



This instrument prepared by and return to:
Chad M. McClenathen, Esq.
783 S. Orange Ave., Suite 210
Sarasota, FL 34236

**DECLARATION OF CONDOMINIUM ASSOCIATION STATUS
BY THE HAMMOCKS MASTER ASSOCIATION, INC.**

WHEREAS, a Master Declaration For The Hammocks Cape Haze were recorded on November 16, 2006 in Official Records Book 3069, Page 1572, et seq. of the Public Records of Charlotte County, Florida (the "Master Declaration"), and

WHEREAS, The Hammocks Master Association, Inc. was created as a master association to be in charge of Common Areas under the Master Declaration (the "Master Association"), and

WHEREAS, the residential units within The Hammocks Cape Haze were developed as two separate condominiums known as The Hammocks-Preserve, a Condominium as recorded on November 16, 2006 in Official Records Book 3069, Page 1658, et seq, and The Hammocks-Villas, a Condominium as recorded on November 28, 2006 in Official Records Book 3073, Page 1471, et seq, both of the Public Records of Charlotte County, Florida, and

WHEREAS, both Condominiums were created and operated as phase condominiums whereby the developer reserved the right to submit additional phases to condominium ownership from time to time, and

WHEREAS, a separate condominium association was created to be in charge of each of the Condominiums: The Hammocks-Preserve Condominium Association, Inc. and The Hammocks-Villas Condominium Association, Inc., and

WHEREAS, in lieu of submitting all the property in The Hammocks Cape Haze to one of the Condominiums, the developer reserved the right under the Master Declaration to develop portions of the property in a form of property ownership other than a condominium, and

WHEREAS, Section 718.103(2), Florida Statutes defines a condominium association to mean "in addition to any entity responsible for the operation of common elements owned in undivided shares by unit owners, any entity which operates or maintains other real property in which unit owners have use rights, where membership in the entity is composed exclusively of unit owners or their elected or appointed representatives and is a required condition of unit ownership", and

WHEREAS, The Hammocks-Preserve Condominium Association, Inc. and The Hammocks-Villas Condominium Association, Inc., are condominium associations as they are responsible for the operation of common elements owned in undivided shares by unit owners in their respective condominiums, and

WHEREAS, The Hammocks Master Association, Inc. was not a condominium association as it was not responsible for the operation of common elements owned in undivided shares by unit owners, and membership in the Master Association could not be definitively determined to be composed exclusively of condominium unit owners for so long as the developer retained the option to develop a portion of The Hammocks Cape Haze in a form of property ownership other than a condominium property, and

WHEREAS, The Master Association acquired fee simple title to the remaining undeveloped lands by warranty deed recorded on December 2, 2014 in Official Records Book 3922, Page 1716, of the Public Records of Charlotte County, Florida (the "Remaining Undeveloped Land") , and

WHEREAS, the Master Association does not desire to develop the Remaining Undeveloped Land nor to sell the property to a developer, and desires to add the Remaining Undeveloped Land as additional Common Area under the Master Declaration, and

WHEREAS, the decision to add the Remaining Undeveloped Land as additional Common Area eliminates the possibility that a portion of The Hammocks Cape Haze might be developed in a form of property ownership other than a condominium thereby causing the Master Association to qualify as a condominium association since its membership is composed exclusively of units owners in The Hammocks-Preserve, a Condominium and The Hammocks-Villas, a Condominium, and the Master Association operates and maintains other real property in which the unit owners have use rights, to-wit, the Common Areas.

NOW THEREFORE, The Hammocks Master Association, Inc. hereby declares as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. Notwithstanding references to "Lots", "Chapter 720, Florida Statutes" and any other language in the Master Declaration, or its Articles of Incorporation or Bylaws, The Hammocks Master Association, Inc. is a condominium association and shall hereafter be operated as a condominium association in accordance with Chapter 718, Florida Statutes.

The Hammocks Master Association, Inc.

By: Carolyn Maddy-Bernstein
Carolyn Maddy-Bernstein, President

Signed, Sealed and Delivered
In the presence of:

Deborah Maysack

Deborah MAYSACK
(Print Name of Witness)

Rebecca Durand

Rebecca Durand
(Print Name of Witness)

STATE OF FLORIDA
COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 10th day of December 2015 by Carolyn Maddy Bernstein as President of The Hammocks Master Association, Inc., a Florida not-for-profit corporation, for and on behalf of the corporation. He is personally known to me or has produced _____ as identification.

D. R. Maysack
Notary Signature

