

Prepared By and To Be Returned To:
✓ ROBERT S. FREEDMAN, ESQUIRE
CARLTON FIELDS, P.A.
4221 W. Boy Scout Boulevard
Tampa, Florida 33607-5736

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2004159936 6 PGS
2004 AUG 16 06:00 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
TRAIN 3 Receipt#513429



2004159936

**FIFTH SUPPLEMENT TO DECLARATION OF CONDOMINIUM
FOR SAN MARCO II AT VENETIAN GOLF & RIVER CLUB, A CONDOMINIUM**

WHEREAS, the Declaration of Condominium for San Marco II at Venetian Golf & River Club, A Condominium was recorded on May 3, 2004, in Official Records Instrument #2004083140, and which references the condominium drawings recorded in Condominium Instrument #2004083141 and in Condominium Book 36, Page 46-46B, all of the public records of Sarasota County, Florida ("Declaration"); and

WHEREAS, the First Supplement to Declaration of Condominium for San Marco II at Venetian Golf & River Club, A Condominium was recorded on July 6, 2004, in Official Records Instrument #2004130245, public records of Sarasota County, Florida; and

WHEREAS, the Second Supplement to Declaration of Condominium for San Marco II at Venetian Golf & River Club, A Condominium was recorded on July 15, 2004, in Official Records Instrument #2004137436, public records of Sarasota County, Florida; and

WHEREAS, the Third Supplement to Declaration of Condominium for San Marco II at Venetian Golf & River Club, A Condominium was recorded on July 23, 2004, in Official Records Instrument #2004143763, public records of Sarasota County, Florida; and

WHEREAS, the Fourth Supplement to Declaration of Condominium for San Marco II at Venetian Golf & River Club, A Condominium was recorded on August 4, 2004, in Official Records Instrument #2004152200, public records of Sarasota County, Florida; and

WHEREAS, there are unit(s) of San Marco II at Venetian Golf & River Club, A Condominium which are now substantially complete and which are ready for conveyancing pursuant to Section 718.104(4)(e), Florida Statutes;

NOW, THEREFORE, the Declaration is hereby amended by this instrument for purposes of recording the surveyor's certificate(s) of substantial completion as required under Section 718.104(4)(e), Florida Statutes, which certificate(s) and survey(s) of the unit(s) being certified as substantially complete which identify the location and size of the unit(s) are attached to this instrument as Exhibit 1.

Units 2 and 16

IN WITNESS WHEREOF, this instrument was executed by the undersigned this 6th day of August, 2004.

WITNESSES:

WCI COMMUNITIES, INC., a
Delaware corporation, as Developer of
San Marco II at Venetian Golf & River
Club, A Condominium

Name: Sandra L. Carpenter
Print Name: SANDRA L. CARPENTER

By: David Fry
David Fry
Senior Vice President

Name: Elsa Bermingham
Print Name: Elsa Bermingham

(SEAL)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 6th day of August, 2004, by David Fry, as Senior Vice President of WCI COMMUNITIES, INC., a Delaware corporation, on behalf of the corporation, as Developer of San Marco II at Venetian Golf & River Club, A Condominium. He is personally known to me.

My Commission Expires:



(AFFIX NOTARY SEAL)

Sandra L. Carpenter
(Signature)

Name: SANDRA L. CARPENTER
(Legibly Printed)

Notary Public, State of Florida

DD0277639

(Commission Number, if any)



Prepared By and To Be Returned To:
ROBERT S. FREEDMAN, ESQUIRE
CARLTON FIELDS, P.A.
Post Office Box 3239
Tampa, Florida 33601-3239

INSTRUMENT # 2004159936
6 PGS

**CERTIFICATE OF SURVEYOR AS TO
SAN MARCO AT VENETIAN GOLF & RIVER CLUB, A CONDOMINIUM**

STATE OF FLORIDA
COUNTY OF SARASOTA

BEFORE ME, the undersigned authority, personally appeared Raymond T. Brigham,
who was sworn and says:

1. Affiant is a duly registered and duly licensed land surveyor, authorized to practice
under the laws of the State of Florida.

2. Affiant certifies that the construction of the improvements constituting Unit
2 of SAN MARCO AT VENETIAN GOLF & RIVER CLUB, A CONDOMINIUM is
substantially complete so that the material, i.e., this certificate, together with the provisions of
the Declaration of Condominium recorded in Official Records Instrument #2003088992, as
amended, and the plat of the Condominium recorded in Condominium Instrument 2003088993
and in Condominium Book 36, Page 7, public records of Sarasota County, Florida, describing
the condominium property, is an accurate representation of the location and dimensions of the
improvements constituting said Unit 2 of SAN MARCO AT VENETIAN GOLF & RIVER
CLUB, A CONDOMINIUM, and that the identification, location, and dimensions of the common
elements and of Unit 2 of SAN MARCO AT VENETIAN GOLF & RIVER CLUB, A
CONDOMINIUM can be determined from these materials.

Date 8/5/04


Raymond T. Brigham, Affiant

I HEREBY CERTIFY that the foregoing instrument was sworn to, subscribed and
acknowledged before me this 5th day of August, 2003, by Raymond
T. Brigham who is personally known to me or produced _____ as
identification.

NOTARY PUBLIC

Sign Cara Brigham
Print Cara Brigham

(SEAL)

My Commission Expires:

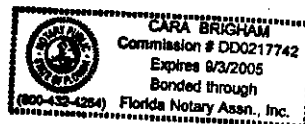


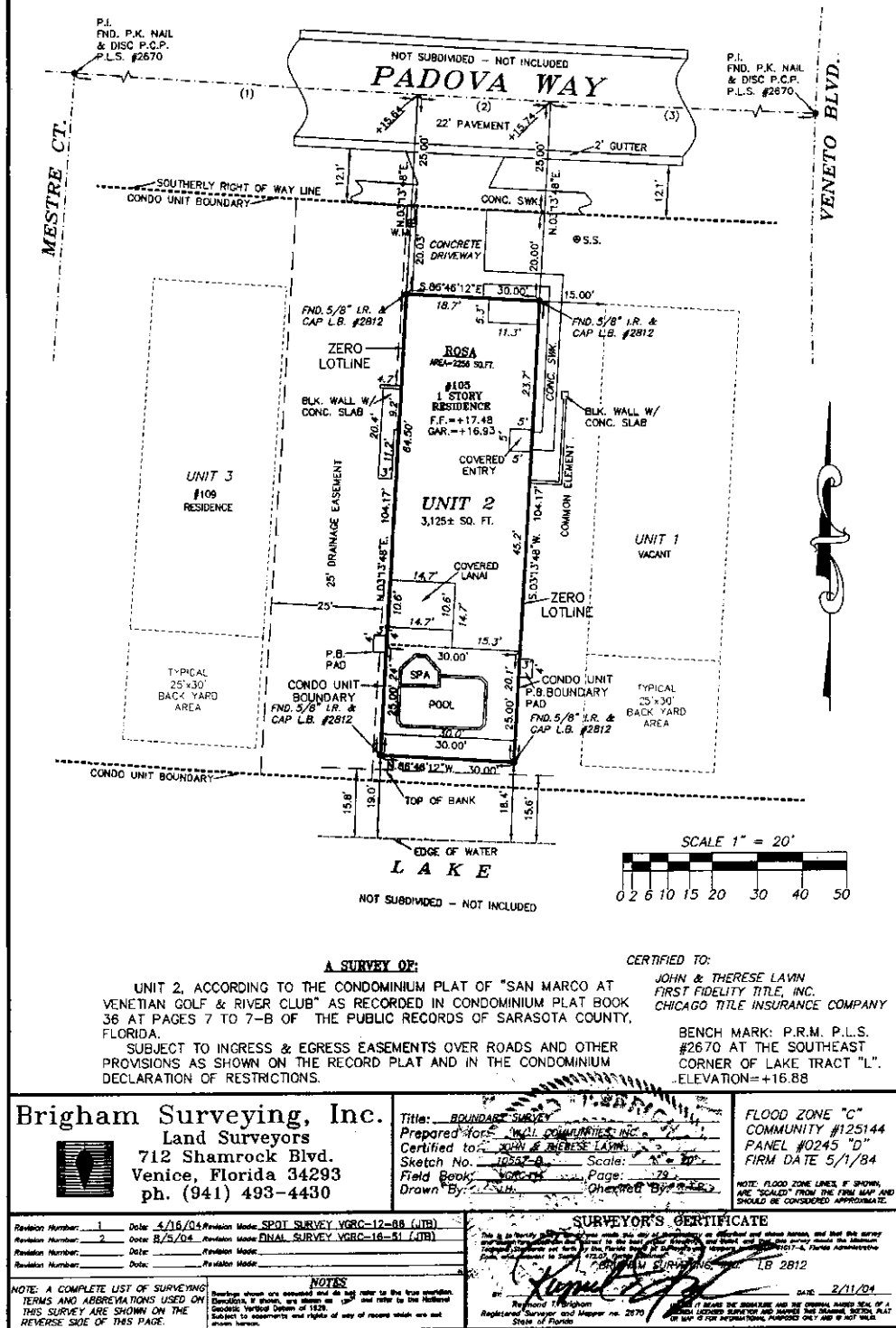
Exhibit 1
Page 1 of 4

TPA#1829035.2

INSTRUMENT # 2004159936

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NOTE: UNDERGROUND UTILITIES ARE NOT SHOWN.



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**CERTIFICATE OF SURVEYOR AS TO
SAN MARCO II AT VENETIAN GOLF & RIVER CLUB, A CONDOMINIUM**

STATE OF FLORIDA
COUNTY OF SARASOTA

BEFORE ME, the undersigned authority, personally appeared Raymond T. Brigham,
who was sworn and says:

1. Affiant is a duly registered and duly licensed land surveyor, authorized to practice
under the laws of the State of Florida.

2. Affiant certifies that the construction of the improvements constituting Unit
16 of SAN MARCO II AT VENETIAN GOLF & RIVER CLUB, A CONDOMINIUM is
substantially complete so that the material, i.e., this certificate, together with the provisions of
the Declaration of Condominium recorded in Official Records Instrument #2004083140, as
amended, and the plat of the Condominium recorded in Condominium Instrument #2004083141
and in Condominium Book 36, Pages 46 to 46-B, inclusive, public records of Sarasota County,
Florida, describing the condominium property, is an accurate representation of the location and
dimensions of the improvements constituting said Unit 16 of SAN MARCO II AT
VENETIAN GOLF & RIVER CLUB, A CONDOMINIUM, and that the identification, location, and
dimensions of the common elements and of Unit 16 of SAN MARCO II AT VENETIAN
GOLF & RIVER CLUB, A CONDOMINIUM can be determined from these materials.

Date 8/5/04

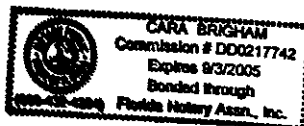

Raymond T. Brigham, Affiant

I HEREBY CERTIFY that the foregoing instrument was sworn to, subscribed and
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T. Brigham who is personally known to me or produced _____ as
identification.

NOTARY PUBLIC

Sign Cara Brigham
Print Cara Brigham

(SEAL)
My Commission Expires:



TPA#1829035.2

Exhibit 1
Page 3 of 4

