

Recording: \$_____
Prepared by and return to:
Patrick W. Ryskamp, Esq.
Williams Parker Harrison Dietz & Getzen
200 South Orange Avenue
Sarasota, Florida 34236

**ELEVENTH AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS
FOR
TOSCANA ISLES**

THIS AMENDMENT is made effective this 3rd day of August 2021 by **LALP DEVELOPMENT, LLC**, a Florida limited liability company ("Developer").

RECITALS:

A. Developer previously recorded a Declaration of Covenants, Conditions, Easements, and Restrictions for Toscana Isles in the Official Records as Instrument #2015092161, Public Records of Sarasota County, Florida, as amended by instruments recorded in the Official Records as Instrument #2015115200, Instrument #2016114644, Instrument #2017026089, Instrument #2017153878, Instrument #2017153882, Instrument #2020066182, Instrument #2020141418, Instrument #2020180507, Instrument #2021017120, and Instrument #2021067689, Public Records of Sarasota County, Florida (collectively the "Declaration").

B. Article 24 of the Declaration reserves unto Developer the right to amend the Declaration at any time prior to the Turnover, provided any such amendment reasonably conforms to the general purposes of the covenants and restrictions set forth in the Declaration.

C. Developer desires to amend the Declaration with respect to certain matters as set forth herein.

NOW, THEREFORE, pursuant to the rights of Developer reserved in Article 24 of the Declaration, Developer hereby amends the Declaration as follows:

1. The property described in Exhibit "H" attached hereto, comprising the lands to be subdivided by Developer as Toscana Isles, Unit 6, is hereby made subject to the provisions of the Declaration. Exhibit "H" is added to the Declaration to read the same as Exhibit "H" attached hereto.

2. Article 1.68 is added to the Declaration to read as follows:

1.68 "Unit 6" shall mean the real property described in Exhibit "H."

3. Article 1.69 is added to the Declaration to read as follows:

1.69 "Unit 6 Plat" shall mean the plat of Unit 6 recorded in Plat Book ____, page ____, Public Records of Sarasota County, Florida.

4. The second sentence of Article 4.1 of the Declaration is amended to read as follows: "The District Property shall specifically include: (a) Tracts 150, 160, 161, and 170, all as shown on the Unit 1 Plat; (b) Tracts 250, 260, 261, and 262, all as shown on the Unit 2 Plat; (c) Tracts 450 and 451, all as shown on the Unit 4 Plat; (d) Tracts 550, 551, and 560, all as shown on the Unit 5 Plat; (e) Tracts 750, 751, and 760, all as shown on the Unit 7 Plat; (f) Tracts 650, 651, 652, and 653, all as shown on the Unit 6 Plat; (g) all Improvements to such Tracts, other than equipment, lines, and facilities owned by utilities; components of the Central Irrigation System; and other Improvements owned by Developer, the Maintenance Association, the Association, or third parties that are located within such Tracts pursuant to easement rights; (h) the Water and Sewer System Facilities; and (i) the Surfacewater Management System Facilities."

5. Article 4.11 is added to the Declaration to read as follows:

4.11 Unit 6 District Property. The following provisions apply to the District Property within Unit 6:

A. Tracts 650, 651, 652, and 653. The District will construct paved roadways within Tracts 650, 651, 652, and 653 to provide access for Developer, the District, the Association, the Maintenance Association, and the Owners to the Parcels and other property within the Community. These roadways constitute the Community Roads. The District will also construct such other Improvements as may be required by the City of Venice or Sarasota County. The District, Developer, or the Association may additionally install such gates, signs, walls, lighting, medians, sidewalks, landscaping, irrigation, bridges, fountains, and related equipment and facilities as the District, Developer, or the Association may deem appropriate for the roadway character of these Tracts. The right of the District, Developer, and the Association to install such additional items shall not be construed as an obligation to do so.

6. The third sentence of Article 6.1 of the Declaration is amended to read as follows: "The Common Areas shall specifically include: (a) Tract 100, as shown on the Unit 1 Plat; (b) Tracts 180 and 181, all as shown on the Unit 1 Plat; (c) Tracts 270 and 281, all as shown on the Unit 2 Plat; (d) Tracts 470 and 471, all as shown on the Unit 4 Plat; (e) Tracts 561, 562, 570, 571, 580, 581, 582, and 590, all as shown on the Unit 5 Plat; (f) Tracts 740, 770, 771, 772, and 780 all as shown on the Unit 7 Plat; (g) Tracts 660, 661, 670, and 671, all as shown on the Unit 6 Plat; (h) all Improvements to such Tracts other than equipment, lines, and facilities owned by the District or

utilities; and other Improvements owned by Developer, the District, or third parties that are located within such Tracts pursuant to easement rights; and (i) the Central Irrigation System.”

7. Article 6.12 is added to the Declaration to read as follows:

6.12 Unit 6 Common Areas. The following provisions apply to the Common Areas within Unit 6:

A. Tracts 660 and 661. Tracts 660 and 661 are comprised of stormwater retention areas. The District will construct within these Tracts stormwater retention ponds, together with outfall structures and related stormwater drainage and retention control devices and apparatus, as part of the Surfacewater Management System Facilities. The District, Developer, or the Association may install such plants, landscaping, and Improvements as the District, Developer, or the Association may deem appropriate for the open space and retention pond character of these Tracts. The right of the District, Developer, and the Association to install such plants, landscaping, and Improvements shall not be construed as an obligation to do so, and, except for such Surfacewater Management System Facilities as may be required by City of Venice, Sarasota County, or SWFWMD, these Tracts may, in the discretion of the District, Developer and the Association, be left in an unimproved state.

B. Tracts 670 and 671. Tracts 670 and 671 are comprised of open space areas and are hereby set aside by Developer for the use, enjoyment, and benefit of Developer and the Owners. The District, Developer, the Association, or the Maintenance Association may install a perimeter wall or fence within these Tracts, and such plants, landscaping, irrigation, and Improvements as the District, Developer, the Association, or the Maintenance Association may deem appropriate for the open space character of these Tracts. The right of the District, Developer, the Association, and the Maintenance Association to install such perimeter wall, fence, plants, landscaping, irrigation, and Improvements shall not be construed as an obligation to do so, and these Tracts may, in the discretion of the District, Developer, the Association, and the Maintenance Association be left in an unimproved state.

8. The first sentence of Article 7.5 of the Declaration is amended to read as follows: “Owners of Lots 1– 46, 47 – 87, 93 – 118, 124 – 128, 133 – 170, 345 – 383, 387 – 392, 411 – 417, 495 – 528, 592 – 604, 608 – 638, 639 – 654, 663 – 673, 677 – 688, 693 – 718, 723 – 732, 743 – 749, 754, 755, and 859-921 may apply to applicable governmental agencies for the construction of a private dock.”

9. In Paragraph 2 of that certain Ninth Amendment to Declaration of Covenants, Conditions, Easements, and Restrictions for Toscana Isles, recorded in the Official Records as Instrument #2021017120, Public Records of Sarasota County, Florida (the “Ninth Amendment”), “1.64” is hereby deleted and replaced with “1.66.”

10. In Paragraph 3 of the Ninth Amendment, "1.65" is hereby deleted and replaced with "1.67."

11. In Paragraph 7 of the Ninth Amendment, "6.10" is hereby deleted and replaced with "6.11."

IN WITNESS WHEREOF, Developer has caused this Amendment to be executed in their name as of the day and year first above written.

WITNESSES:

LALP DEVELOPMENT, LLC

By: Vanguard Realtors, LLC, a Florida
limited liability company, as its
Manager

Kathie Jette
Signature of Witness
Kathie Jette
Print Name of Witness
Amy Roberts
Signature of Witness
Amy Roberts
Print Name of Witness

By: [Signature]
John R. Peshkin, as its Manager

STATE OF FLORIDA
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 3 day of August 2021 by John R. Peshkin, as Manager of Vanguard Realtors, LLC, a Florida limited liability company, and Manager of **LALP DEVELOPMENT, LLC**, a Florida limited liability company, on behalf of the companies. The above-named person is personally known to me or has furnished _____ as identification.

(Notary Seal)



Kathie Jette
Signature of Notary Public
Kathie Jette
Print Name of Notary Public

I am a Notary Public of the State of Florida
and my commission expires on 7-11-2025.

EXHIBIT "H"

All of the property described in the plat of Toscana Isles, Unit 2, Phase 6, recorded in Plat Book _____, Page _____, Public Records of Sarasota County, Florida.