

Prepared by and returned to:

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***CORRECTIVE CERTIFICATE OF AMENDMENT**

**DECLARATIONS OF CONDOMINIUM
FOR**

**TERRACE I AT HERITAGE POINTE, A CONDOMINIUM
TERRACE II AT HERITAGE POINTE, A CONDOMINIUM
TERRACE III AT HERITAGE POINTE, A CONDOMINIUM
TERRACE IV AT HERITAGE POINTE, A CONDOMINIUM
TERRACE V AT HERITAGE POINTE, A CONDOMINIUM
TERRACE VI AT HERITAGE POINTE, A CONDOMINIUM**

**The purpose of this Corrective Certificate of Amendment is to correct the Article number in amendment to the Declarations of Condominium which was with the Clerk of Courts on July 11, 2017 at Instrument No. 2017000149110. There was an error in the numbering of the new article. The new Article was numbered "12.8," but should have been numbered "12.9."*

I HEREBY CERTIFY that the following amendments to the Declarations of Condominium of Terrace I at Heritage Pointe, a Condominium; Terrace II at Heritage Pointe, a Condominium; Terrace III at Heritage Pointe, a Condominium; Terrace IV at Heritage Pointe, a Condominium; Terrace V at Heritage Pointe, a Condominium; and Terrace VI at Heritage Pointe, a Condominium were duly adopted by the Association membership at the duly noticed Special Members' Meeting of the Association on the 3rd day of May 2017. Said amendments were approved by a proper percentage of voting interests of the Association. The Declaration of Condominium for Terrace I at Heritage Pointe, a Condominium, is recorded at O.R. Book 4126, Page 4368 *et seq.*; the Declaration of Condominium for Terrace II at Heritage Pointe, a Condominium, is recorded at O.R. Book 4216, Page 2147 *et seq.*; the Declaration of Condominium for Terrace III at Heritage Pointe, a Condominium, is recorded at O.R. Book 4416, Page 586 *et seq.*; the Declaration of Condominium for Terrace IV at Heritage Pointe, a

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Condominium, is recorded at O.R. Book 4477, Page 387 *et seq.*; the Declaration of Condominium for Terrace V at Heritage Pointe, a Condominium, is recorded at O.R. Book 4569, Page 3708 *et seq.*; the Declaration of Condominium for Terrace VI at Heritage Pointe, a Condominium, is recorded at O.R. Book 4781, Page 2771 *et seq.*; and the Declaration of Covenants, Conditions and Restrictions for Heritage Pointe is recorded at O.R. Book 4126, Page 4281 *et seq.*, all of the Public Records of Lee County, Florida.

Additions indicated by underlining.

Deletions indicated by ~~striking through~~.

Amendment: Article 12.9 (NEW), Declarations of Condominium for Terraces I, II, III, IV, V and VI

12. USE RESTRICTIONS. The use of the units and the common elements shall be in accordance with the following provisions, and with Section 5 of the Master Association Declaration, as long as the Condominium exists:

(Article 12.1 through Article 12.8 Remain Unchanged)

12.9 Smoking. No person shall engage in smoking in or on within fifteen (15) feet of any condominium building. This means that smoking is not permitted in, under or around the stairways and stairwells, storage unit/room, lanais, patios or balconies. Smoking is permitted inside Units provided all windows and doors are kept closed. Smoking shall mean inhaling, exhaling, burning, carrying or possessing any lighted substance, including cigarettes, cigars or pipes. The use of "electronic" or "vapor" cigarettes, cigars, pipes, or similar apparatus, are likewise defined as smoking and likewise prohibited in the aforementioned areas.

WITNESSES:
(TWO)

HERITAGE POINTE MASTER
ASSOCIATION, INC.

[Signature]
Signature

WILLIAM T. MOGERI
Printed Name

Bonnie M. Mocerì
Signature

Bonnie M. Mocerì
Printed Name

BY: Joyce E Jager
Joyce Jager, President

Date: March 9, 2021



STATE OF FL

COUNTY OF Lee) SS:

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 9 day of March 2021, by Joyce Jager as President of **Heritage Pointe Master Association, Inc.**, a Florida Corporation, on behalf of the corporation. She is personally known to me or has produced (type of identification) all ID as identification.

[Signature]
Notary Public

Catherine L Hardaway
Printed Name

My commission expires: 1-6-2024