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Martha O. Haynie, Comptroller
Orange County, FL
PU - Ret To: HOLLAND & KNIGHT



**AMENDMENT TO THE
DECLARATION OF CONDOMINIUM
FOR
BERMUDA DUNES PRIVATE RESIDENCES, A CONDOMINIUM**

THIS AMENDMENT is made this 18th day of March, 2009, by **Orlando Westpointe, LLC**, a Delaware limited liability company ("Developer").

RECITALS:

- A. Developer has subjected certain property to the condominium form of ownership as more fully described in the Declaration of Condominium for Bermuda Dunes Private Residences, a Condominium ("Declaration"), recorded on March 27, 2006 in Official Records Book 08549, page 0190 of the public records of Orange County, Florida, as amended from time to time (referred to herein as "Declaration").
- B. Section VI(E) of the Declaration provides that so long as the Developer has the right to elect a majority of the Board of Directors of the Association, the Declaration can be amended by the Developer to except to permit timeshare estates, or to effect a Material Amendment.
- C. As of the date hereof, the Developer has the right to elect a majority of the Board of Directors of the Association.

NOW, THEREFORE, in consideration of the premises, the Developer hereby amends the Declaration as follows:

- 1. Section III(C)(3) is hereby amended and restated in its entirety as follows:

Miscellaneous Areas, Equipment. Except to the extent that same are located within the boundaries of a Unit, any fixtures or equipment (e.g., an air conditioning compressor, other portions of any air conditioning systems, and/or heater, if any, or hot water heater) serving a Unit or Units exclusively and any area (e.g., a closet, roof space or ground slab or roof surface) upon/within which such fixtures or equipment are located shall be Limited Common Elements of such Unit(s). Without limiting the foregoing, each air conditioning unit (and all equipment and fixtures constituting an individual air conditioning system) located on the roof of the Building which serves only one Unit shall be deemed a Limited Common Element of the Unit it serves. The maintenance (and cost) of any such fixtures and/or equipment and/or areas so assigned, including the air conditioning and heating equipment and hot water heaters, shall be the sole responsibility of the Owner of the Unit(s) to which the fixtures and/or equipment are appurtenant.

- 2. Section VII(C) is hereby amended and restated in its entirety as follows:

Specific Unit Owner Responsibility. The obligation to maintain and repair any plumbing or electrical feeds, fixtures or other items of property which service a particular Unit or Units (to

the exclusion of other Units), including, without limitation, air conditioning and heating equipment (including fan motors, compressors and condensing units), hot water heaters and any exterior storm shutters protecting doors or windows for a particular Unit, shall be the responsibility of the applicable Unit Owners, individually, and not the Association, without regard to whether such items are included within the boundaries of the Units.

3. Except as herein amended, the terms and conditions of the Declaration remain in full force and effect.

[Remainder of page intentionally blank.]

IN WITNESS WHEREOF, this Amendment to the Declaration of Condominium has been duly executed on this 12 day of March, 2009.

Signed, sealed and delivered
in the presence of:

ORLANDO WESTPOINTE, LLC,
a Delaware limited liability company

By: SEG Orlando Westpointe Consultants,
Inc., a Delaware corporation, its
Manager

[Signature]
Print Name: ROMINA ZICCAROLI
[Signature]
Print Name: MARK J GOLDMAN

By: [Signature]
Name: STEVEN GOWLETA
Its: Managing Member

STATE OF ILLINOIS
COUNTY OF COOK

This instrument was acknowledged before me this 12th day of MARCH, 2009, by STEVEN E. GOWLETA as MANAGING MEMBER of SEG Orlando Westpointe Consultants, Inc., a Delaware corporation, as the Manager of Orlando Westpointe, LLC, a Delaware limited liability company, on behalf of the corporation and the company, who is known to me or who produced FL Drivers License as identification.

[Signature]
Print Name: JULIE ROSSINI
Notary Public, State of ILLINOIS

My Commission Expires: 8-4-09
Commission No.: 442550
(Notarial Seal)



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