

This instrument prepared by:
CURTIS R. MOSLEY, ESQ.
MOSLEY, JACOBUS & WALLIS, P.A.
1221 East New Haven Avenue
Melbourne, Florida 32901

1101 Miramar St
Indianapolis IN 46203
34503

AMENDMENT TO DECLARATION OF CONDOMINIUM

The CASUARINA CLUB OWNERS ASSOCIATION, INC. and the owners of at least 75% of the units whose votes were cast in person or by proxy at a meeting duly held in accordance with the By-Laws and Articles of Incorporation of The Casuarina Owners Association, Inc., pursuant to the Florida Condominium Act, Chapter 718, Florida Statutes, and the authority reserved in Article 16 of the Declaration of Condominium establishing THE CASUARINA CLUB CONDOMINIUM, recorded in Official Records Book 2095, Pages 243 through 250, of the Public Records of Brevard County, Florida, hereby amend said declaration described above as follows:

1. ARTICLE 7. MEMBERSHIP AND VOTING

The Developer and all persons hereafter owning a vested present interest in the fee title to any of the units shown on the Exhibits hereto and which interest is evidenced by recordation of a proper instrument in the Public Records of Brevard County, Florida, shall automatically be members and their memberships shall automatically terminate when they no longer own such interest.

There shall be a total of thirty-two (32) votes to be cast by the owners of the condominium units. Such votes shall be apportioned and cast as follows: The owner of each condominium unit (designated as such on the Exhibits attached to this Declaration) shall be entitled to cast one (1) vote. If a condominium unit is owned by the managing non-profit corporation, no vote shall be allowed for such condominium unit. Where a condominium unit is owned by more than one person, all the owners thereof shall be collectively entitled to the vote assigned to such unit and such owners shall, in writing, designate an individual who shall be entitled to cast the vote in behalf of the owners of such condominium unit of which he is a part until such authorization shall have been changed in writing. The term "owner" as used herein, shall be deemed to include the Developer. Ownership of a unit by a corporation other than the managing non-profit corporation is prohibited. Ownership of a unit by multiple owners, whether individuals, partnerships or other legal entities for use on a time-sharing basis is prohibited.

All of the affairs, policies, regulations and property of the corporation shall be controlled and governed by the Board of the Association whose members are all to be elected annually by the members entitled to vote, as provided in the Bylaws of the Association. Each Board Member shall be the owner of a condominium unit (or a partial owner of a condominium unit where such unit is owned by more than one individual, ~~or if a unit is owned by a corporation, including the Developer, any duly elected officer or officers of an owner corporation may be elected a board member or members~~), partnership or other legal entity other than a corporation.

2. ARTICLE 15. RESTRICTIONS AS TO LEASING, RENTAL AND SALE OF APARTMENTS

No apartment owner shall lease or otherwise rent any apartment for a rental period of less than three (3) months.

~~There are no restrictions covering the sale by an owner of the owner's apartment and no approval by the association of any sale is required, however, each purchaser of an apartment shall furnish the Association with a copy of the recorded deed by which the purchaser took title to the apartment within ten (10) days following the recording of the deed in the Public Records of Brevard County, Florida.~~

Time-sharing of units is prohibited. Ownership of a unit on a weekly, monthly or any other time-sharing basis is prohibited. The

PGS. 2
TRUST FUNDS 1.50
PR. FEES 9.00
JOC ST. S
INT TAXS
SER. CHG. S
REFUND S
NAMES 2
REC'D PAYMENT AS INDICATED FOR CLASS
C- INTANGIBLE & DOC
STAMP TAXES INCLUDING PENALTY & INTEREST.
Clerk
Brevard

OFF. REC.
2837

PAGE
1128

398818

87 SEP - 8 AM 9:03

sale of units to multiple owners, whether to individuals, partnerships or other legal entities, for use on a time-sharing basis is prohibited. The sale of a unit or units to a corporation is prohibited. Each Purchaser shall furnish the Association with a copy of the recorded deed by which the Purchaser took title to the unit within ten (10) days following the recording of the deed in the Public Records of Brevard County, Florida.

IN WITNESS WHEREOF, the above stated Association has caused these presents to be signed and sealed on this 28th day of August, 1987.

Signed, sealed and delivered in the presence of:

THE CASUARINA OWNERS ASSOCIATION, INC., a Florida corporation

Marilyn C. Brady
Susan Samson

By: Donna Bulsch
President

STATE OF FLORIDA)
) ss.
COUNTY OF BREVARD)

BEFORE ME, the undersigned authority, duly authorized by law to take oaths and acknowledgments, personally appeared Donna Bulsch, of THE CASUARINA OWNERS ASSOCIATION, INC., a Florida corporation, who after being first duly sworn, acknowledged before me that she executed the foregoing instrument as _____ of the corporation for the reasons and purposes therein expressed.

WITNESS my hand and official seal in the county and state last aforesaid on this 28th day of August, 1987.

Linda F. H. Harrison
Notary Public

