

(12)
This instrument prepared by:

Michael T. Traficante, Esq.
GRANT, FRIDKIN, PEARSON, ATHAN & CROWN, P.A.
5551 Ridgewood Drive, Suite 501
Naples, Florida 34108
(239) 514-1000

(space above line for official use only)

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
LA TERRAZA I, A CONDOMINIUM

THIS SECOND AMENDMENT is made this ____ day of _____ 2006, by
Crosswinds at Palencia, LLC, a Florida limited liability company ("Developer").

RECITALS:

A. Developer has submitted certain real property to the condominium form of ownership as more particularly described in that certain Declaration of Condominium (the "Declaration") for **LA TERRAZA I, A CONDOMINIUM** (the "Condominium"), dated June 16, 2006, recorded at Official Records Book 2749, Page 226, *et seq.*; as re-recorded at Official Records Book 2803, Page 1717, *et seq.*; as amended at Official Records Book 2818, Page 35, *et seq.*; all of the Public Records of St. Johns County, Florida;

B. When the Declaration was originally recorded, the floor plans located within Exhibit "B" of the Declaration depicting "Buildings A & B" and "Building A" (collectively the "Floor Plans") contained the following inconsistencies: (i) the elevator and elevator equipment room located on the first floor of the Floor Plans was incorrectly characterized as a Limited Common Element and should have been characterized as a Common Element; (ii) the lanais appurtenant to Units B-203 and B-303 were inadvertently left unlabeled and should have been, as described in the Declaration, labeled as Limited Common Elements; and (iii) a typographical error was contained within footnote number 2 appearing on each page of the Floor Plans; and

C. The Developer wishes to amend the Declaration in order to correct the foregoing.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Developer hereby amends the Declaration as follows.

1. As shown on Exhibit "A" hereto, the Floor Plans are hereby corrected to show: (a) the elevator and elevator equipment room located on the first floor is a Common Element of the Condominium; (b) the lanais appurtenant to Units B-203 and B-303 are Limited Common Elements; and (c) footnote 2 appearing on each page of the Floor Plans shall read as follows: "DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF AND PROVIDED BY THE ARCHITECTURAL PLANS."

2. Terms not herein defined shall have the same meaning as provided for in the Declaration.

IN WITNESS WHEREOF, Developer has caused this instrument to be executed on the date first above written.

[Signature]
Signature of Witness #1

Tina Camargo
Printed Name of Witness #1

[Signature]
Signature of Witness #2

Christine Meade
Printed Name of Witness #2

CROSSWINDS AT PALENCIA, LLC, a Florida limited liability company

By: Bentley Management, LLC, a Michigan limited liability company, as Manager

By: [Signature]
Keith M. Kallen, as Manager

STATE OF MICHIGAN
COUNTY OF OAKLAND

30th I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this day of November 2006, by Keith M. Kallen, as Manager of Bentley Management, LLC, a Michigan limited liability company, as Manager of Crosswinds at Palencia, LLC, a Florida limited liability company, who ☒ is personally known to me OR produced as identification.

(Notary Seal)

[Signature]
Notary Public

Amy L. Webb
Printed Name of Notary Public
My Commission Expires:

AMY L. WEBB
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Mar 20, 2008
ACTING IN COUNTY OF Oakland

NON-RECOURSE CONSENT OF MORTGAGEE AND
SUBORDINATION OF MORTGAGES, ASSIGNMENT OF RENTS AND FINANCING STATEMENTS

WHEREAS, Declarant by Mortgage and Security Agreement dated May 7, 2006, and filed for record on May 13, 2004, mortgaged unto Ohio Savings Bank, a federal savings bank, 1801 East Ninth Street, Cleveland, Ohio 44114 ("Mortgagee") the premises therein particularly described (the "Property") to secure the payment of the sums described therein, which mortgages were recorded in Official Records Book 2198, Page 0267, of the Public Records of St. Johns County, Florida (the "Mortgages"); and

WHEREAS, Declarant by an Assignment of Rents and Leases and Agreements Affecting Real Estate, dated May 7, 2004, and filed for record on May 13, 2004, assigned unto Mortgagee all of its right, title and interest in and to any and all agreements relating to the Property (the "Assignment"), which Assignment was recorded in Official Records Book 2198, Page 0296, of the Public Records of St. Johns County, Florida; and

NOW, THEREFORE, Mortgagee, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid by Mortgagor, the receipt of which is hereby acknowledged, hereby accepts, approves and consents to subordinates the lien, operation and effect of the Mortgages, Assignment and Financing Statements (the "Loan Documents") to the foregoing Second Amendment to Declaration of Condominium for La Terraza I, A Condominium (the "Declaration") with the identical effect as though the Declaration had been executed, delivered and recorded prior to the filing for record of the Loan Documents, but without in any manner releasing, satisfying or discharging the Loan Documents or in any way impairing, altering or diminishing the effect of any lien, encumbrance, security interest or other interest created by or related to the Loan Documents or any rights or remedies of Mortgagee under or with respect to the Loan Documents; provided, however, Mortgagee does not assume and is not responsible for any of the obligations and liabilities of the Declarant, and none of the representations and warranties contained in the Declaration shall be deemed to have been made by Mortgagee or impose any obligation on Mortgagee, but all rights, benefits and privileges in favor of Mortgagor shall inure to the benefit of Mortgagee or a receiver or third-party purchaser in the event of foreclosure or a deed given in lieu of foreclosure in the event Mortgagee shall ever succeed to the Mortgagor's interest in the Property or any part thereof. Nothing contained herein shall in any way restrict or limit any rights, benefits and privileges in favor of Mortgagee as an "Institutional Mortgagee" as defined in the Declaration of Condominium for La Terraza I, A Condominium dated June 16th, 2006 and filed for record on July 21, 2006 in Official Records Book 2749, Page 0226, of the Public Records of St. Johns County, Florida as subsequently amended or otherwise whether now or hereafter existing.

Signed this 7th day of December, 2006.

Signed and Acknowledged
in the Presence of:

Jenna L. Wood
Name Printed: Jenna Wood

Debra L. Wood
Name Printed: Debra L. Wood

OHIO SAVINGS BANK,
a federal savings bank

By: [Signature]

Name Printed: CRAIG RIDINGER
Title: Vice President

**CRAIG RIDINGER
VICE PRESIDENT**

STATE OF FLORIDA

COUNTY OF SEMINOLE

Before me. A Notary Public in and for said County and State, on this 7th day of December, 2006, personally appeared the above-named Ohio Savings Bank, a federal savings bank, by Craig Ridinger, its _____ Vice President, acknowledged to me that he/she did sign the foregoing instrument on behalf of said bank and that the same was his/her free act and deed, individually and as such officer. Craig Ridinger is personally known to me.

(SEAL)



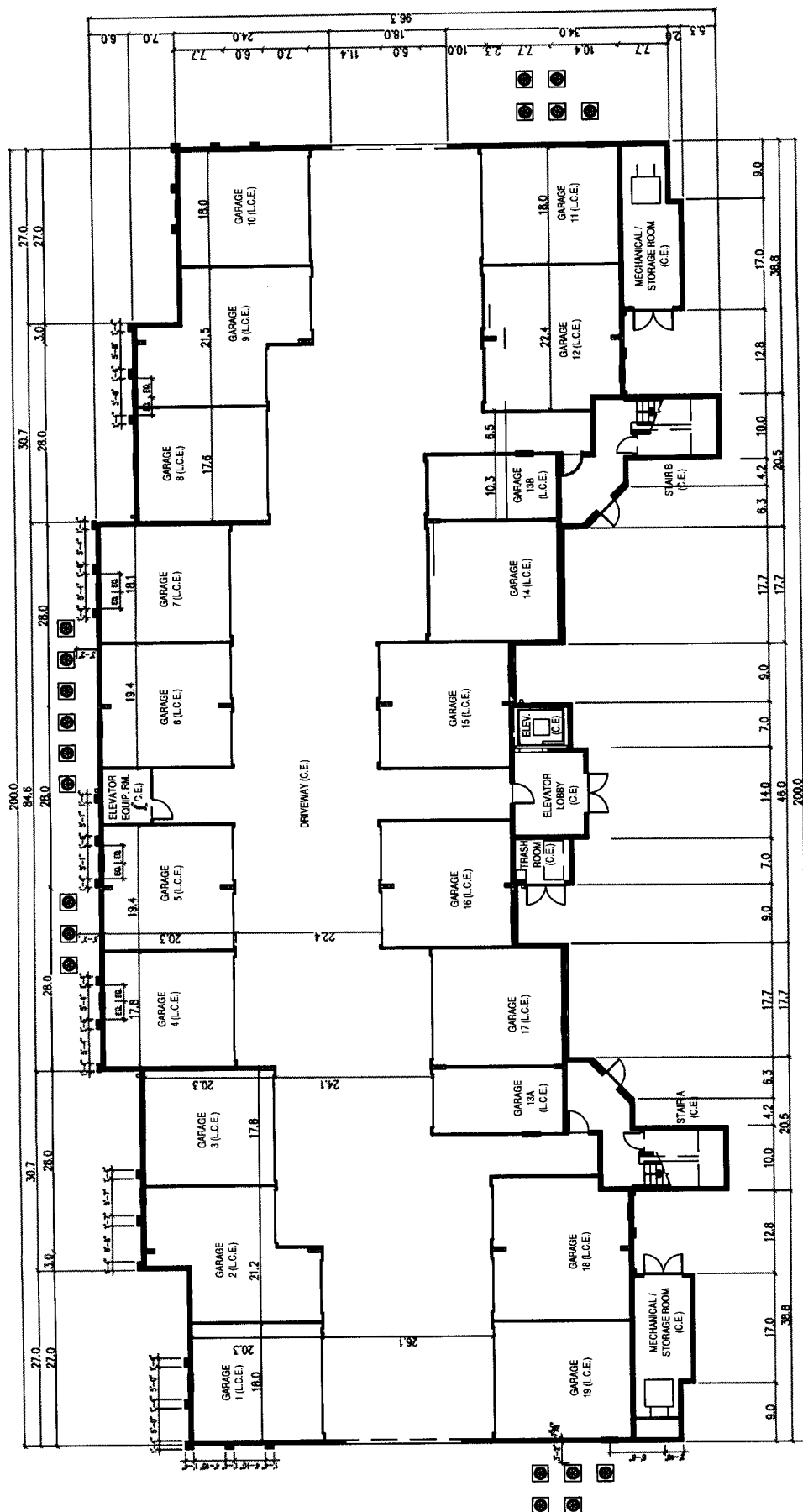
DEBRA L. WOOD
MY COMMISSION # DD 547480
EXPIRES: May 13, 2010
Bonded Thru Budget Notary Services

Debra L. Wood
Notary Public, State of Florida
Printed Name: Debra L. Wood
My Commission Expires: 5-13-10

EXHIBIT "A"

MAP TO SHOW CONDOMINIUM SURVEY OF:

LA TERRAZA I - BUILDINGS "A & B"



FIRST FLOOR PLAN

SCALE: 1"=30'

1) ARCHITECTURAL DESIGN PROVIDED BY BSB DESIGN.

2) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF AND PROVIDED BY THE ARCHITECTURAL PLANS.

3) DROP CEILINGS & CATHEDRAL CEILINGS HAVE NOT BEEN SHOWN. REFER TO THE DECLARATION OF CONDOMINIUM FOR A DESCRIPTION OF VERTICAL UNIT BOUNDARIES.

PREPARED BY:

PRIVETT-NILES and ASSOCIATES, INC.
SURVEYING AND MAPPING CONSULTANTS
LICENSED BUSINESS No. 6824

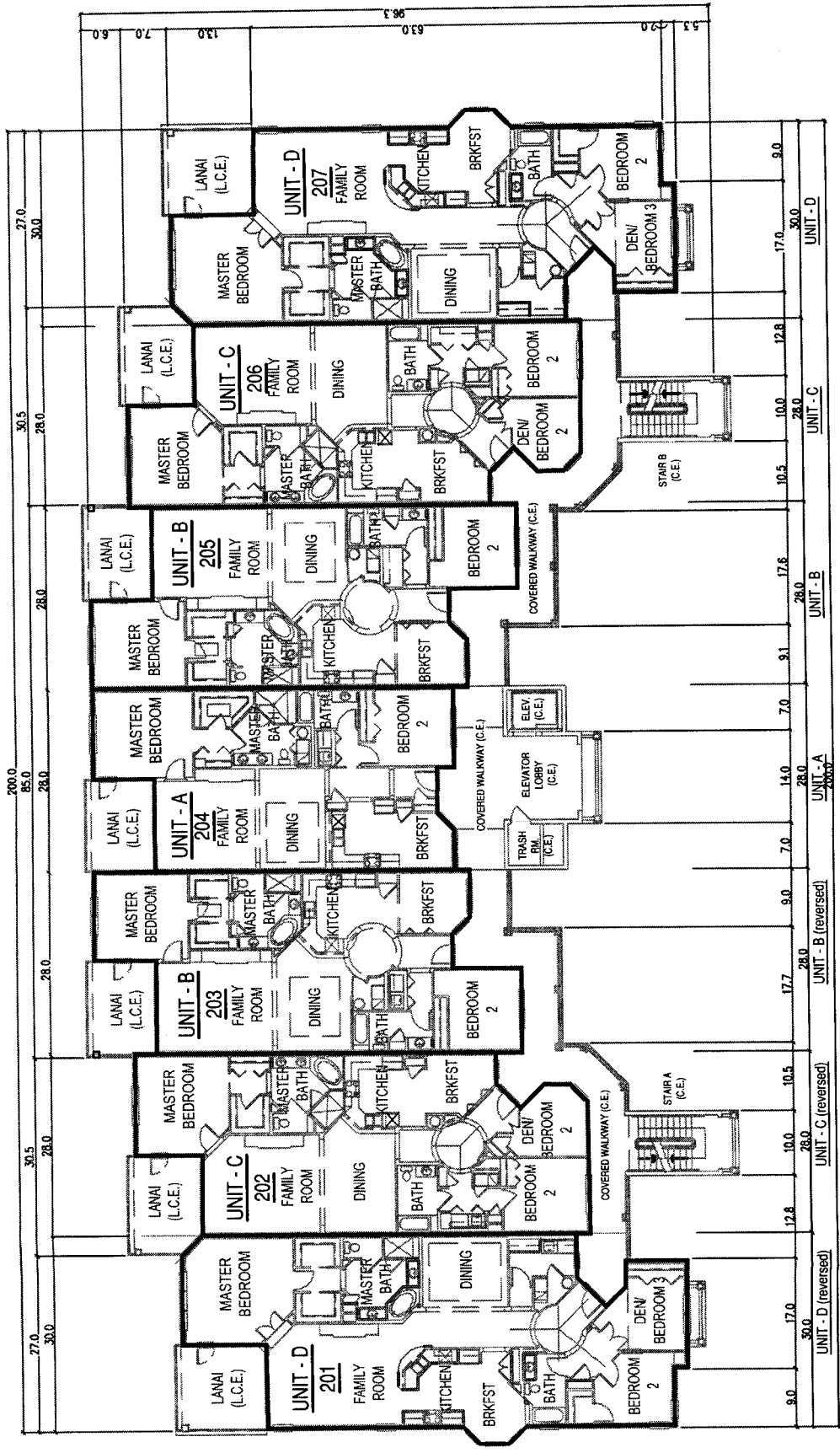
3000 N. PONCE DE LEON BOULEVARD, SUITE "D"
ST. AUGUSTINE, FLORIDA 32084
(904) 829-2591 FAX: (904) 829-5070

DATE: 11/06/06

EXHIBIT "A"

MAP TO SHOW CONDOMINIUM SURVEY OF:

LA TERRAZA I - BUILDINGS "A & B"



SECOND FLOOR PLAN SCALE: 1"=30'

- 1) ARCHITECTURAL DESIGN PROVIDED BY BSB DESIGN.
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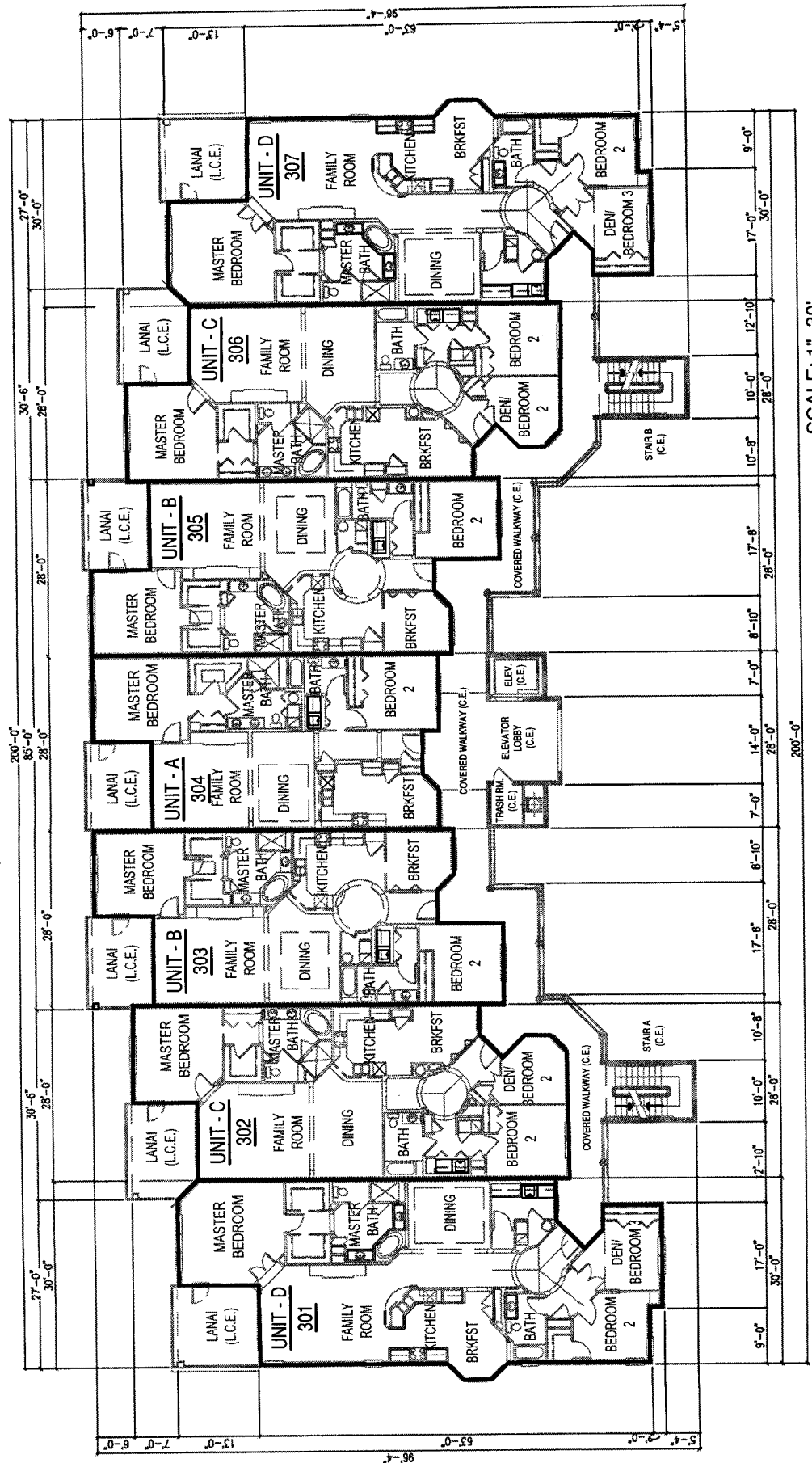
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MAP TO SHOW CONDOMINIUM SURVEY OF:

LA TERRAZA I - BUILDINGS "A & B"



THIRD FLOOR PLAN
SCALE: 1"=30'

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- 3) DROP CEILINGS & CATHEDRAL CEILINGS HAVE NOT BEEN SHOWN. REFER TO THE DECLARATION OF CONDOMINIUM FOR A DESCRIPTION OF VERTICAL UNIT BOUNDARIES.

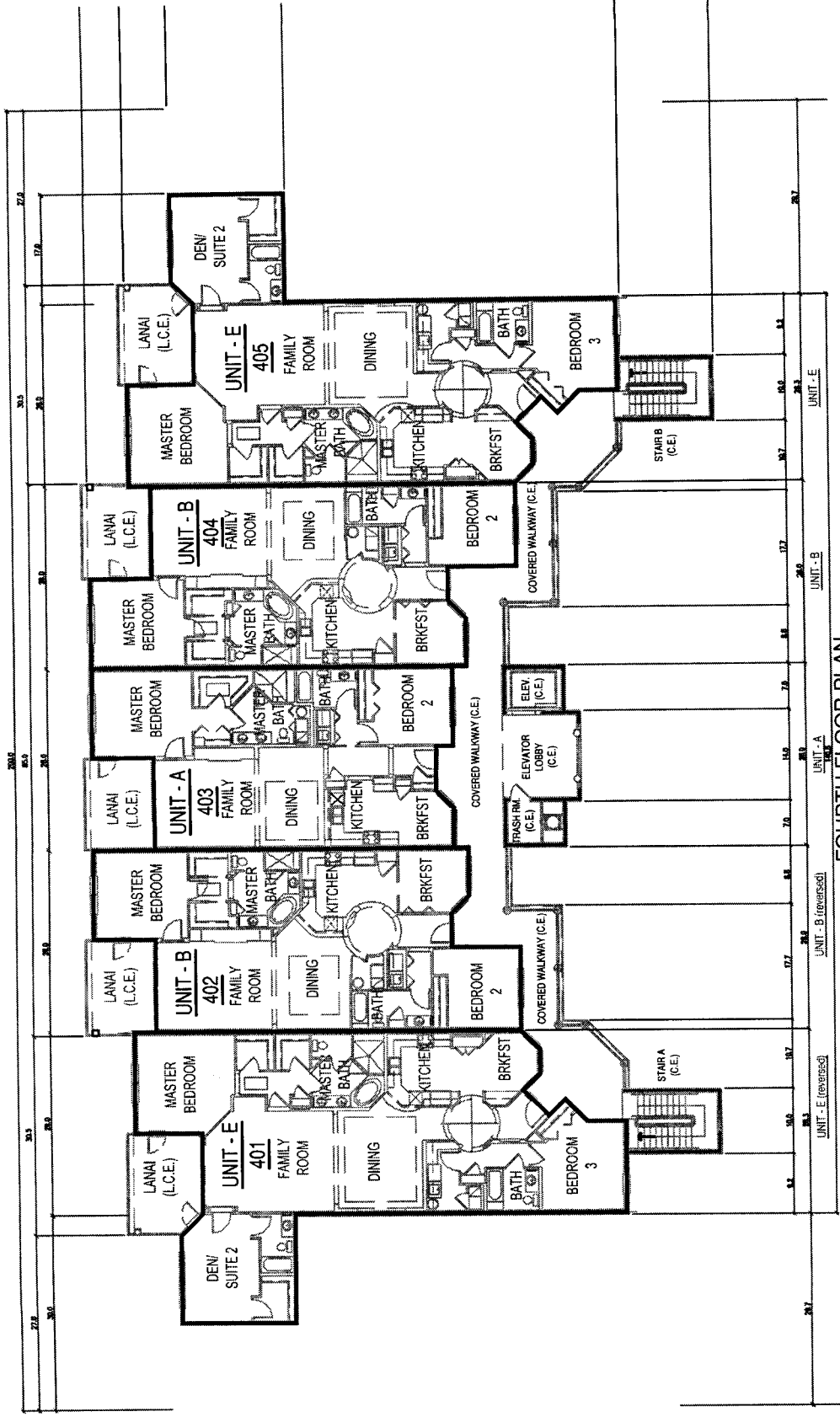
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MAP TO SHOW CONDOMINIUM SURVEY OF:

LA TERRAZA I - BUILDINGS "A & B"



FOURTH FLOOR PLAN

SCALE: 1"=30'

- 1) ARCHITECTURAL DESIGN PROVIDED BY BSB DESIGN.
- 2) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF AND PROVIDED BY THE ARCHITECTURAL PLANS.
- 3) DROP CEILINGS & CATHEDRAL CEILINGS HAVE NOT BEEN SHOWN. REFER TO THE DECLARATION OF CONDOMINIUM FOR A DESCRIPTION OF VERTICAL UNIT BOUNDARIES.

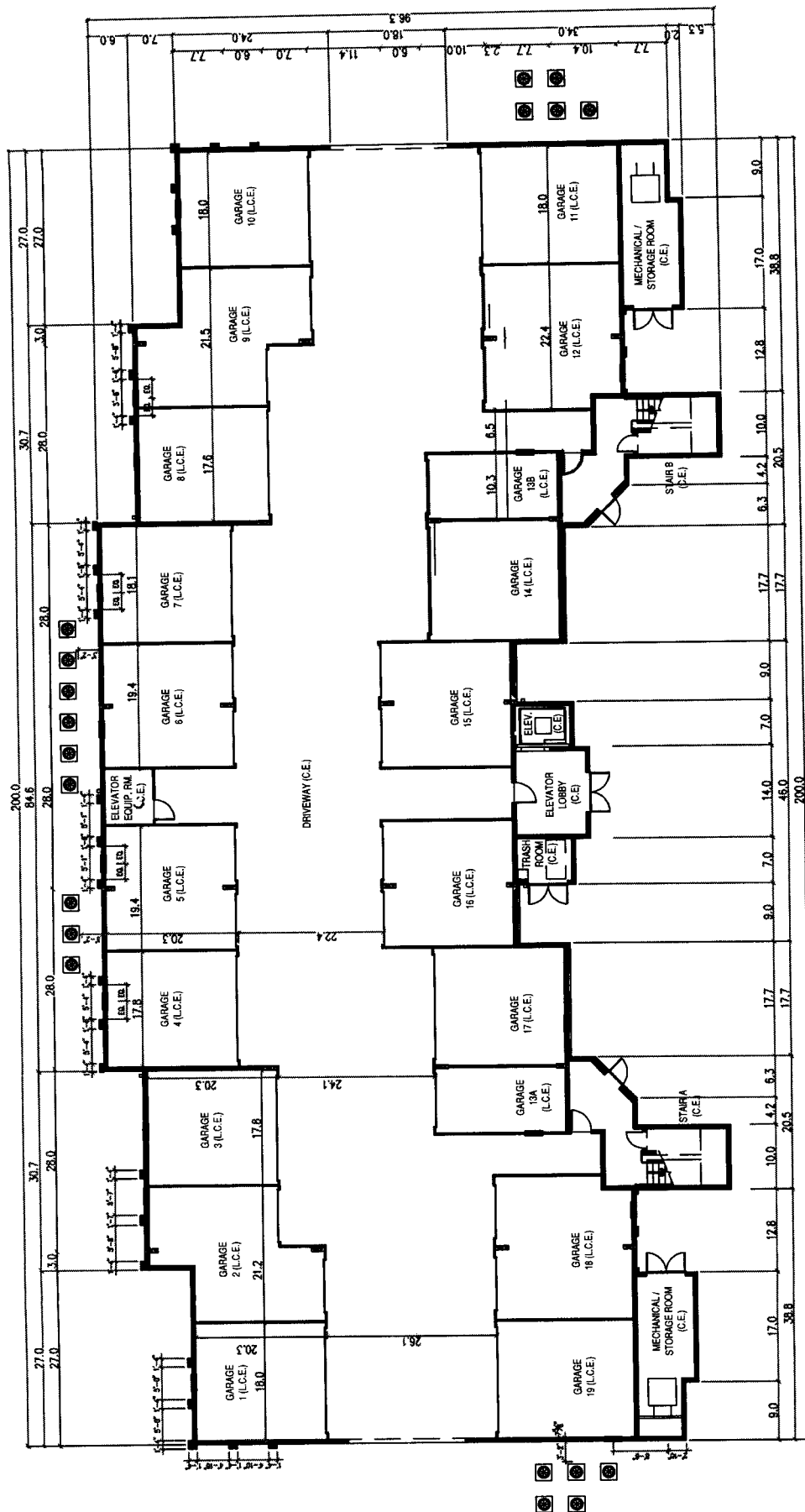
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MAP TO SHOW CONDOMINIUM SURVEY OF:

LA TERRAZA I - BUILDING "A"



FIRST FLOOR PLAN

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1) ARCHITECTURAL DESIGN PROVIDED BY BSB DESIGN.

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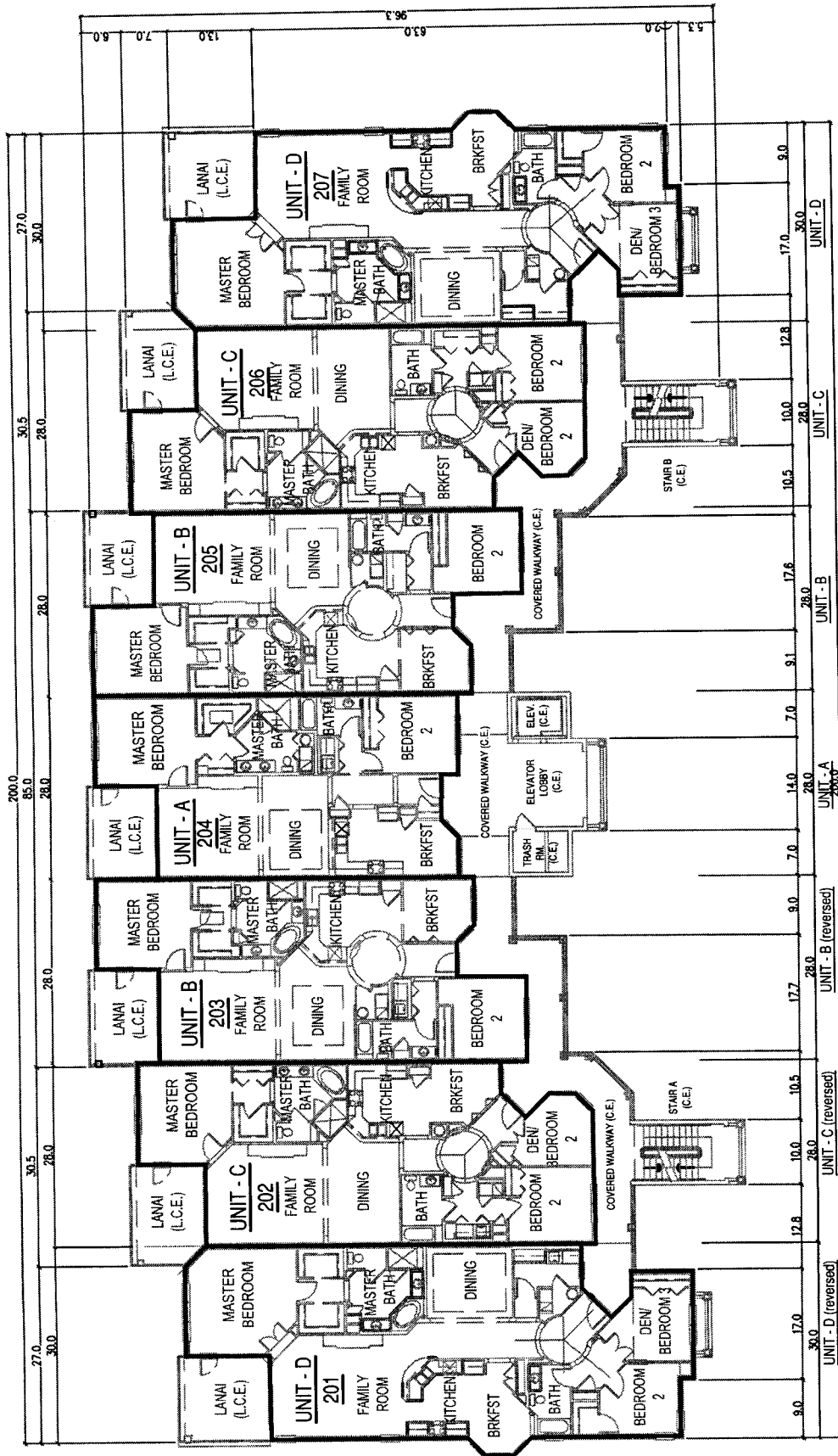
3) DROP CEILINGS & CATHEDRAL CEILINGS HAVE NOT BEEN SHOWN. REFER TO THE DECLARATION OF ARCHITECTURAL PLANS.

DATE: 11/06/06

EXHIBIT "A"

MAP TO SHOW CONDOMINIUM SURVEY OF:

LA TERRAZA I - BUILDING "A"



SECOND FLOOR PLAN

SCALE: 1"=30'

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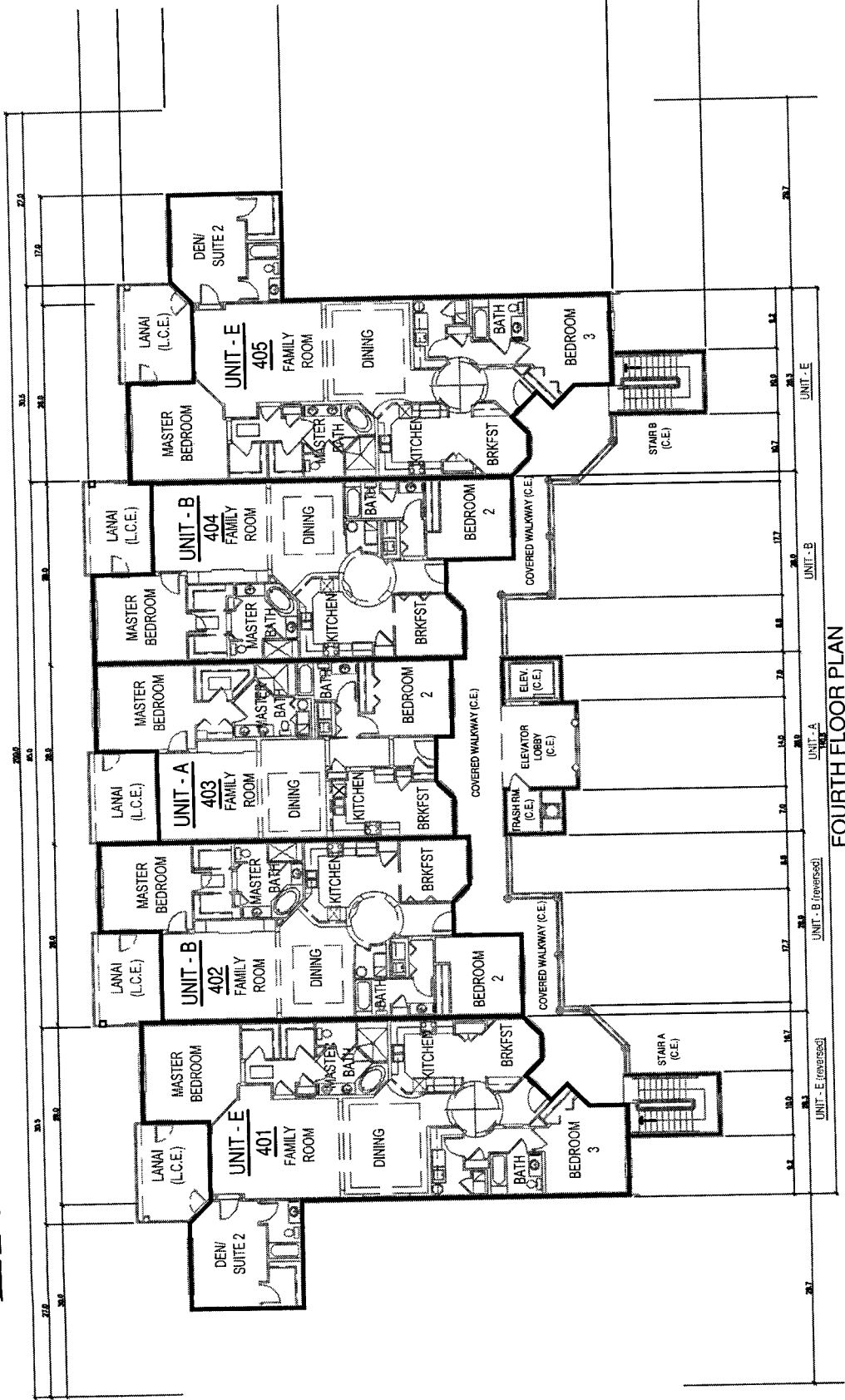
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DATE: 11/06/06