produced \_\_\_\_\_ as identification.



[Signature]  
Notary Public, State of Missouri  
Name: Elizabeth A. Messerschmidt  
My Commission Expires: 12-22-2027  
Commission Number: 19911012

UNIT 28, PHASE 1  
CORTEZ ON THE WATER  
CONDOMINIUM

SURVEYOR'S CERTIFICATION

CORTEZ ON THE WATER, A CONDOMINIUM, UNIT 28, PHASE 1  
I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF:

1. THE UNDERSIGNED HAS RELIED ON THE ATTACHED CERTIFICATION OF THE ENGINEER, ARCHITECT AND / OR OTHER CERTIFIED PROFESSIONAL REPRESENTING THE DEVELOPER AND CONDOMINIUM THAT THE CONSTRUCTION OF THE MAJOR IMPROVEMENTS WITHIN UNIT 28, PHASE 1, CORTEZ ON THE WATER, A CONDOMINIUM ARE SUBSTANTIALLY COMPLETE, SO THAT THE ATTACHED MATERIAL, TOGETHER WITH THE PROVISIONS OF THE DECLARATION, INCLUDING ALL AMENDMENTS AND SUPPLEMENTS THERETO, DESCRIBING THE CONDOMINIUM PROPERTY, AND ALSO TOGETHER WITH THE CONSTRUCTION AND ARCHITECTURAL PLANS FOR THE PROJECT (BY REFERENCE MADE A PART HEREOF, ARE AN ACCURATE GRAPHIC REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS, SO THAT THE IDENTIFICATION, LOCATION, AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT CAN BE DETERMINED FROM THESE REFERENCED MATERIALS. THE UNDERSIGNED FURTHER CERTIFIES THAT VISIBLE PLANNED IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, UTILITY SERVICES AND ACCESS TO THE UNIT, AND COMMON-ELEMENT FACILITIES SERVING THE BUILDING IN WHICH THE UNITS TO BE CONVEYED ARE LOCATED HAVE BEEN SUBSTANTIALLY COMPLETED.
2. THAT I HAVE RELIED ON FIELD MEASUREMENTS PERTAINING TO THE BOUNDARY SURVEY, AS WELL AS THE DIMENSIONS SHOWN ON THE CONSTRUCTION AND ARCHITECTURAL PLANS, AND THE GRAPHIC DEPICTIONS OF THE UNIT LAYOUTS, FLOOR PLANS AND THE PLOT PLANS INCLUDED IN THE EXHIBITS, WHICH WERE PROVIDED BY THE DEVELOPER ON BEHALF OF THE CONDOMINIUM, ALL OF WHICH ARE SUBJECT TO NORMAL CONSTRUCTION TOLERANCES.
3. THE GRAPHIC DEPICTIONS OF THE UNITS AS SHOWN IN THE PROVISIONS OF THE DECLARATION ARE SUBJECT TO NORMAL CONSTRUCTION DIFFERENCES, MINOR VARIATIONS IN THE OVERALL CONFIGURATION AND DIMENSIONS OF EACH UNIT, SUCH AS COLUMN WRAPS, THICKENED WALLS TO ACCOMMODATE PLUMBING AND MECHANICAL CHASES, AND OTHER TYPICAL CONSTRUCTED IMPROVEMENTS MAY PROTRUDE INTO THE FLOOR AREA OF EACH UNIT. THESE MINOR VARIATIONS MAY NOT BE SHOWN ON THE GRAPHIC DEPICTION OF EACH UNIT.
4. THIS CERTIFICATION SHALL NOT BE VALID UNLESS PROVIDED IN ITS ENTIRETY, INCLUDING ALL ATTACHMENTS, PLANS AND REFERENCE MATERIAL.
5. THIS CERTIFICATION SHALL NOT BE VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE UNDERSIGNED FLORIDA LICENSED SURVEYOR AND MAPPER.




DATE: 01-02-24

MICHAEL T. DANTZLER  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 6255

**RGS LAND SURVEYING, INC.**

EMAIL: RGSLB8100@GMAIL.COM  
(904) 472-3888 WEBSITE: RGSLANDSURVEYING.COM  
3624 CRAZY HORSE TRAIL, ST. AUGUSTINE, FL. 32086

FIELD WORK COMPLETED      MAP ORIGINALLY SIGNED  
DATE 01-29-2023      DATE 01-02-2024  
MICHAEL T. DANTZLER, P.S.M., FLORIDA CERT. NO. 6255  
RGS LAND SURVEYING, INC. LICENSED BUSINESS NO. 8100

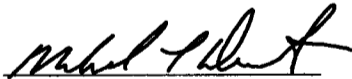


UNIT 27, PHASE 1  
CORTEZ ON THE WATER  
CONDOMINIUM

SURVEYOR'S CERTIFICATION

CORTEZ ON THE WATER, A CONDOMINIUM, UNIT 27, PHASE 1  
I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF:

1. THE UNDERSIGNED HAS RELIED ON THE ATTACHED CERTIFICATION OF THE ENGINEER, ARCHITECT AND / OR OTHER CERTIFIED PROFESSIONAL REPRESENTING THE DEVELOPER AND CONDOMINIUM THAT THE CONSTRUCTION OF THE MAJOR IMPROVEMENTS WITHIN UNIT 27, PHASE 1, CORTEZ ON THE WATER, A CONDOMINIUM ARE SUBSTANTIALLY COMPLETE, SO THAT THE ATTACHED MATERIAL, TOGETHER WITH THE PROVISIONS OF THE DECLARATION, INCLUDING ALL AMENDMENTS AND SUPPLEMENTS THERETO, DESCRIBING THE CONDOMINIUM PROPERTY, AND ALSO TOGETHER WITH THE CONSTRUCTION AND ARCHITECTURAL PLANS FOR THE PROJECT (BY REFERENCE MADE A PART HEREOF, ARE AN ACCURATE GRAPHIC REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS, SO THAT THE IDENTIFICATION, LOCATION, AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT CAN BE DETERMINED FROM THESE REFERENCED MATERIALS. THE UNDERSIGNED FURTHER CERTIFIES THAT VISIBLE PLANNED IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, UTILITY SERVICES AND ACCESS TO THE UNIT, AND COMMON-ELEMENT FACILITIES SERVING THE BUILDING IN WHICH THE UNITS TO BE CONVEYED ARE LOCATED HAVE BEEN SUBSTANTIALLY COMPLETED.
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3. THE GRAPHIC DEPICTIONS OF THE UNITS AS SHOWN IN THE PROVISIONS OF THE DECLARATION ARE SUBJECT TO NORMAL CONSTRUCTION DIFFERENCES, MINOR VARIATIONS IN THE OVERALL CONFIGURATION AND DIMENSIONS OF EACH UNIT, SUCH AS COLUMN WRAPS, THICKENED WALLS TO ACCOMMODATE PLUMBING AND MECHANICAL CHASES, AND OTHER TYPICAL CONSTRUCTED IMPROVEMENTS MAY PROTRUDE INTO THE FLOOR AREA OF EACH UNIT. THESE MINOR VARIATIONS MAY NOT BE SHOWN ON THE GRAPHIC DEPICTION OF EACH UNIT.
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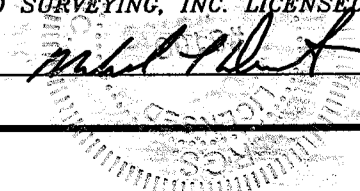
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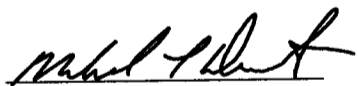


# UNIT 26, PHASE 1 CORTEZ ON THE WATER CONDOMINIUM

SURVEYOR'S CERTIFICATION

CORTEZ ON THE WATER, A CONDOMINIUM, UNIT 26, PHASE 1  
I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF:

1. THE UNDERSIGNED HAS RELIED ON THE ATTACHED CERTIFICATION OF THE ENGINEER, ARCHITECT AND / OR OTHER CERTIFIED PROFESSIONAL REPRESENTING THE DEVELOPER AND CONDOMINIUM THAT THE CONSTRUCTION OF THE MAJOR IMPROVEMENTS WITHIN UNIT 26, PHASE 1, CORTEZ ON THE WATER, A CONDOMINIUM ARE SUBSTANTIALLY COMPLETE, SO THAT THE ATTACHED MATERIAL, TOGETHER WITH THE PROVISIONS OF THE DECLARATION, INCLUDING ALL AMENDMENTS AND SUPPLEMENTS THERETO, DESCRIBING THE CONDOMINIUM PROPERTY, AND ALSO TOGETHER WITH THE CONSTRUCTION AND ARCHITECTURAL PLANS FOR THE PROJECT (BY REFERENCE MADE A PART HEREOF, ARE AN ACCURATE GRAPHIC REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS, SO THAT THE IDENTIFICATION, LOCATION, AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT CAN BE DETERMINED FROM THESE REFERENCED MATERIALS. THE UNDERSIGNED FURTHER CERTIFIES THAT VISIBLE PLANNED IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, UTILITY SERVICES AND ACCESS TO THE UNIT, AND COMMON-ELEMENT FACILITIES SERVING THE BUILDING IN WHICH THE UNITS TO BE CONVEYED ARE LOCATED HAVE BEEN SUBSTANTIALLY COMPLETED.
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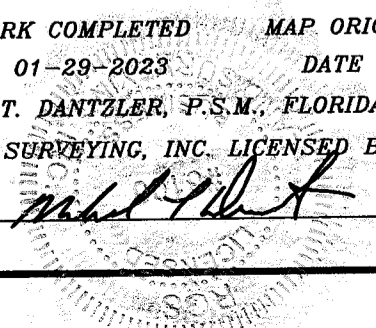
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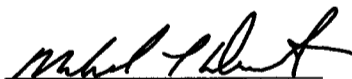


# UNIT 25, PHASE 1 CORTEZ ON THE WATER CONDOMINIUM

## SURVEYOR'S CERTIFICATION

CORTEZ ON THE WATER, A CONDOMINIUM, UNIT 25, PHASE 1  
I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF:

1. THE UNDERSIGNED HAS RELIED ON THE ATTACHED CERTIFICATION OF THE ENGINEER, ARCHITECT AND / OR OTHER CERTIFIED PROFESSIONAL REPRESENTING THE DEVELOPER AND CONDOMINIUM THAT THE CONSTRUCTION OF THE MAJOR IMPROVEMENTS WITHIN UNIT 25, PHASE 1, CORTEZ ON THE WATER, A CONDOMINIUM ARE SUBSTANTIALLY COMPLETE, SO THAT THE ATTACHED MATERIAL, TOGETHER WITH THE PROVISIONS OF THE DECLARATION, INCLUDING ALL AMENDMENTS AND SUPPLEMENTS THERETO, DESCRIBING THE CONDOMINIUM PROPERTY, AND ALSO TOGETHER WITH THE CONSTRUCTION AND ARCHITECTURAL PLANS FOR THE PROJECT (BY REFERENCE MADE A PART HEREOF, ARE AN ACCURATE GRAPHIC REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS, SO THAT THE IDENTIFICATION, LOCATION, AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT CAN BE DETERMINED FROM THESE REFERENCED MATERIALS. THE UNDERSIGNED FURTHER CERTIFIES THAT VISIBLE PLANNED IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, UTILITY SERVICES AND ACCESS TO THE UNIT, AND COMMON-ELEMENT FACILITIES SERVING THE BUILDING IN WHICH THE UNITS TO BE CONVEYED ARE LOCATED HAVE BEEN SUBSTANTIALLY COMPLETED.
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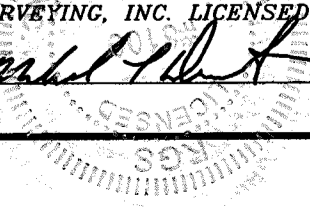
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FIELD WORK COMPLETED: *DATE 01-29-2023* MAP ORIGINALLY SIGNED *DATE 01-02-2024*  
MICHAEL T. DANTZLER, P.S.M., FLORIDA CERT. NO. 6255  
RGS LAND SURVEYING, INC. LICENSED BUSINESS NO. 8100



# UNIT 24, PHASE 1 CORTEZ ON THE WATER CONDOMINIUM

SURVEYOR'S CERTIFICATION

CORTEZ ON THE WATER, A CONDOMINIUM, UNIT 24, PHASE 1  
I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF:

1. THE UNDERSIGNED HAS RELIED ON THE ATTACHED CERTIFICATION OF THE ENGINEER, ARCHITECT AND / OR OTHER CERTIFIED PROFESSIONAL REPRESENTING THE DEVELOPER AND CONDOMINIUM THAT THE CONSTRUCTION OF THE MAJOR IMPROVEMENTS WITHIN UNIT 24, PHASE 1, CORTEZ ON THE WATER, A CONDOMINIUM ARE SUBSTANTIALLY COMPLETE, SO THAT THE ATTACHED MATERIAL, TOGETHER WITH THE PROVISIONS OF THE DECLARATION, INCLUDING ALL AMENDMENTS AND SUPPLEMENTS THERETO, DESCRIBING THE CONDOMINIUM PROPERTY, AND ALSO TOGETHER WITH THE CONSTRUCTION AND ARCHITECTURAL PLANS FOR THE PROJECT (BY REFERENCE MADE A PART HEREOF, ARE AN ACCURATE GRAPHIC REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS, SO THAT THE IDENTIFICATION, LOCATION, AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT CAN BE DETERMINED FROM THESE REFERENCED MATERIALS. THE UNDERSIGNED FURTHER CERTIFIES THAT VISIBLE PLANNED IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, UTILITY SERVICES AND ACCESS TO THE UNIT, AND COMMON-ELEMENT FACILITIES SERVING THE BUILDING IN WHICH THE UNITS TO BE CONVEYED ARE LOCATED HAVE BEEN SUBSTANTIALLY COMPLETED.
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DATE: 01-02-24

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FIELD WORK COMPLETED: [ ] MAP ORIGINALLY SIGNED  
DATE 01-29-2023 DATE 01-02-2024  
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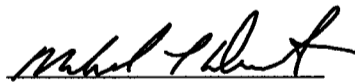


# UNIT 23, PHASE 1 CORTEZ ON THE WATER CONDOMINIUM

## SURVEYOR'S CERTIFICATION

CORTEZ ON THE WATER, A CONDOMINIUM, UNIT 23, PHASE 1  
I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF:

1. THE UNDERSIGNED HAS RELIED ON THE ATTACHED CERTIFICATION OF THE ENGINEER, ARCHITECT AND / OR OTHER CERTIFIED PROFESSIONAL REPRESENTING THE DEVELOPER AND CONDOMINIUM THAT THE CONSTRUCTION OF THE MAJOR IMPROVEMENTS WITHIN UNIT 23, PHASE 1, CORTEZ ON THE WATER, A CONDOMINIUM ARE SUBSTANTIALLY COMPLETE, SO THAT THE ATTACHED MATERIAL, TOGETHER WITH THE PROVISIONS OF THE DECLARATION, INCLUDING ALL AMENDMENTS AND SUPPLEMENTS THERETO, DESCRIBING THE CONDOMINIUM PROPERTY, AND ALSO TOGETHER WITH THE CONSTRUCTION AND ARCHITECTURAL PLANS FOR THE PROJECT (BY REFERENCE MADE A PART HEREOF, ARE AN ACCURATE GRAPHIC REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS, SO THAT THE IDENTIFICATION, LOCATION, AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT CAN BE DETERMINED FROM THESE REFERENCED MATERIALS. THE UNDERSIGNED FURTHER CERTIFIES THAT VISIBLE PLANNED IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, UTILITY SERVICES AND ACCESS TO THE UNIT, AND COMMON-ELEMENT FACILITIES SERVING THE BUILDING IN WHICH THE UNITS TO BE CONVEYED ARE LOCATED HAVE BEEN SUBSTANTIALLY COMPLETED.
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