

This instrument prepared by and return to:
Howard J. Vogel, Esq.
Berman Rennert Vogel & Mandler, P.A.
100 Southeast Second Street, Suite 2900
Miami, FL 33131

**FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF
VUE, A CONDOMINIUM**

THIS AMENDMENT is executed as of the 29 day of April, 2005, by VUE FORT LAUDERDALE, LLC, a Florida limited liability company (the "Developer").

WHEREAS, the Developer executed that certain Declaration of Condominium for Vue, a Condominium, which was recorded March 21, 2005, in Official Records Book 39272, Pages 1793-1966, of the Public Records of Broward County, Florida (the "Declaration of Condominium");

WHEREAS, pursuant to Section 6.6 of the Declaration of Condominium, the Developer desires to amend Section 2 and Section 11 of the Declaration of Condominium, and the Articles of Incorporation for Vue Condominium Association, Inc., a Florida not for profit corporation (the "Association"), in order to comply with the permit conditions required by the Broward County Water Resource Division; Sheet 1 of 45 of Exhibit "1" to include an affirmation that the survey meets the Minimum Technical Standards set forth by the Florida State Board of Professional Surveyors and Mappers; Sheet 5 of 45 of Exhibit "1" to include the Bar Scale to the Survey and Plot Plan; and the execution pages of the Declaration of Condominium;

NOW, THEREFORE, in consideration of the premises set forth above, the Developer, for itself, its successors and assigns, amends the Declaration of Condominium as follows:

1. Recitals. The foregoing recitals are true and correct.
2. Definitions. All initially capitalized terms not defined herein shall have the meaning set forth in the Declaration of Condominium. The defined term "Declaration" or "Declaration of Condominium" shall mean the Declaration of Condominium and this Amendment, together with all amendments and modifications thereof.
3. The following is inserted to Section 2 of the Declaration of Condominium:
 - 2.22 "DPEP" means the Broward County Department of Planning and Environmental Protection.
 - 2.27 "SFWMD" shall mean the South Florida Water Management District.

2.28 "SFWMD Permit" shall mean SFWMD Permit No. 2003-055-0, which is made a part of this Declaration.

2.29 "Surface Water Management System" shall mean the surface water management system described in the SFWMD Permit. The rules affecting the Surface Water Management System shall remain in effect for a minimum of twenty-five (25) years and shall be automatically renewed thereafter.

4. The following is inserted to Section 11 of the Declaration of Condominium:

(i) Own, operate, maintain and, if necessary, replace the Surface Water Management System, in perpetuity, and take any actions against Owners necessary to enforce the conditions of the SFWMD Permit; maintain copies of the SFWMD Permit and any future permit actions of the SFWMD, which shall be maintained by the registered agent of the Association for the benefit of the Association; perform any monitoring and maintenance required in the SFWMD Permit; complete any mitigation or monitoring required to satisfy permit conditions; and maintain in perpetuity any signage required by the SFWMD Permit. All costs and expenses incurred in connection with such obligations shall be Common Expenses of the Association. Notwithstanding the foregoing, any amendment proposed to this Declaration, the Articles of Incorporation and/or By-Laws which would affect the Surface Water Management System, conservation areas, or water management portions of the Common Elements, if any, shall be submitted to the SFWMD for review prior to finalization of the amendment. The SFWMD shall determine if the proposed amendment will require a modification of the environmental resource or SFWMD Permit. If a permit modification is necessary, the modification must be approved by the SFWMD prior to the amendment of this Declaration, the Articles of Incorporation and/or the By-Laws.

(j) The SFWMD has the right to take enforcement action, including a civil action for an injunction and penalties against the Association to compel it to correct any outstanding problems with the Surface Water Management System facilities or in mitigation or conservation areas under the responsibility or control of the Association.

5. The following is added to Article 5 of the Articles of Incorporation:

5.5 Surface Water Management System. If the Association is dissolved, the property consisting of the surface water management system shall be conveyed to an appropriate agency of local government. In the event the conveyance is not accepted by local government, the surface water management system must be conveyed to a non-profit corporation similar to the dissolved Association.

Except as modified by this Amendment, the Declaration of Condominium shall remain in full force and effect and the execution and delivery thereof is ratified and affirmed and the terms thereof, as modified by this Amendment, are incorporated and restated herein.

IN WITNESS WHEREOF, the Developer has caused this Amendment to be duly executed and its corporate seal to be hereunto affixed on the date and year written on the first page of this Amendment.

Witnessed by:

[Signature]
Name: RICHARD LAMSON DIX

VUE FORT LAUDERDALE, LLC
a Florida limited liability company

By: [Signature]

Name: Lenny Wolfe

Title: President

[Signature]
Name: JAMES CLARVOY


Address 2121 Ponce de Leon Blvd PH
Coral Gables, FL 33134

STATE OF FLORIDA)
) SS:
COUNTY OF BROWARD)

The foregoing First Amendment to Declaration of Condominium was acknowledged before me, this 29 day of April 2005, by Lenny Wolfe, as President of VUE FORT LAUDERDALE, LLC a Florida limited liability company, on behalf of the company. He is personally known to me or produced a driver's license as identification.

[Notary Seal]:

[Signature]
Name: Maritza Gonzalez-Ortiz
Notary Public, State of Florida
Serial Number (if any)

 Maritza Gonzalez-Ortiz
My Commission DD264082
Expires August 15, 2007

VUE, A CONDOMINIUM

SURVEY NOTES:

- 1.) BENCHMARK: ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, BASED ON A COAST GUARD DISC APPROXIMATELY 225 FEET SOUTHWEST FROM THE CENTERLINE OF THE INTERSECTION OF N.E. 30TH STREET AND N.E. 33 AVENUE, 155 FEET WEST OF THE CENTERLINE OF N.E. 33RD AVENUE AND 23 FEET NORTHEAST OF THE INSIDE COLUMN OF BULKHEAD DOCK OF PADDLE WHEEL QUEEN, LAUDERDALE-BY-THE-SEA.
- 2.) BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF DUE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF N.E. 33RD AVENUE, AS SHOWN ON THE PLAT OF "LAUDERDALE BEACH EXTENSION", AS RECORDED IN PLAT BOOK 27, PAGE 48 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
- 3.) LEGAL DESCRIPTION AS SHOWN ON SHEET 4 OF EXHIBIT "1" WAS FURNISHED BY THE CLIENT.
- 4.) ALL LANDS AND ALL PORTIONS OF IMPROVEMENTS, EXCEPT THOSE DESIGNATED AS A UNIT, LIMITED COMMON ELEMENT OR ASSIGNABLE COMMON ELEMENT, WITHIN THE CONDOMINIUM BOUNDARY LIMITS ARE COMMON ELEMENTS, SUBJECT TO THE PROVISIONS OF THE DECLARATION.
- 5.) THIS EXHIBIT "1" IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND ALL OTHER MATTERS OF SURVEY WHICH MAY BE REFLECTED IN A TITLE SEARCH OF THE SUBJECT PROPERTY.
- 6.) THIS EXHIBIT "1" WAS UPDATED BY FIELD MEASUREMENTS BY THIS FIRM, COMPLETED ON MARCH 4, 2005, AND HAVE BEEN REFLECTED IN SAID EXHIBIT "1".
- 7.) THIS EXHIBIT "1" WAS PREPARED FOR ALLIANCE CONSTRUCTION, LLC.
- 8.) THE LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED BY THIS FIRM REGARDING MATTERS OF INTEREST TO OTHER PARTIES, SUCH AS EASEMENTS, RIGHTS-OF-WAY, RESERVATIONS, ETC.
- 9.) THIS SURVEY WAS PREPARED FOR AND CERTIFIED TO THE PARTY AND/OR PARTIES INDICATED HEREON AND IS NOT TRANSFERABLE OR ASSIGNABLE.
- 10.) THE SUBJECT PROPERTY LIES IN SECTION 30, TOWNSHIP 49 SOUTH, RANGE 43 EAST, CITY OF FT. LAUDERDALE, BROWARD COUNTY, FLORIDA.
- 11.) THE SUBJECT PROPERTY LIES IN COMMUNITY NUMBER 125105 (CITY OF FT. LAUDERDALE) IN FLOOD ZONE "X" (OUTSIDE 500 YEAR FLOOD PLAIN) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP, PANEL 0217, SUFFIX J, MAP NUMBER 12011C0217 F, DATED 8-12-92, INDEX MAP DATED 10-2-97.
- 12.) VISIBLE INDICATORS OF UTILITIES HAVE BEEN SHOWN ON THE SURVEY, BUT NO ATTEMPT HAS BEEN MADE BY THIS OFFICE TO LOCATE BURIED UTILITIES.

SURVEYOR'S CERTIFICATE:

The undersigned, a Professional Surveyor and Mapper duly authorized to practice under the laws of the State of Florida, Hereby Certifies That: the construction of the improvements is substantially complete so that this Exhibit "1", Sheets 1 through 45 inclusive, all of which are made part of the Declaration of Condominium of "VUE, A CONDOMINIUM", together with provisions of the aforesaid Declaration of Condominium describing the condominium property, as it relates to matters of survey, is an accurate representation of the location and dimensions of the improvements, and that the identification, location and dimensions of the units, common elements and limited common elements can be determined from these materials to the best of my knowledge and belief. This survey complies with the Minimum Technical Standards set forth by the Florida State Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes and Chapter 718, Florida Statutes. This certification relates to matters of survey only, and is not to certify that the improvements have been properly constructed in accordance with any applicable building codes or governmental requirements.

Leiter, Perez & Associates, Inc.

BY: *Geoffrey Leiter* DATE: 9/22/05

Geoffrey Leiter, Vice President
Professional Surveyor & Mapper #6395
State of Florida

Not Valid without the
Signature and Original
Raised Seal of a
Licensed Professional
Surveyor and Mapper.

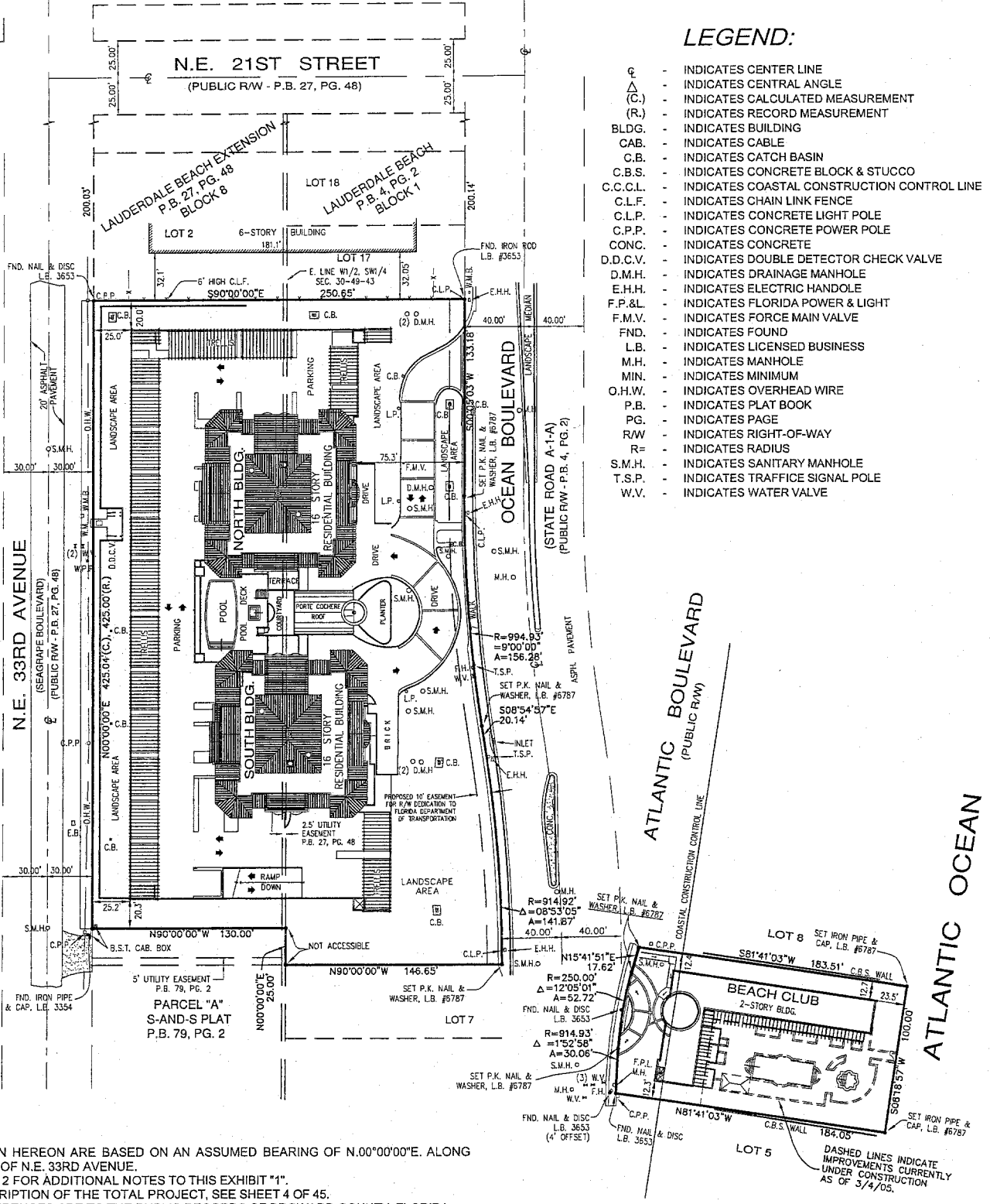
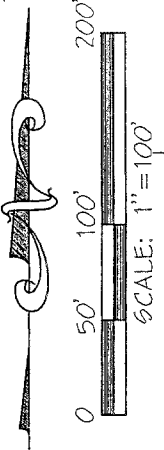
LEITER, PEREZ & ASSOCIATES, INC.
LAND DEVELOPMENT CONSULTANTS
CIVIL ENGINEERS - LAND SURVEYORS
LAND PLANNERS - ENVIRONMENTAL
160 N.W. 176TH ST., SUITE 403, MIAMI, FLORIDA 33169
PHONE: DADE (305) 652-5133 BROWARD (954) 524-2202 FAX: (305) 652-0411
E-Mail: office@leiterperez.com WEBSITE: www.leiterperez.com L.B. #6787

DATE: 3-11-2005	JOB ORDER: 05-121
FILE NO.: L-1654-A	FILE NAME: legal¬es.dwg
REVISION: 4-22-2005	
VUE, A CONDOMINIUM	
CERTIFICATION	

EXHIBIT "1"

SHEET 1 OF 45

VUE, A CONDOMINIUM



- LEGEND:**
- ⊕ - INDICATES CENTER LINE
 - ∠ - INDICATES CENTRAL ANGLE
 - (C.) - INDICATES CALCULATED MEASUREMENT
 - (R.) - INDICATES RECORD MEASUREMENT
 - BLDG. - INDICATES BUILDING
 - CAB. - INDICATES CABLE
 - C.B. - INDICATES CATCH BASIN
 - C.B.S. - INDICATES CONCRETE BLOCK & STUCCO
 - C.C.C.L. - INDICATES COASTAL CONSTRUCTION CONTROL LINE
 - C.L.F. - INDICATES CHAIN LINK FENCE
 - C.L.P. - INDICATES CONCRETE LIGHT POLE
 - C.P.P. - INDICATES CONCRETE POWER POLE
 - CONC. - INDICATES CONCRETE
 - D.D.C.V. - INDICATES DOUBLE DETECTOR CHECK VALVE
 - D.M.H. - INDICATES DRAINAGE MANHOLE
 - E.H.H. - INDICATES ELECTRIC HANDLE
 - F.P.&L. - INDICATES FLORIDA POWER & LIGHT
 - F.M.V. - INDICATES FORCE MAIN VALVE
 - FND. - INDICATES FOUND
 - L.B. - INDICATES LICENSED BUSINESS
 - M.H. - INDICATES MANHOLE
 - MIN. - INDICATES MINIMUM
 - O.H.W. - INDICATES OVERHEAD WIRE
 - P.B. - INDICATES PLAT BOOK
 - PG. - INDICATES PAGE
 - R/W - INDICATES RIGHT-OF-WAY
 - R - INDICATES RADIUS
 - S.M.H. - INDICATES SANITARY MANHOLE
 - T.S.P. - INDICATES TRAFFIC SIGNAL POLE
 - W.V. - INDICATES WATER VALVE

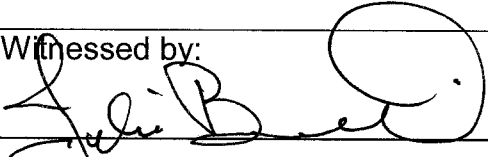
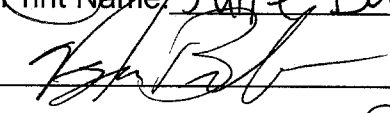
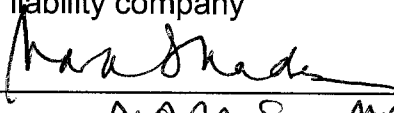
- NOTES:**
1. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF N.00°00'00"E. ALONG THE EAST R/W LINE OF N.E. 33RD AVENUE.
 2. REFER TO SHEET 2 FOR ADDITIONAL NOTES TO THIS EXHIBIT "1".
 3. FOR LEGAL DESCRIPTION OF THE TOTAL PROJECT, SEE SHEET 4 OF 45.
 4. RECORDING REFERENCES ARE TO THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
 5. THE C.C.C.L. AS SHOWN ON THIS SURVEY WAS TAKEN FROM A SURVEY BY OTHERS AND WAS NOT VERIFIED BY THIS FIRM.

LEITER, PEREZ & ASSOCIATES, INC.
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DATE: 3-11-2005	JOB ORDER: 05-121
FILE NO.: L-1654-A	FILE NAME: plotplan.dwg
REVISION: 4-22-2005	
VUE, A CONDOMINIUM	
SURVEY AND PLOT PLAN	

EXHIBIT "1"
 SHEET 5 OF 45

IN WITNESS WHEREOF, the Developer has caused this Declaration to be duly executed and its corporate seal to be hereunto affixed this ____ day of _____, 200__.

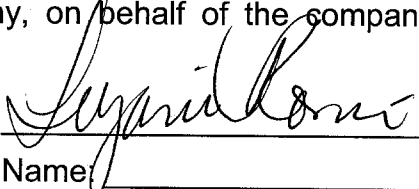
Witnessed by:  Print Name: <u>Julie Barranco</u>  Print Name: <u>Nanyu Barbosa</u>	VUE FORT LAUDERDALE, LLC, a Florida limited liability company By:  Print Name: <u>MARA S. MADES</u> Title: <u>VP.</u> Address: <u>190</u> _____ _____ (Corporate Seal)
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STATE OF FLORIDA)
) SS:
 COUNTY OF MIAMI-DADE)

The foregoing Declaration was acknowledged before me, this 25th day of April, 2006, by MARA S. MADES VP of VUE FORT LAUDERDALE, LLC, a Florida limited liability company, on behalf of the company. Such person is personally known to me.



Leyani Roman
 Commission #DD312446
 Expires: Apr 23, 2008
 Bonded Thru
 Atlantic Bonding Co., Inc.


 Name: _____
 Notary Public, State of Florida
 My Commission Expires: _____
 Serial Number (if any) _____