

DECLARATION OF CONDOMINIUM

THIS DECLARATION OF CONDOMINIUM is made this 30th day of April, 19 81, by LAKE BENTLEY SHORES DEVELOPMENT CORPORATION, a Florida corporation, hereinafter referred to as DEVELOPER, doing business for itself, its successors, grantees, and assigns.

ARTICLE I

ESTABLISHMENT OF CONDOMINIUM

DEVELOPER is the owner of the fee simple title to the property situate in Polk County, Florida (hereinafter the Property) more particularly described on page 1 of Exhibit "1" attached hereto and made a part of this Declaration, and on which Property there are dwelling units and other appurtenant improvements. Attached hereto and made a part hereof is Exhibit "1" consisting of 19 pages, containing a legal description of the Property on page 1, and containing a legal description of PHASE ONE on page 2 of said Exhibit "1", and said portion of Property is hereinafter referred to as PHASE ONE. The legal description of PHASE TWO is contained on Page 3 of said Exhibit "1", and said portion of the Property is hereinafter referred to as PHASE TWO.

On PHASE ONE there is an existing apartment complex consisting of 19 buildings, consisting of 18 apartment buildings and one recreation building, containing 142 units and other improvements as shown on the Site Plan at Page 5 of Exhibit "1". DEVELOPER hereby submits PHASE ONE and the improvements thereon to condominium ownership, and hereby declares the same to be a condominium to be known and identified as LAKE BENTLEY SHORES CONDOMINIUM, hereinafter referred to as the "CONDOMINIUM". The term "CONDOMINIUM" as used herein applies to and includes PHASE ONE constituting the initial submission hereunder, and if PHASE TWO, the additional property eligible to be submitted to condominium regime hereunder, shall be so submitted, said term shall automatically apply to and include PHASE TWO.

On PHASE TWO there are two concrete foundations which may be suitable for use in constructing two additional buildings. DEVELOPER reserves the right to construct two additional buildings on PHASE TWO, containing a maximum number of 18 units, and reserves the right to submit PHASE TWO to condominium ownership as part of the CONDOMINIUM, all as set forth in Article IV below.

ARTICLE II

DEFINITIONS

When used in this Declaration of Condominium, the following terms (unless the context clearly requires otherwise) shall have the following meanings:

A. ASSESSMENT means a share of the fund required for the payment of Common Expenses which, from time to time, is assessed against a Unit Owner.

B. ASSOCIATION or CONDOMINIUM ASSOCIATION means LAKE BENTLEY SHORES, INC., a Florida non-profit corporation, the entity responsible for the operation of the Condominium.

C. BOARD OF DIRECTORS means the Board of Directors of the Condominium Association.

RETURN TO:  
David L. Evans, Esq.  
P.O. Box 2854, Orlando, Fla. 32802

THIS INSTRUMENT PREPARED BY:  
David L. Evans, Esq.  
P.O. Box 2854, Orlando, Florida 32802

Del  
5/17/81

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Condominium Map Exhibits filed in Condominium Book 5, Pages 33 through 40, this 4th day of May, 1981.

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