

8

This instrument prepared by:

Stewart B. Capps, Esquire
Stewart B. Capps, P.A.
P.O. Box 034021
Indialantic, Florida 32903

AMENDMENT TO DECLARATION OF CONDOMINIUM

The CASUARINA CLUB OWNERS ASSOCIATION, INC., and the owners of at least seventy-five percent (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 2085, Pages 817 through 850, as amended in Official Records Book 2837, Pages 1128 and 1129, of the Public Records of Brevard County, Florida, hereby amend the Declaration described above as follows:

1. Article 4. OWNERSHIP OF APARTMENTS AND APPURTENANT SHARE IN COMMON ELEMENTS AND COMMON SURPLUS AND SHARE OF COMMON EXPENSES

This Article 4 shall be amended to include the following additional paragraph:

Post Tension Cable Repairs. On all post tension cable repairs, the association shall bill those expenses which are associated with the post tension cable repairs and will be assessed as a special assessment against the unit owners at a 1/32 interest. Any expenses associated with the replacement of any floor coverings located within the unit or on the exterior balcony or repainting within the unit after completion of the work or window or door replacements or repairs shall be the expense of the particular unit owner and not the association.

2. Article 5. APARTMENT BOUNDARIES, COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

The apartments of the condominium consist of that volume of space which is contained within the undecorated or unfinished exposed interior surfaces of the perimeter walls, windows, doors, floors and ceilings of the apartments, the boundaries of which apartments are more specifically shown on Exhibit "A", Sheets 2 through 7 inclusive, attached hereto. The dark solid lines on the floor plans hereinabove mentioned represent the perimetrical boundaries of the apartments; however, the eastern perimetrical boundary of the apartments shall be the undecorated or unfinished exposed interior surfaces of the perimeter walls, windows and doors of the apartment. The plans of each unit are shown on sheets 4, 5, 6 and 7 of Exhibit "A". The upper and lower boundaries of the apartments are the unfinished, undecorated exposed interior surfaces of the floors and ceilings of the apartments which are shown in the notes on said plans, which notes relate to elevations of the apartment. The eastern perimetrical boundary on Unit 306 and Unit 206 are shown on Exhibit "D" attached hereto and incorporated herein.

There are limited common elements appurtenant to each of the units in this condominium, as shown and reflected by the floor and plot plans, which consists of covered parking spaces numbered 101 through 410, corresponding to the unit numbers and the exclusive right to the use of each one of the aforesaid covered spaces herein now designated as limited common elements are assigned to the unit owner with the correspondingly numbered unit. This location of each of the said parking spaces is shown on Sheet 2 of Exhibit "A". All balconies and ground floor patio areas shall be designated and treated as limited common elements appurtenant to the unit. Repairs and replacement of windows and doors of each unit is the owner's responsibility.

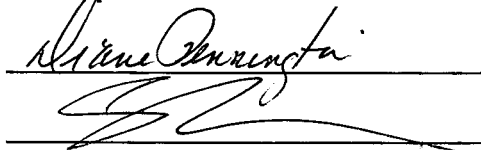
These limited common elements are reserved for the use of the designated unit appurtenant thereto, to the exclusion of other units, and they shall pass with such unit, as appurtenant. Expenses of maintenance, repair, or replacement relating to such limited common elements or involving structural maintenance, repair or replacement, shall be treated as and paid for as part of the common expenses for the corporation. The storage closet under the stairs of the South building on the ground floor shall be a limited common element appurtenant to Unit 306.

The common elements of the condominium project consists of all of the real and personal property, swimming pool, beach area, green area, improvements and facilities and the common surplus of the condominium other than the apartments, and shall include easements through the apartments for air conditioning plants, conduits, pipes, drains, ducts, plumbing, wiring, and other facilities, for the furnishing of utility service to the apartments, limited common elements and common elements and easements of support in every portion of any apartment which contributes to the support of improvements, and shall further include all personal property held and maintained for the joint use and enjoyment of all of the owners of all apartments.

IN WITNESS WHEREOF, the above stated Association has caused these presents to be signed and sealed on this 5 day of September, 2008.

Signed, sealed and delivered
in the presence of:

THE CASUARINA OWNERS ASSOCIATION,
INC., a Florida corporation

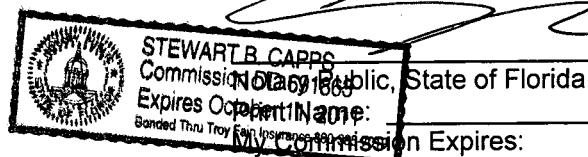


By: 
JOSEPH FECHNER, President

STATE OF FLORIDA
COUNTY OF BREVARD

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

WITNESS my hand and official seal in the county and state last aforesaid on this 5 day of September, 2008.



Jul. 29. 2008 3:25PM
FROM: Stewart D. Lapps RA

FAX NO. :321 727 0029

No. 0070 P. 5
Jul. 23 2008 01:52PM P4

Existing Structures

Engineering Inc.
102 COLUMBIA RD., SUITE 207
CAPE CANAVERAL, FL 32920
321-784-5811

Project Name

CASUARINA CLUB
Indianapolis, FL

306 Balcony Reconfiguration 2

SIZE

FSCM NO.

DWG NO.

REV

SCALE

SHEET

Limited Common
Property



UNIT 306

— Perimeter Boundary

General Notes

EXHIBIT "D"

BV
DA
JX
BAC

2085 336

CASUARINA CLUB

DESCRIPTION: Lots 5, 6, & 7, Block 99-A, Section 2, Indiantown by the Sea, as recorded in Plat Book 10, Page 4, and Lots 8, 9, 10, Block 41, Section 2, Indiantown by the Sea, as recorded in Plat Book 3, Page 91, Public Records of Berard County, Fla.

WCTLS.

The concentration of the solution of one of these salts is determined by the amount of the other salt with which it is mixed. Thus, if the concentration of the solution of one of these salts is determined by the amount of the other salt with which it is mixed, then the concentration of the solution of one of these salts is determined by the amount of the other salt with which it is mixed.

ATLANTIC OCEAN

SAND BEACH

Surf Boat

20' ...cm " 40' 32.74'

137-24643

4039° 30' 19"

VENUE

40343, 40344

4-4340

100

1

5

Annex survey: prior plan

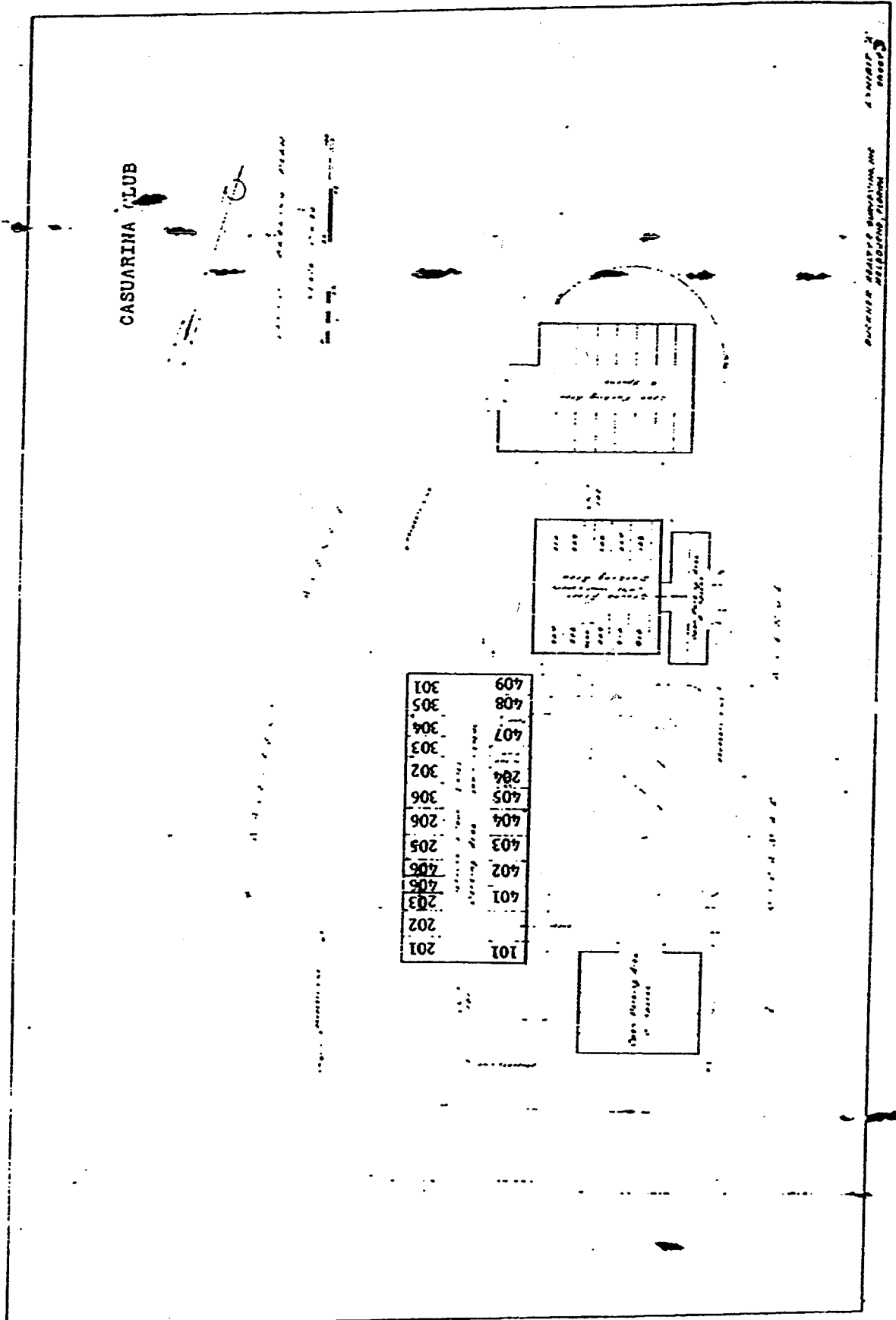
the American Institute for Space and Astronautics has just announced that it has received a substantial grant from the National Aeronautics and Space Administration.

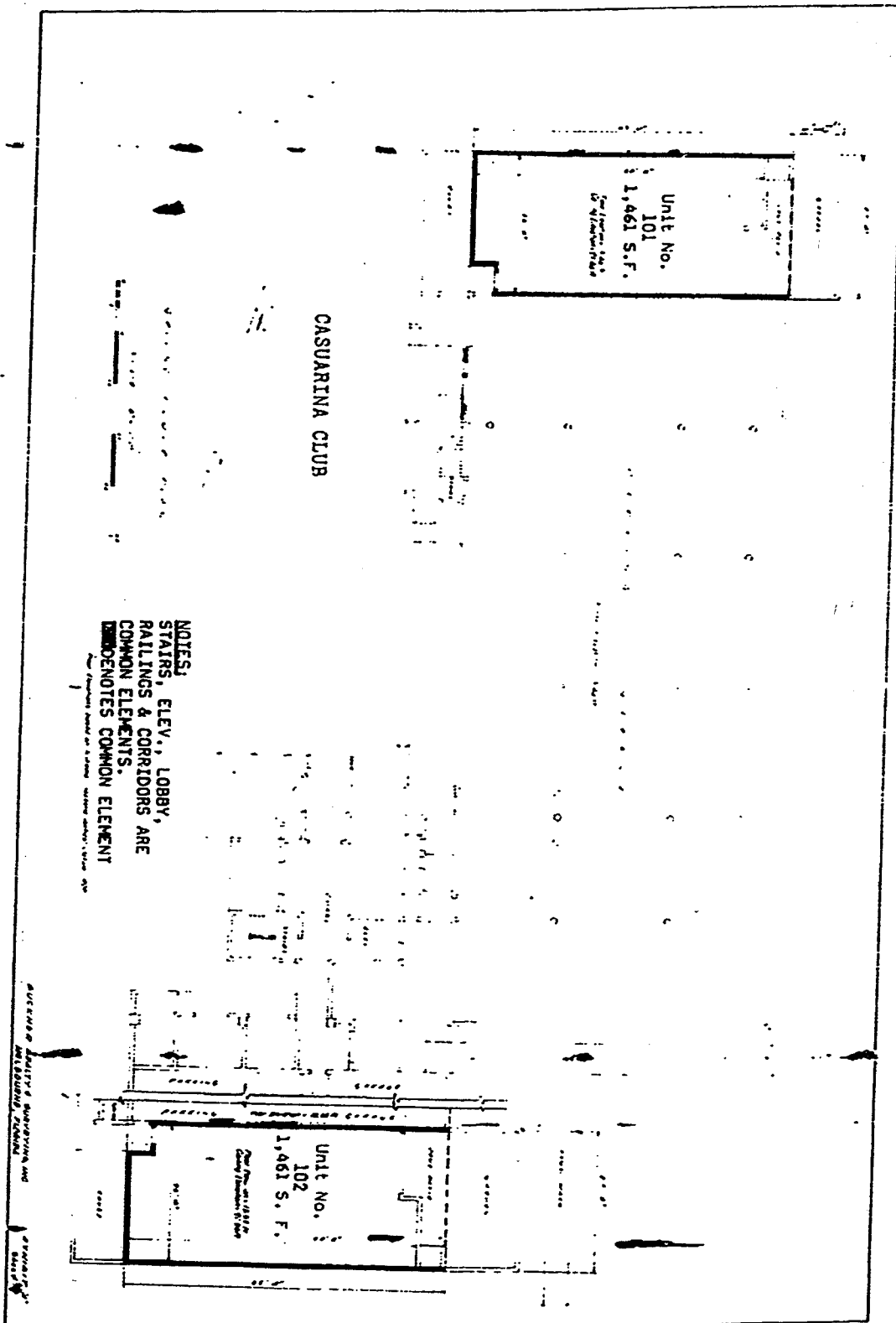
SECRET



INVESTIGATION

REF 2085 FILE 837





NOTES:
STAIRS, ELEV., LOBBY,
RAILINGS & CORRIDORS ARE
COMMON ELEMENTS.
DEPENDENT- COMMON ELEMENT

CASUARINA CLUB

Unit No. 201
1,491 S.F.
Unit No. 202
1,165 S.F.
Unit No. 203
1,165 S.F.
Unit No. 204
1,165 S.F.
Unit No. 205
1,165 S.F.
Unit No. 206
2,320 S.F.
Unit No. 207
1,136 S.F.
Unit No. 208
1,165 S.F.
Unit No. 209
1,165 S.F.
Unit No. 210
1,491 S.F.



NOTES:
STAIRS, ELEV., LOBBY,
RAILINGS & CORRIDORS ARE
COMMON ELEMENTS.
■ DENOTES COMMON ELEMENT

CASUARINA CLUB

THIRD FLOOR PLAN

1" = 10'-0" (1/8" = 1'-0")

Unit No. 301
1,491 S.F.
Unit No. 302
1,165 S.F.
Unit No. 303
1,165 S.F.
Unit No. 304
1,165 S.F.
Unit No. 305
1,165 S.F.
Unit No. 306
2,320 S.F.
Unit No. 307
1,126 S.F.
Unit No. 308
1,165 S.F.
Unit No. 309
1,165 S.F.
Unit No. 310
1,491 S.F.

2085 840

OWNER: CASUARINA CLUB
ARCHITECT: [illegible]

EXHIBIT "A"
SHEET 6