

VB-19552

368348

FILED FOR
BOOK AND PAGE
RECORDS

REC DEC 19 AM 9 07
THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF
PARK SHORES II, A CONDOMINIUM
101 FRED R. TUERK DRIVE
INDIAN RIVER SHORES, FLORIDA 32963

Rec 3700

THIS THIRD AMENDMENT, made this 2ND day of DECEMBER, 1983, by H. F. DEVELOPMENT CO. (formerly TREASURE COAST SERVICE CORPORATION) and MULLER & ASSOCIATES, INC., both Florida corporations, d/b/a PARK SHORES LTD., a joint venture, hereinafter called "Developer", for itself, its successors and assigns; and HARBOR FEDERAL SAVINGS AND LOAN ASSOCIATION, formerly known as FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF FORT PIERCE, as its interest may appear, hereinafter called "Mortgagee"; and PARK SHORES OF INDIAN RIVER SHORES CONDOMINIUM ASSOCIATION, INC., hereinafter called "Association";

W I T N E S S E T H :

WHEREAS, Developer recorded in the public records of Indian River County, Florida, that certain Declaration of Condominium of PARK SHORES II, a Condominium, said Declaration being dated May 25, 1982, recorded May 27, 1982 in O.R. Book 643, page 2347; and a First Amendment to Declaration of Condominium of Park Shores II, a Condominium, said First Amendment being dated September 24, 1982, recorded September 24, 1982 in O.R. Book 649 at page 1885, public records of Indian River County, Florida; and a Second Amendment to Declaration of Condominium of Park Shores II, a Condominium, said Second Amendment being dated June 24, 1983, recorded June 27, 1983, in O.R. Book 666 at page 0717, public records of Indian River County, Florida, and

WHEREAS, Paragraph 38 of the said Declaration provides that the same may be amended;

NOW, THEREFORE, the Declaration of Condominium of PARK SHORES II, a Condominium, is hereby for the third time amended in the following respects:

1. By the deletion therefrom of the legal description appended thereto as Exhibit A, and the substitution for such deleted Exhibit A of Exhibit A-1 attached hereto and made a part hereof;
2. By the deletion therefrom of the survey appended thereto as Exhibit B, and the substitution for such deleted Exhibit B of Exhibit B-1 attached hereto and made a part hereof;
3. By the addition of a new subsidiary sketch of easements in the form of Exhibit C-1 attached hereto and made a part hereof;
4. By the deletion of certain language from Section a. of Article 7 of the said Declaration of Condominium and the substitution for such deleted language of new language as follows (new language is underlined; deleted language is ~~stricken through~~):

"a. The Condominium includes three ~~four~~ two-story buildings, one ~~two~~ of which shall contain eight units and two of which shall contain four units apiece, to be located on a parcel of land immediately to the south of Park Shores I, a Condominium. There will be a total of sixteen (16) ~~twenty-four (24)~~ units in this condominium."
5. By the deletion from the initial paragraph of Article 10 of said Declaration of Condominium of the words and numbers "one twenty-fourth (1/24th)" from the fifth and sixth lines thereof and the replacement of such deleted words and numbers with the following: "one sixteenth (1/16th)".
6. By the withdrawal from condominium ownership of the lands described in Exhibit Y hereto.

Return to: T & T Title Insurance Inc.
Vero Beach Office

OR. 0676 PAGE 1068

In all other respects, the Declaration of Condominium is to remain as filed.

IN WITNESS WHEREOF, the Developer and Declarer, PARK SHORES LTD., a Florida joint venture, has executed this Third Amendment to the Declaration of Condominium of PARK SHORES II, a Condominium, on the day and year first above written.

Signed, sealed and delivered in the presence of:

Christine Fowler
As to H.F. Development

H. F. DEVELOPMENT CO.

By Michael J. Brown
Michael J. Brown, President

Attest Penny C. Janssen
Secretary-Treasurer

Henry J. Muller
As to Muller

MULLER & ASSOCIATES, INC.
By Henry J. Muller
Henry J. Muller, President

Attest Cecelia Z. Muller
Cecelia Z. Muller, Secretary

d/b/a PARK SHORES LTD., a Joint Venture

"Developer"

CERTIFICATE OF ASSOCIATION

At a duly called emergency meeting of the Board of Directors of PARK SHORES OF INDIAN RIVER SHORES CONDOMINIUM ASSOCIATION, INC., held on the 7th day of October, 1983, the foregoing changes to the Declaration of Condominium of PARK SHORES II, a Condominium, were approved and recommended for adoption to the unit owners of PARK SHORES II, a Condominium, and the members of the said Association by unanimous vote of the Board of Directors. The foregoing changes were presented to the President of the said Association on the same date.

At a duly called special meeting of the members of PARK SHORES OF INDIAN RIVER SHORES CONDOMINIUM ASSOCIATION, INC., held on the 28th day of October, 1983, and at a further session thereof held on the 4th day of November, 1983, at which a quorum of the members of the said Association were present, the foregoing changes to the Declaration of Condominium of PARK SHORES II, a Condominium, were unanimously approved by all of the persons owning units in PARK SHORES II, a Condominium.

Signed, sealed and delivered in the presence of:

Henry J. Muller
As to Park Shores

PARK SHORES OF INDIAN RIVER SHORES CONDOMINIUM ASSOCIATION, INC.

By Henry J. Muller
Henry J. Muller, President

Attest Cecelia Z. Muller
Cecelia Z. Muller, Secretary

"Association"

JOINDER AND CONSENT OF MORTGAGEE

The undersigned mortgagee, HARBOR FEDERAL SAVINGS AND LOAN ASSOCI-

0676 PAGE 1069

ATION, f/k/a First Federal Savings and Loan Association of Fort Pierce, having examined the foregoing Third Amendment to the Declaration of Condominium of PARK SHORES II, a Condominium, hereby consents to said Amendment and to the recording of same.

Witnesses:
[Signature]
[Signature]
As to Harbor Federal

HARBOR FEDERAL SAVINGS AND
LOAN ASSOCIATION
By [Signature]
John W. Collins, Vice President
Corporate Seal

"Mortgagee"

JOINDER AND CONSENT OF MORTGAGEE

The undersigned mortgagee, METROPOLITAN SAVINGS AND LOAN ASSOCIATION, having examined the foregoing Third Amendment to the Declaration of Condominium of PARK SHORES II, a Condominium, hereby consents to said Amendment and to the recording of same.

Witnesses:
[Signature]
[Signature]

METROPOLITAN SAVINGS AND
LOAN ASSOCIATION
By [Signature]
Corporate Seal

"Mortgagee"

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 2nd day of December, 1983 by Michael J. Brown and Penny C. Janssen, President and Secretary-Treasurer, respectively, of H. F. Development Corporation, a Florida corporation, on behalf of the corporation.

[Signature]
Notary Public, State of Florida at
Large. My Commission expires:
12-3-83

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this 28th day of November, 1983 by Henry J. Muller and Cecelia Z. Muller, President and Secretary, respectively, of Muller & Associates, Inc., a Florida corporation, on behalf of the corporation.

[Signature]
Notary Public, State of Florida at
Large. My Commission expires:



STATE OF FLORIDA
COUNTY OF INDIAN RIVER

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES OCT. 23, 1985
BONDED THRU GENERAL INS. UNDERWRITERS

The foregoing instrument was acknowledged before me this 28th day of November, 1983 by Henry J. Muller and Cecelia Z. Muller,

O.R. BOOK 0676 PAGE 1070

President and Secretary, respectively, of Park Shores of Indian River Shores Condominium Association, Inc., a Florida nonprofit corporation, on behalf of the corporation.



Edward J. Brant
Notary Public, State of Florida at Large. My Commission expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES OCT. 23, 1984
BONDED THRU GENERAL INS. UNDERWRITERS

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 2nd day of December, 1983 by John W. Collins, Vice President of Harbor Federal Savings and Loan Association, a United States corporation, on behalf of the corporation.

Vicki Ellen Corbin
Notary Public, State of Florida at Large. My Commission expires:

Notary Public, State of Florida
My Commission Expires July 17, 1987

STATE OF OHIO
COUNTY OF Mahoning

The foregoing instrument was acknowledged before me this 22nd day of November, 1983 by Edward J. Brant, Vice President of Metropolitan Savings and Loan Association, an Ohio corporation, on behalf of the corporation.

Anthony A. Fusco Jr.
Notary Public, State of Ohio at Large. My Commission expires:



ANTHONY A. FUSCO JR.
Notary Public, State of Ohio
My Commission Exp. Nov. 3, 1987

BOOK 0676 PAGE 1071

PARK SHORES - PHASE II - REVISED
LEGAL DESCRIPTION

BEING A PARCEL OF LAND LYING IN PART OF GOVERNMENT LOT 12, SECTION 18, TOWNSHIP 32 SOUTH, RANGE 40 EAST AND PART OF GOVERNMENT LOT 2, SECTION 19, TOWNSHIP 32 SOUTH, RANGE 40 EAST, INDIAN RIVER COUNTY, FLORIDA, THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE POINT MARKING THE INTERSECTION OF THE SOUTH LINE OF THE 106-FOOT WIDE RIGHT-OF-WAY OF FRED R. TUERK DRIVE AS SHOWN ON THE PLAT THEREOF FILED IN PLAT BOOK 8, PAGES 68 AND 68A, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A; THENCE RUN SOUTH 20° 55' 51" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A FOR A DISTANCE OF 411.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A FOR A DISTANCE OF 200.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, RUN SOUTH 69° 00' 14" WEST A DISTANCE OF 50.00 FEET; THENCE RUN NORTH 20° 55' 51" WEST A DISTANCE OF 120.00 FEET; THENCE RUN SOUTH 69° 00' 14" WEST A DISTANCE OF 140.00 FEET; THENCE RUN SOUTH 20° 55' 51" EAST A DISTANCE OF 120.00 FEET; THENCE RUN SOUTH 69° 00' 14" WEST A DISTANCE OF 160.00 FEET; THENCE RUN SOUTH 20° 55' 51" EAST A DISTANCE OF 42.75 FEET; THENCE RUN SOUTH 69° 00' 14" WEST A DISTANCE OF 100.00 FEET TO THE WEST LINE OF PARK SHORES SUBDIVISION AS PER PLAT BOOK 10, PAGE 74, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, THENCE RUN NORTH 20° 55' 51" WEST ALONG THE AFORESAID WEST LINE A DISTANCE OF 322.75 FEET TO THE SOUTH LINE OF PARK SHORES PHASE I, A 5-ACRE PARCEL AS DESCRIBED AS FILED IN O.R. BOOK 623, PAGE 245, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, THENCE RUN NORTH 69° 00' 14" EAST ALONG THE SOUTH LINE OF PARK SHORES PHASE I PARCEL A DISTANCE OF 230.00 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT THE RECREATION AREA PARCEL AS DESCRIBED AS FOLLOWS: BEING A PARCEL OF LAND LYING IN PART OF GOVERNMENT LOT 12, SECTION 18, TOWNSHIP 32 SOUTH, RANGE 40 EAST IN INDIAN RIVER COUNTY, FLORIDA, THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE POINT MARKING THE INTERSECTION OF THE SOUTH LINE OF THE 106-FOOT WIDE RIGHT-OF-WAY OF FRED R. TUERK DRIVE AS SHOWN ON THE PLAT THEREOF FILED IN PLAT BOOK 8, PAGES 68 AND 68A, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A; THENCE RUN SOUTH 20° 55' 51" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A FOR A DISTANCE OF 411.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUN WEST ALONG THE SOUTH LINE OF PARK SHORES PHASE I, A 5-ACRE PARCEL AS DESCRIBED AND FILED IN OFFICIAL RECORD BOOK 623, PAGE 245, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, AND SOUTH 69° 00' 14" WEST A DISTANCE OF 235.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 20° 55' 51" EAST ON A LINE PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A FOR A DISTANCE OF 140.00 FEET; THENCE RUN SOUTH 69° 00' 14" WEST A DISTANCE OF 96.00 FEET; THENCE RUN NORTH 20° 55' 51" WEST ON A LINE PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A FOR A DISTANCE OF 140.00 FEET TO THE SOUTH LINE OF PARK SHORES PHASE I, A 5-ACRE PARCEL AS DESCRIBED AND FILED IN OFFICIAL RECORD BOOK 623, PAGE 245, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE RUN NORTH 69° 00' 14" EAST A DISTANCE OF 96.00 FEET ALONG THE AFORESAID SOUTH LINE OF A 5-ACRE PARCEL TO THE POINT OF BEGINNING. THE RECREATION AREA PARCEL CONTAINS 0.31 ACRES, MORE OR LESS.

THE ABOVE PARK SHORES SUBDIVISION PHASE II LIES WITHIN THE PLAT OF PARK SHORES AS RECORDED IN PLAT BOOK 10, PAGE 74, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA AND CONTAINS 2.91 ACRES, MORE OR LESS. SUBJECT TO UTILITY AND INGRESS-EGRESS EASEMENTS OF RECORD, AND SUBJECT TO ADDITIONAL UTILITY EASEMENTS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE POINT MARKING THE INTERSECTION OF THE SOUTH LINE OF THE 106-FOOT WIDE RIGHT-OF-WAY OF FRED R. TUERK DRIVE AS SHOWN ON THE PLAT THEREOF FILED IN PLAT BOOK 8, PAGES 68 AND 68-A, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A; THENCE RUN SOUTH 20° 55' 51" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A FOR A DISTANCE OF 425.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A FOR A DISTANCE OF 15.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, RUN SOUTH 69° 00' 14" WEST A DISTANCE OF 530.00 FEET; THENCE RUN NORTH 20° 55' 51" WEST ON A LINE PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A FOR A DISTANCE OF 15.00 FEET; THENCE RUN NORTH 69° 00' 14" EAST A DISTANCE OF 530.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A AND THE POINT OF BEGINNING, AND ALSO THE FOLLOWING DESCRIBED EASEMENT:

BEGIN AT THE NORTHWEST CORNER OF PARK SHORES SUBDIVISION AS RECORDED IN PLAT BOOK 10, PAGE 74, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, AND THENCE RUN SOUTH 20° 55' 51" EAST AND ALONG THE WEST LINE OF THE AFORESAID SUBDIVISION A DISTANCE OF 551.17 FEET; THENCE RUN NORTH 69° 00' 14" EAST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING AND TO THE EAST LINE OF A 40.00 FOOT WIDE DRAINAGE AND UTILITY EASEMENT AS SHOWN ON THE PLAT OF PARK SHORES SUBDIVISION AS RECORDED IN PLAT BOOK 10, PAGE 74, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE FROM THE POINT OF BEGINNING CONTINUE NORTH 69° 00' 14" EAST A DISTANCE OF 35.00 FEET; THENCE RUN SOUTH 20° 55' 51" EAST AND PARALLEL TO THE WEST LINE OF PARK SHORES SUBDIVISION A DISTANCE OF 10.00 FEET; THENCE RUN SOUTH 69° 00' 14" WEST A DISTANCE OF 35.00 FEET TO THE EAST LINE OF THE AFORESAID 40-FOOT WIDE DRAINAGE AND UTILITY EASEMENT, THENCE RUN NORTH 20° 55' 51" WEST ALONG THE EAST LINE OF AFORESAID 40-FOOT WIDE EASEMENT A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

BEGIN AT THE POINT MARKING THE INTERSECTION OF THE SOUTH LINE OF THE 106-FOOT WIDE RIGHT-OF-WAY OF FRED R. TUERK DRIVE AS SHOWN ON THE PLAT THEREOF FILED IN PLAT BOOK 8, PAGES 68 AND 68-A, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A; THENCE RUN SOUTH 20° 55' 51" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A FOR A DISTANCE OF 546.00 FEET; THENCE RUN SOUTH 69° 00' 14" WEST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING CONTINUE SOUTH 69° 00' 14" WEST A DISTANCE OF 40.00 FEET; THENCE RUN SOUTH 20° 55' 51" EAST A DISTANCE OF 10.00 FEET; THENCE RUN NORTH 69° 00' 14" EAST A DISTANCE OF 40.00 FEET; THENCE RUN NORTH 20° 55' 51" WEST A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT A-1

O.R. BOOK 0676 PAGE 1072

Exhibit Y

**PARCELS TO BE CEDED TO PARK SHORES, LTD.
LEGAL DESCRIPTIONS**

PARK SHORES CLUB HOUSE SITE

Being a parcel of land lying in part of Government Lot 12, Section 18, Township 32 South Range 40 East, Indian River County, Florida, the boundary of which is more particularly described as follows: Begin at the point marking the intersection of the South line of the 106-foot wide right-of-way of Fred R. Tuerk Drive as shown on the plat thereof filed in Plat Book 8, Pages 68 and 68-A, Public Records of Indian River County, Florida, with the West right-of-way line of State Road A-1-A; thence run South 20° 55' 51" East along the West right-of-way line of State Road A-1-A for a distance of 691.00 feet; thence run South 69° 00' 14" West a distance of 50.00 feet to the Point of Beginning; From the Point of Beginning continue South 69° 00' 14" West a distance of 140.00 feet; thence run North 20° 55' 51" West a distance of 120.00 feet; thence run North 69° 00' 14" East a distance of 140.00 feet; thence run South 20° 55' 51" East a distance of 120.00 feet to the Point of Beginning. Subject to all easements of record. Contains 0.39 acres, more or less. Said parcel lying within the plat of Park Shores, Plat Book 10, Page 74, Public Records of Indian River County, Florida.

ADDITIONAL RECREATION AREA

Being a parcel of land lying in part of Government Lot 12, Section 18, Township 32 South, Range 40 East, in Indian River County, Florida, the Boundary of which is more particularly described as follows: Begin at the point marking the intersection of the South line of the 106-foot wide right-of-way of Fred R. Tuerk Drive as shown on the plat thereof filed in Plat Book 8, Pages 68 and 68-A, Public Records of Indian River County, Florida, with the West right-of-way line of State Road A-1-A; thence run South 20° 55' 51" East along the West right-of-way line of State Road A-1-A for a distance of 411.00 feet; thence leaving said right-of-way line run West along the South line of Park Shores Phase I, a 5 acre parcel as described and filed in Official Record Book 623, Page 245, Public Records of Indian River County, Florida, and South 69° 00' 14" West a distance of 235.00 feet; thence run South 20° 55' 51" East a distance of 130.00 feet to the Point of Beginning. From the Point of Beginning continue South 20° 55' 51" East a distance of 10.00 feet; thence run South 69° 00' 14" West a distance of 96.00 feet; thence run North 20° 55' 51" West a distance of 10.00 feet; thence run North 69° 00' 14" East a distance of 96.00 feet to the Point of Beginning. Containing 960 square feet, more or less.

FOR PARK SHORES PHASE III

Being a parcel of land lying in part of Government Lot 12, Section 18, Township 32 South, Range 40 East, and part of Government Lot 2, Section 19, Township 32 South, Range 40 East, Indian River County, Florida, the boundary of which is more particularly described as follows: Begin at the point marking the intersection of the South line of the 106-foot wide right-of-way of Fred R. Tuerk Drive as shown on the plat thereof filed in Plat Book 8, Pages 68 and 68-A, Public Records of Indian River County, Florida, with the West right-of-way line of State Road A-1-A; thence run South 20° 55' 51" East along the West right-of-way line of State Road A-1-A for a distance of 691.00 feet to the Point of Beginning; From the Point of Beginning continue South 20° 55' 51" East along the West right-of-way line of State Road A-1-A a distance of 92.00 feet; thence leave the West right-of-way line of State Road A-1-A and run South 69° 00' 14" West a distance of 530.00 feet to the West line of Park Shores Subdivision as per Plat Book 10, Page 74, Public Records of Indian River County, Florida; thence run North 20° 55' 51" West along the aforesaid West line of Park Shores Subdivision a distance of 49.25 feet; thence run North 69° 00' 14" East a distance of 180.00 feet; thence run North 20° 55' 51" West a distance of 42.75 feet; thence run North 69° 00' 14" East a distance of 350.00 feet to the Point of Beginning. Subject to all easements of record and containing 0.943 acres, more or less.

October 10, 1983

O.R.
BOOK 0676 PAGE 1076