

Prepared by and return to:

St. Johns Law Group
104 Sea Grove Main Street
St. Augustine, Florida 32080

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

THIS FIRST AMENDMENT TO SECOND AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OF THE CORTEZ, A CONDOMINIUM is made as of this 5th day of April, 2023 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, 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 amend the Declaration to make non-material changes in the 911 address plan to more clearly depict the individual building numbers, unit numbers, 911 addresses, unit models, and square footage of each individual unit; and

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

2. Exhibit B to Declaration – 911 Address Plan. Developer hereby amends the 911 Address Plan in Exhibit B to more clearly depict each individual building number, unit number, unit model, 911 address, and the square footage of each individual unit.

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

IN WITNESS WHEREOF, Developer has executed this First 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: William Rhodes

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

[Signature]
Witness name: Megan Swanson

STATE OF MO
COUNTY OF Greene

The foregoing was acknowledged, sworn to (or affirmed) and subscribed before me by () remote online notarization or () physical presence on this 5th day of April, 2023, by John F. Youngblood as the Manager of 1723 Comares, LLC, a Florida limited liability company, on behalf of the Company, who (X) is personally known to me or () produced _____ as identification.

[Signature]
Notary Public, State of MO
Name: Keith W. Osburn
My Commission Expires: 7/15/26
Commission Number: 19433380

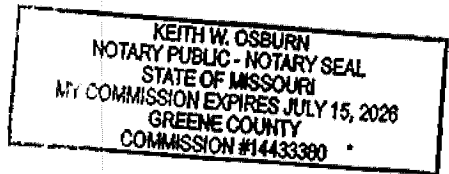


EXHIBIT A

SURVEYOR'S CERTIFICATE OF SUBSTANTIAL COMPLETION

UNIT 1, PHASE 1
CORTEZ ON THE WATER
CONDOMINIUM

SURVEYOR'S CERTIFICATION

CORTEZ ON THE WATER, A CONDOMINIUM, UNIT 1, 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 1, 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: 03-28-22

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

RGS LAND SURVEYING, INC.

EMAIL: RGS LB8100@GMAIL.COM
(904) 472-3888 WEBSITE: RGS LANDSURVEYING.COM
3624 CRAZY HORSE TRAIL, ST. AUGUSTINE, FL. 32086

FIELD WORK COMPLETED MAP ORIGINALLY SIGNED

DATE 09-20-2022

DATE 09-22-2022

MICHAEL T. DANTZLER, P.S.M., FLORIDA CERT. NO. 6255

RGS LAND SURVEYING, INC. LICENSED BUSINESS NO. 8100



MAP SHOWING SKETCH OF UNIT 1, PHASE 1 CORTEZ ON THE WATER CONDOMINIUM

(UNIT 1, PHASE 1 CORTEZ ON THE WATER CONDOMINIUM)

A PORTION OF LOTS 23 AND 24, BLOCK 32, DAVIS SHORES OCEAN VIEW SECTION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 3, PAGE 97, 98, 99, 100, 101 AND 102, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. BEING THE SOUTHERLY 1/2 OF THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 24, BLOCK 32; THENCE RUN ALONG THE EASTERLY RIGHT OF WAY LINE OF COMARES AVENUE WITH A CURVE TURNING TO THE LEFT AND HAVING AN ARC LENGTH OF 19.71', A RADIUS OF 1530.00', A CHORD BEARING AND DISTANCE OF N 37°26'32" W, 19.71'; THENCE RUN N 52°11'19" E, A DISTANCE OF 25.72' TO THE POINT OF BEGINNING; THENCE RUN THE FOLLOWING (14) COURSES, N 34°15'48" W, A DISTANCE OF 4.51'; THENCE S 55°44'12" W, A DISTANCE OF 5.00'; THENCE N 34°15'48" W, A DISTANCE OF 20.76'; THENCE N 55°44'12" E, A DISTANCE OF 0.70'; THENCE N 34°15'48" W, A DISTANCE OF 20.01'; THENCE N 55°44'12" E, A DISTANCE OF 5.00'; THENCE N 34°15'48" W, A DISTANCE OF 4.72'; THENCE N 55°44'12" E, A DISTANCE OF 42.80'; THENCE S 34°15'48" E, A DISTANCE OF 8.80'; THENCE N 55°44'12" E, A DISTANCE OF 6.20'; THENCE S 34°15'48" E, A DISTANCE OF 32.40'; THENCE S 55°44'12" W, A DISTANCE OF 6.80'; THENCE S 34°15'48" E, A DISTANCE OF 8.80'; THENCE S 55°44'12" W, A DISTANCE OF 42.80'; TO THE POINT OF BEGINNING.

SURVEYOR'S NOTES:

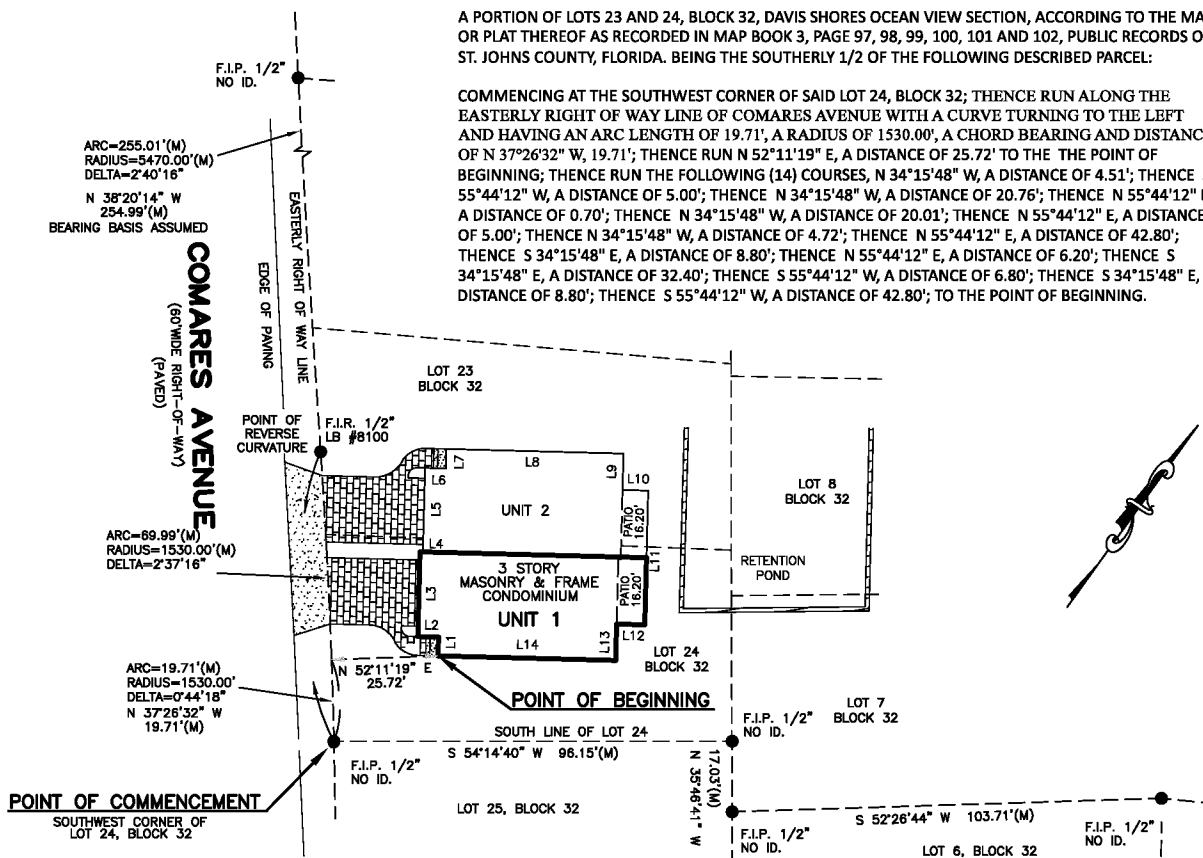
1. THIS IS NOT A BOUNDARY SURVEY.
2. NO UNDERGROUND UTILITIES, IMPROVEMENTS OR INSTALLATIONS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. THIS SURVEY DOES NOT DETERMINE OR REFLECT OWNERSHIP.
4. UNLESS OTHERWISE NOTED, ANY PORTION OF THE SUBJECT PARCEL THAT MAY OR MAY NOT BE DEEMED AS WETLANDS BY THE APPROPRIATE STATE OR OTHER GOVERNING AGENCIES, HAS NOT BEEN DETERMINED AND ANY LIABILITY RESULTING THEREFROM IS NOT THE RESPONSIBILITY OF THE UNDERSIGNED.
5. THIS SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND SEAL OF THE ORIGINAL RAISED SEAL OR ELECTRONIC SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
6. FOR BUILDING SETBACKS CALL THE BUILDING CODES ENFORCEMENT OFFICE OF SAID COUNTY.
7. USE OF THIS SURVEY FOR PURPOSES OTHER THAN THAT WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREON SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE THE SURVEY WAS PREPARED FOR.
8. UNLESS OTHERWISE NOTED, ALL DIMENSIONS SHOWN HAVE BEEN CALCULATED FROM A CLOSED FIELD TRAVERSE OR DIRECT FIELD MEASUREMENT.



SCALE 1"=30'

LEGEND

- CORNER FOUND AS NOTED
- SET 1/2" IRON ROD LB 8100
- (M) MEASURED
- (P) PLAT
- (C) CALCULATED
- R/W RIGHT OF WAY
- F.I.R. FOUND IRON ROD
- R/W RIGHT OF WAY
- ID. IDENTIFICATION



LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 34°15'48" W	4.51'	L8	N 55°44'12" E	42.80'
L2	S 55°44'12" W	5.00'	L9	S 34°15'48" E	8.80'
L3	N 34°15'48" W	20.76'	L10	N 55°44'12" E	6.20'
L4	N 55°44'12" E	0.70'	L11	S 34°15'48" E	32.40'
L5	N 34°15'48" W	20.01'	L12	S 55°44'12" W	6.80'
L6	N 55°44'12" E	5.00'	L13	S 34°15'48" E	8.80'
L7	N 34°15'48" W	4.72'	L14	S 55°44'12" W	42.90'

RGS LAND SURVEYING, INC.

EMAIL: RGLB8100@GMAIL.COM
 (904) 472-3888 WEBSITE: RGLANDSURVEYING.COM
 3624 CRAZY HORSE TRAIL, ST. AUGUSTINE, FL. 32086

FIELD WORK COMPLETED MAP ORIGINALLY SIGNED
 DATE 03-25-2022 DATE 09-22-2022

MICHAEL T. DANTZLER, P.S.M., FLORIDA CERT. NO. 6255
 RGS LAND SURVEYING, INC. LICENSED BUSINESS NO. 8100

CERTIFIED TO:

Seth D. Corneal PLLC
 D/B/A/ The Corneal Law Firm
 Old Republic National Title Insurance Co.
 1723 Comares, LLC
 Oakstar Bank ISAOA/ATIMA
 Phelps Dunbar LLP

PARCEL AREA
 SQ. FEET 1278.5±
 ACRES 0.03±

11 COMARES AVENUE, ST. AUGUSTINE, FLORIDA 32080
FIELD BOOK : 20 PG. 3
CHECKED BY RGS

UNIT 2, PHASE 1
CORTEZ ON THE WATER
CONDOMINIUM

SURVEYOR'S CERTIFICATION

CORTEZ ON THE WATER, A CONDOMINIUM, UNIT 2, 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 2, 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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ARC=255.01'(M)
RADIUS=5470.00'(M)
DELTA=2°40'16"
N 38°20'14" W
254.99'(M)
BEARING BASIS ASSUMED

COMARES AVENUE
(60' WIDE RIGHT-OF-WAY)
(PAVED)

ARC=69.99'(M)
RADIUS=1530.00'(M)
DELTA=2°37'16"

ARC=19.71'(M)
RADIUS=1530.00'
DELTA=0°44'18"
N 37°26'32" W
19.71'(M)



SCALE 1"=30'

LEGEND

- CORNER FOUND AS NOTED
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- (M) MEASURED
- (P) PLAT
- (C) CALCULATED
- R/W RIGHT OF WAY
- F.I.R. FOUND IRON ROD
- R/W RIGHT OF WAY
- ID. IDENTIFICATION

POINT OF COMMENCEMENT
SOUTHWEST CORNER OF LOT 24, BLOCK 32

F.I.P. 1/2" NO ID.

F.I.R. 1/2" LB #8100

F.I.P. 1/2" NO ID.

F.I.P. 1/2" NO ID.

F.I.P. 1/2" NO ID.

F.I.P. 1/2" NO ID.

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LINE TABLE

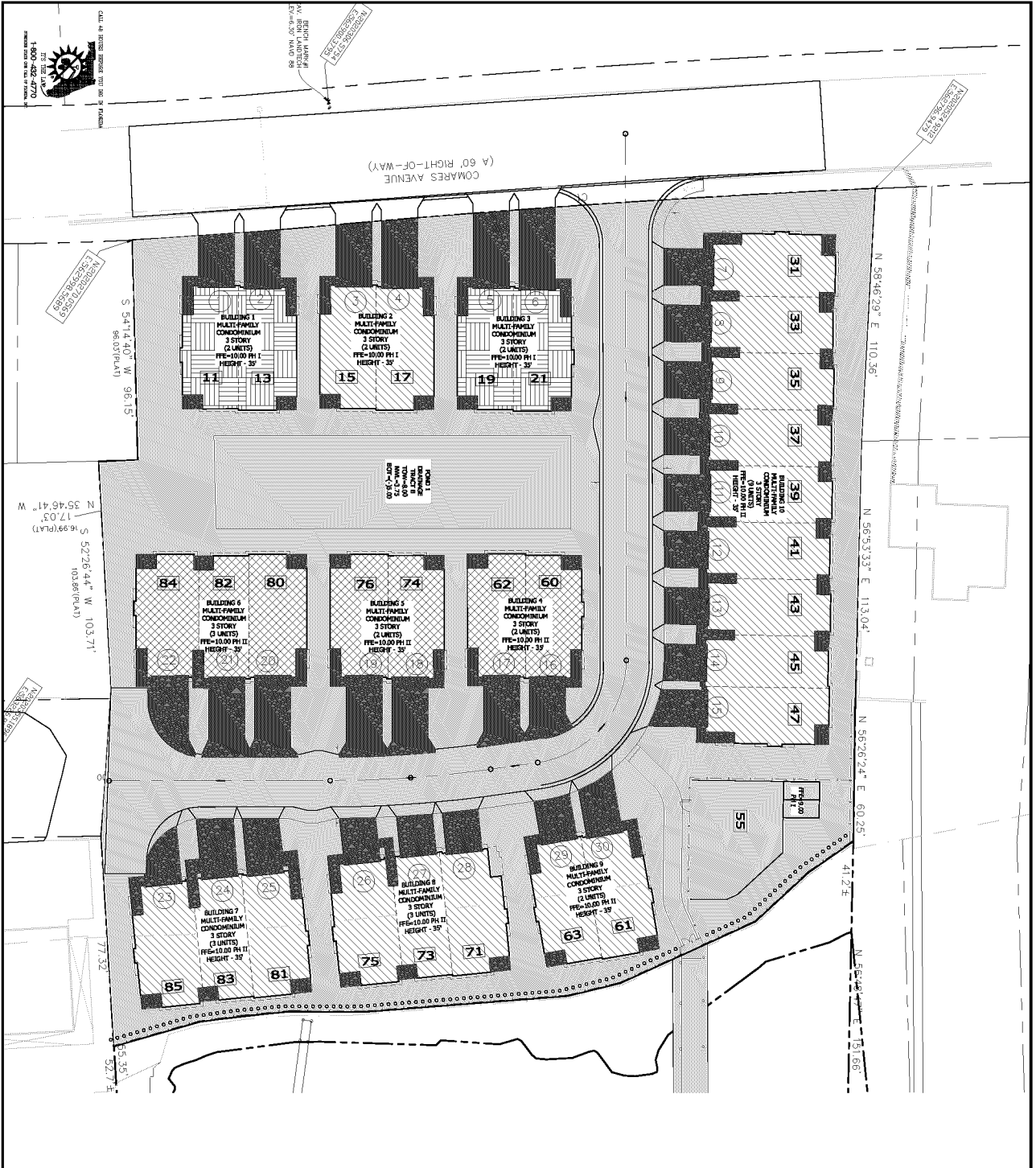
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PARCEL AREA
SQ. FEET 1278.5±
ACRES 0.03±

13 COMARES AVENUE, ST. AUGUSTINE, FLORIDA 32080
FIELD BOOK : 20 PG. 3
CHECKED BY RGS

EXHIBIT B

911 ADDRESS PLAN



NOTE:
PHASE 1 INCLUDES BUILDINGS 1, 3 AND 9

LEGEND:

- EXISTING PROPERTY/RESPARK LINE
- EXISTING RIGHT-OF-WAY LINE
- PROPOSED STANDBY DUTY
- ASPHALT PAVEMENT
- PROPOSED CONCRETE PARKING AND SIDEWALK
- UNIT NUMBERS
- 911 ADDRESS
- CONDOMINIUM BOUNDARY
- COMMON ELEMENT
- LIMITED COMMON ELEMENT
- SMOORISH 2,872 SF EACH
- SALFISH 2,887 SF EACH
- MARLIN 2,772 SF EACH

REVISIONS

NO.	DATE	BY	DESCRIPTION

PROJECT: 17-000

DATE: 04/17/23

DESIGNER: GULFSTREAM DESIGN GROUP

CHECKED BY: [Signature]

SCALE: AS SHOWN

THE CORTEZ A CONDOMINIUM

911 ADDRESS PLAN

ST. AUGUSTINE, FLORIDA

SCALE: 1" = 20'

906 ANASTASIA REVD., SUITE A, ST. AUGUSTINE, FLORIDA 32080
904.794.4233 | email@gulfstreamdesign.com | www.gulfstreamdesign.com