** UFFIGIHL KEGUKUS ** BK 2076 PG 1473

CERTIFICATE OF AMENDMENT OF THE DECLARATION OF CONDOMINIUM

5 -. :

OF

JADE EAST TOWERS, A CONDOMINIUM

WHEREAS, the Declaration of Condominium of Jade East Towers, a Condominium (the "Condominium") was recorded in Official Records Book 1983, Page 228 of the public records of Okaloosa County, Florida (the "Declaration") on February 27, 1996; and

WHEREAS, the construction of the Condominium was not substantially complete at the time of recording and therefore the survey required by Section 718.104(4)(e), Florida Statutes, was not recorded, but was anticipated to be recorded when the construction of the improvements constituting the Condominium were substantially complete; and

WHEREAS, the construction of the improvements constituting the Condominium are now substantially complete and a graphic description of the improvements constituting the Condominium, which includes the survey required by Section 718.104(4)(e), Florida Statutes, is attached and made a part hereof as Exhibit A (the "Survey"); and

WHEREAS, Jade East Towers Developers (the "Developer") now desires to file this Certificate of Amendment to the Declaration deleting certain pages that were recorded with the Declaration and substituting in lieu thereof the Survey as required by Section 718.104(4)(e), Florida Statutes, all as more particularly set forth herein; and

WHEREAS, in the course of preparing the Survey, it has been determined that the Declaration omits the classification of the storage areas as depicted on the Survey as Limited Common Elements as intended by the Developer and the Developer has requested Jade East Towers Owners Association, Inc. (the "Association") to correct this omission by an amendment to the Declaration as allowed by Florida Statutes Section 718.110(9) and 13(B)(3) of the Declaration; and

BK 2076 PG 1474

WHEREAS, the Directors of the Association have determined that such an Amendment does not materially or adversely affect property rights of unit owners, but merely serves to clarify the status of these storage areas allocated to each Unit as Limited Common Elements; and

. i . •

WHEREAS, the Directors of the Association have further determined that because of changes required during the course of construction of the Condominium, storage areas have not been constructed on the roof area of the Condominium to serve the three penthouse units and this area has been allocated to Penthouse 1930, all pursuant to the agreement of the Purchasers of the penthouse units as more particularly set forth in the documents attached as composite Exhibit B, and that the storage area for Penthouse 1930 located on the lower level of the Condominium as depicted in the Survey has been expanded and allocated to Penthouse 1930 to compensate for the loss of rooftop areas and for the reduction in utility of the originally planned storage area on the lower level because of a necessity to locate facilities to provide utilities to the Units in the Condominium in the area originally planned for the lower level storage area for Penthouse 1930; and

WHEREAS, the rooftop limited common element allocated to Penthouse 1930 includes areas where the built-up roof system has been installed, the cost of repair or replacement of the built-up roof shall be a common expense of the Association; and

WHEREAS, eight (8) skylights serve Penthouse 1910 and these skylights serve only this Penthouse and should be maintained at the sole expense of this Penthouse, and

WHEREAS, the Directors of the Association have proposed an Amendment to the Declaration to clarify the size and location of storage areas to serve the Units in the Condominium and the status of these storage areas and the skylights serving Penthouse 1910 as Limited Common Elements, all as depicted in the Survey and as set forth in more detail hereafter; and

WHEREAS, a majority of the Directors of the Association have approved such Amendment and have authorized the President and

L. F. B.

** OFFICIAL RECORDS #* BK 2076 PG 1475

Secretary of the Association to execute this Certificate of Amendment with the formalities of a deed and to thereafter cause it to be recorded in the public records of Okaloosa County, Florida; and

- ' - - - - '

NOW, THEREFORE, the Developer and the Association amend the Declaration as follows:

- The Survey is incorporated by reference herein, the same as if fully set forth herein, and together with the Surveyor's Certificate attached hereto shall constitute Exhibits B and C to the Declaration, which are the Survey and graphic description of improvements of the Condominium.
- The pages recorded as a part of the Declaration in Official Records Book 1983 as Pages 260 through 278, inclusive, are hereby deleted.
- 3. 3(G) of the Declaration is amended to read as follows:

"Limited Common Elements. The Limited Common Elements consist of those portions of the Common Elements which are identified as <u>Unit</u> <u>storage areas</u>, <u>Penthouse roof area</u>, <u>Penthouse skylights and</u> automobile parking spaces on the graphic description of the improvements attached hereto as Exhibit C and which have been assigned by the Developer for the exclusive use of a Unit owner pursuant to 4C(3) hereof."

4(C) (3) of the Declaration is amended to read as follows:

"Limited Common Elements. The Unit storage areas depicted on the Survey and located throughout the building of the Condominium, the Penthouse roof area, Penthouse skylights and the covered automobile parking spaces located on the ground floor of the building of the Condominium shall be Limited Common Elements. The Unit storage areas and covered automobile parking spaces are assigned as appurtenances to the Units whose unit number appears in the individual storage area or parking space. The Penthouse roof area is assigned to Penthouse 1930. The Penthouse skylights are assigned to Penthouse 1910. The Developer rescrves the right, at its sole dis exction and for such consideration as the Developer may from time to time-determine, to assign the various parking spaces as appurtenances to the Units to which they are as signed. After such assignment, t The Limited Common Elements are subject to the easement shown on the survey and are reserved for use of the Units to which they are assigned; provided that, the owner of

L.H.D. al

UFFICIAL KELUKUS ** BK 2076 PG 1476

the Unit to which the Limited Common Element is appurtenant may subse-quently assign the Limited Common Element to another Unit."

Except as provided herein, all other terms and provisions 5. of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer and the Association have caused this Certificate of Amendment of the Declaration of Condominium of Jade East Towers, a Condominium, to be executed on this 6th day of June , 1997.

Signed, Sealed and Delivered in the Presence of:

"DEVELOPER"

JADE EAST TOWERS DEVELOPERS, a joint venture partnership consisting of JADE EAST TOWERS, INC., a Florida corporation, JADE EAST TOWERS I, INC. and JADE EAST TOWERS II, INC., a Florida corporation

LORIE. OGLES Print Mame

BARBARA F. MOSES Print Name of Witness

BY:

TOWERS, INC. JADE By: (Freddie)-Sch President orate Seel GENERAL PARTNER *********

STATE OF FLORIDA COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 6th day of June , 1997, by F. W. (Freddie) Schinz, as President of Jade East Towers, Inc., a Florida corporation, general partner of Jade East Towers Developers, a joint venture partnership, on behalf of the joint venture partnership. Be: (notary must check applicable box)

is personally known to me.

K

produced a current Florida driver's license as identification.

Π produced

CHARLES OFFICIAL NOTAN OFFICIAL NOTARY BEAL COMMISSION NUMBER * CC395882 P OF FLOP MY COMMISSION EXP. AUG. 11,1998

as identification. BARBARA E. MOSES Notary Public

Serial # My Commission Expires:

A. D.

#* OFF1C1HL KECUKUS ## BK 2076 PG 1477

LORIE. OGLES

Printed Name of Witzess

BARBABA E MOSES

* Lloyd F. Bell, Jr.'s signature is not a certification by him as to the state of completion of construction of the Condominium.

STATE OF FLORIDA COUNTY OF OKALOOSA

JADE EAST TOWERS OWNERS ASSOCIATION INC.
By:
President
(Corporate Seally of the
ATTEST .

By: Lloyd F. Bell, Jr., Secretary

The foregoing instrument was acknowledged before me this 6th day of _______, 1997, by F. W. (Freddie) Schinz, as President of Jade East Towers Owners Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He: (notary must check applicable box)

I is personally known to me.

produced a current Florida driver's license as identification.

produced _

PRY PU DEFICIAL NOTARY SEAL SARBARA E MOSES COMMISSION NUMBER COMMISSION NUMBER COSSBBB2 COMMISSION SEAL COMMISSION SEAL OF FLO AUG. 11,1998 AUG. 11,1998

ases. E. MOSES (Print Notary Public Serial #

as identification.

My Commission Expires:____

STATE OF FLORIDA COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this ^{6th} day of _______, 1997, by Lloyd F. Bell, Jr., as Secretary of Jade East Towers Owners Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He: (notary must check applicable box)

is personally known to me.

produced a current Florida driver's license as identification.

produced _

as identification. 0

TAT PUR OFFICIAL NOTARY SEAL SEALS BARBARA E MOSES COMMISSION NUMBER orno CC395882 MY COMMISSION EXP. AUG. 11,1998

BARBARA MOSES Notary Public Serial # My Commission Expires:

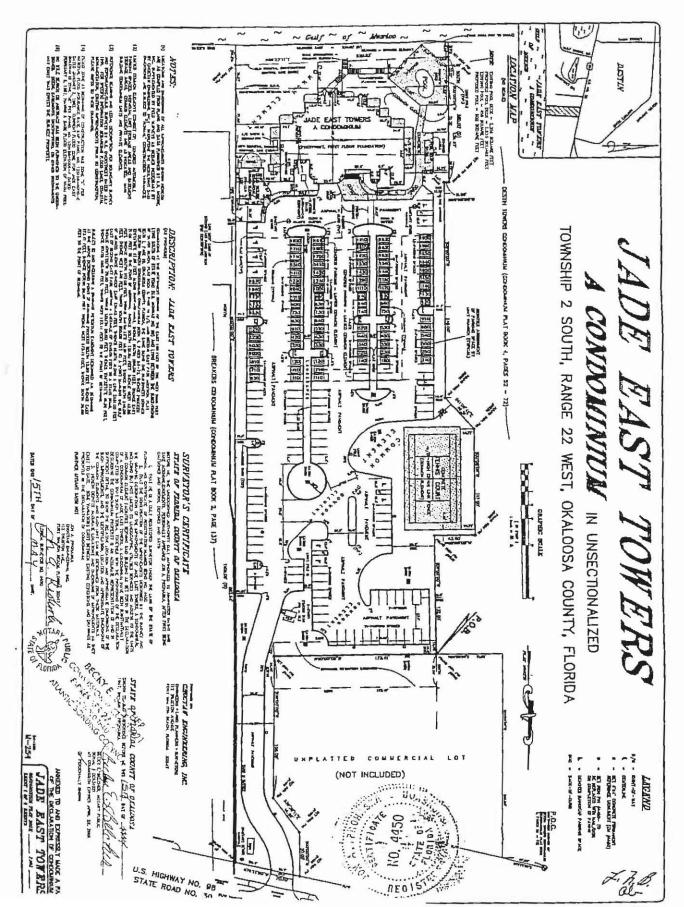
THIS DOCUMENT PREPARED BY

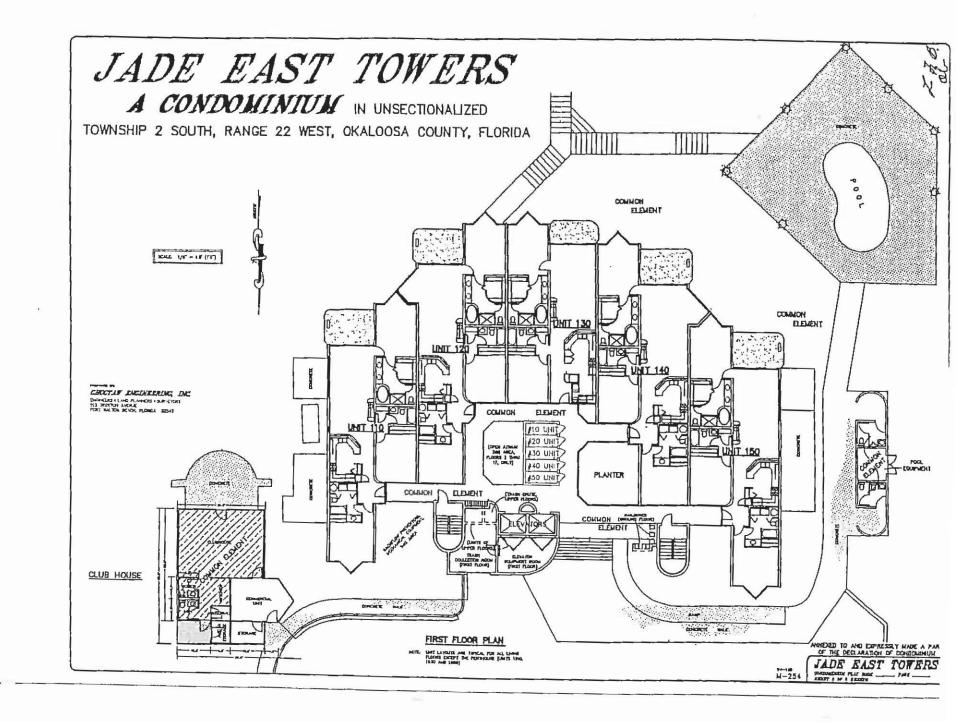
BURKE & BLUE, P.A. Les N. Burke, Esq. P.O. Box 70 Panama City, FL 32402

Z. J. B. Ol-

COMPOSITE EXHIBIT A TO CERTIFICATE OF AMENDMENT OF THE DECLARATION OF CONDOMINIUM OF JADE EAST TOWERS, A CONDOMINIUM

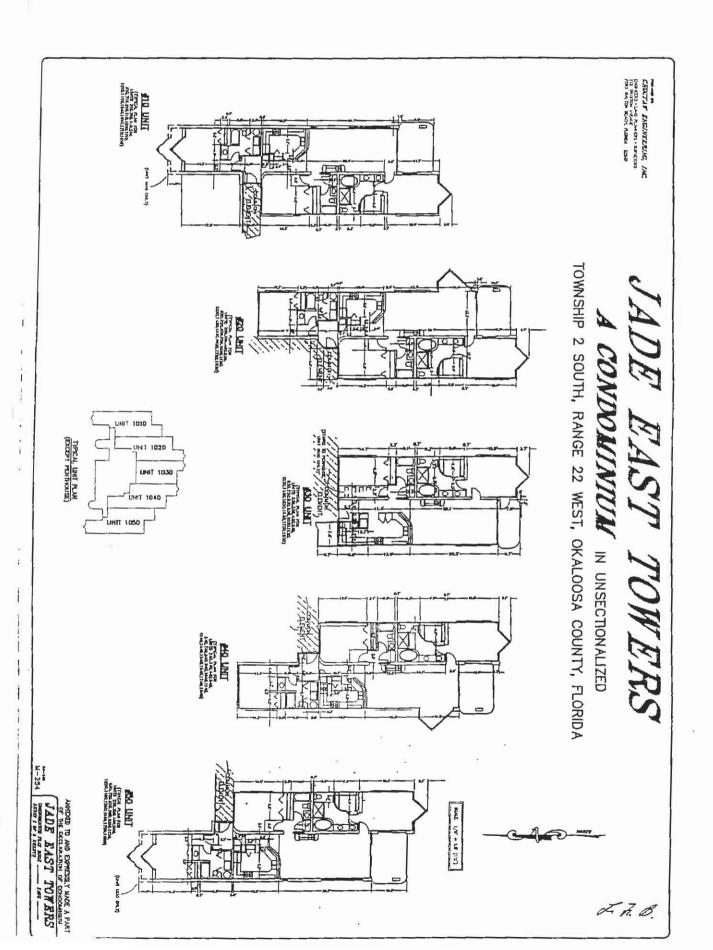
> ** OFFICIAL RECORDS ** BK 2076 PG 1478

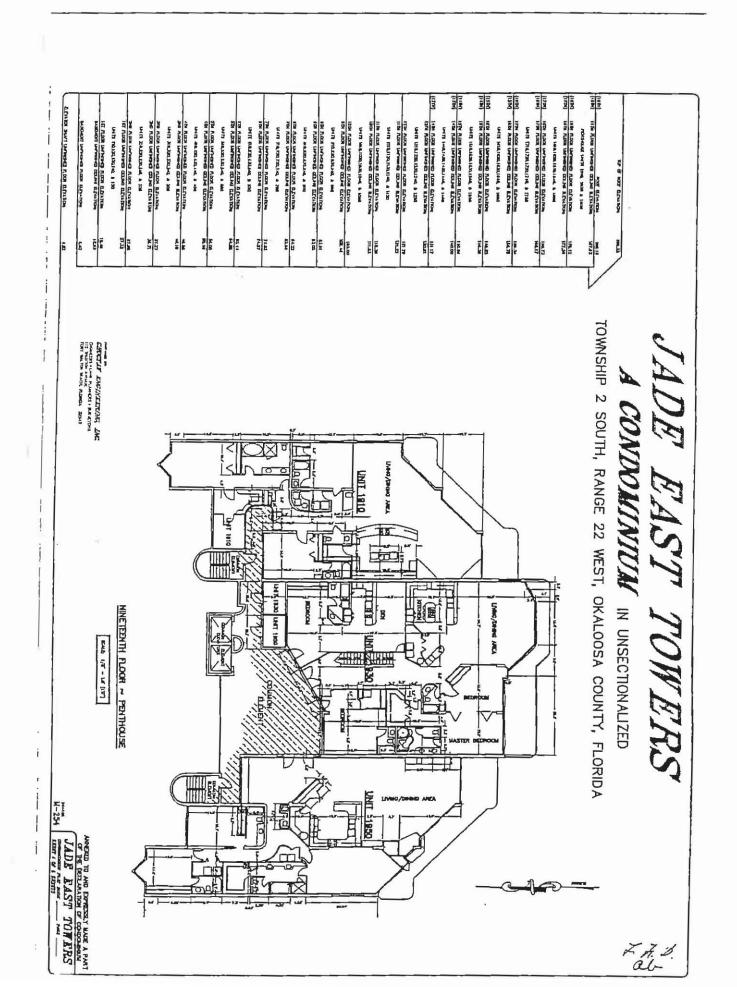




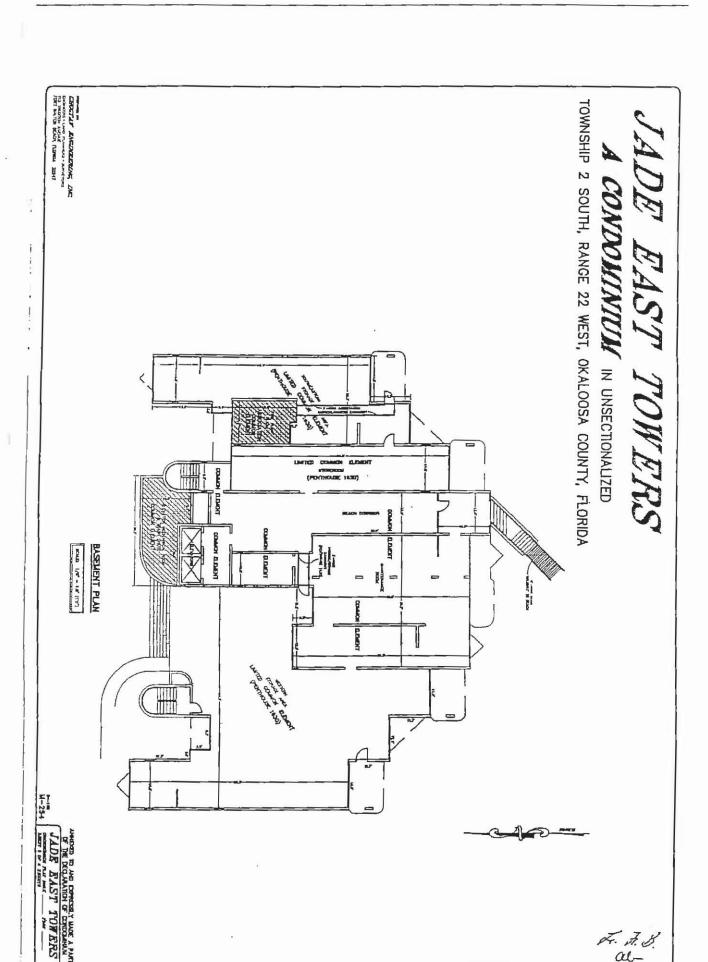
** 0FFICIAL RECORDS ** BK 2076 PG 1479

** OFFICIAL RECORDS ÷* BK 2076 PG 1480



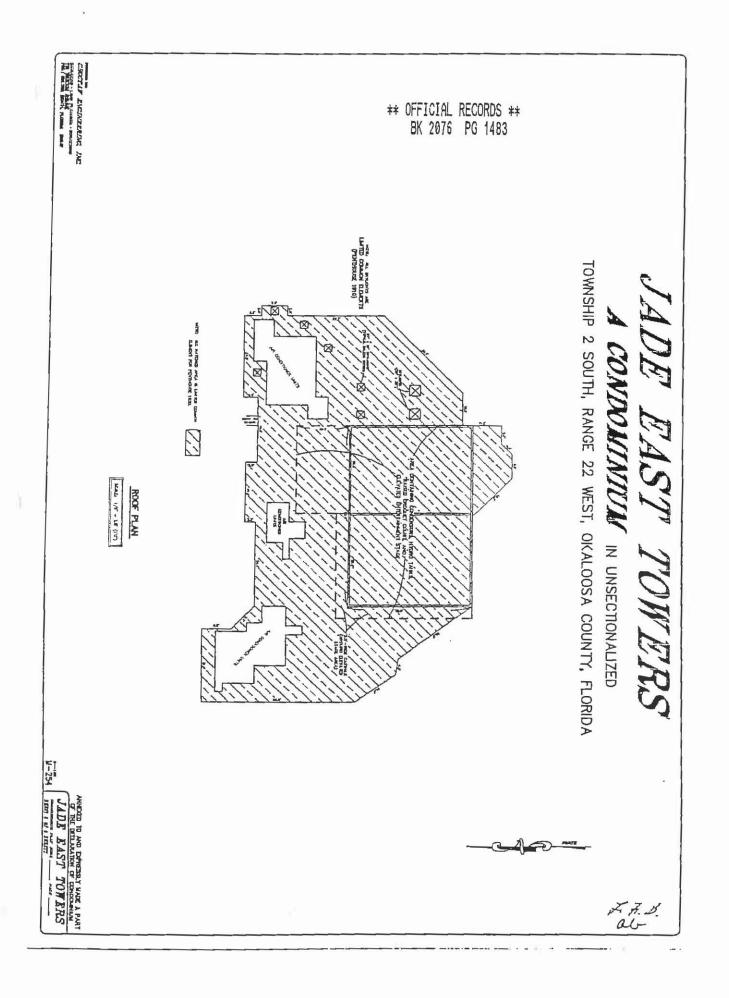


UFFIGIAL ALCONDO ... BK 2076 PG 1481



Z. J. S. al-

** OFFICIAL RECORDS ** BK 2076 PG 1482



COMPOSITE EXHIBIT B TO CERTIFICATE OF AMENDMENT OF THE DECLARATION OF CONDOMINIUM OF JADE EAST TOWERS, A CONDOMINIUM

	05-19-1997 02:56PM FRL	Les Burke P.03
		ADE EAST
		"Elegant Living at the Beach"
	May 17, 1995	
	Mr. Sleve Anderson 277 German Oak Cordova, TN 38018	** OFFICIAL RECORDS ** BK 2076 PG 1484
	Re: Jade East Tower	s, Unit P1950
	Dear Steve:	;
	section of the roof will	nstruction on Jade East Towers, it has become apparent that the center I penetrate the permittable height governed by the FAA. Therefore, be eliminated and the roof rights will be assigned to unit P1930 in its
l ,	Please sign your ackno (904) 654 4662.	wiedgement of agreement for the above and fax back to our office at
i	Sincerely,	
	Jade East Towers Inc. F. W. "Freddie" Schirt President	с.р
•	FWS:jlm	
\ \	Steve Anderson	Andan 6/6/95 Date
Ì		Z.F. O.
	1018 HIGHWAY 98 EAS	T, DESTIN, FL 32541, (904) 654-4884, (800) 337-2223
		TOTR P.81
	1	נסדאב ד.03
		D5/10/97 NON 14:51 [TX/RX NO 6863]

** OFFICIAL RECORDS ** BK 2076 PG 1485

	05-19-1997 02:56PM FROM TIFORP DEVELOPMENT TO Les Bucke P.02 I t
	28'8 78101 85-17-1955 18:8484 FROM TIFORP, INC. 70 18178783155 P.81
	JADE EAST
	VIA FAX 817 878-3195
	Mary 17, 1995
	General John Chain 2680 Continental Plays 777 Main Street FL Worth, TX 76102
	Re: Jade Karl Towers, Unit P1910
	Dear General Chain:
5	In preparing at sum construction on Jack Bast Towers, it has become apparent that the center section of the nonf will presente the permittable height governed by the FAA. Therefore, the surage reams will be eliminated and the roof rights will be assigned to min P1930 in its eminety.
	Please sign your sciency/ledgement of agreement for the above and fax back to our office at (904) 654 4662.
	Sincerely.
	JANE EAST TOWERS DEVELOPERS JANE 2005 TOWER, DEC. G.P. F. W. "Freddle" Schure, ALC Presidant
	FWS: Jun 18 Mg 35
	General John Chain, Jr. Date
	1018 HIGHWAY 98 EAST . DESTIN . FL 32541 . (904) 654-4884 . (800) 337-2223
	28'd באפארפציאפנופ: הו איאיז - געטונטנפטס עטאב אבינע סגניאנן אויזע סגינער אטאפציאפניט געאנגער געטער אטאנגער גערן געראיגערע גער גערן געראיגערע גערע גערע גערע גערע גערע גערע גערע

TT UFFIVIAL ALVOIND ++ BK 2076 PG 1486

JOINDER

The undersigned, being the owner of Units 520, 640, 740, 530, 720, 820, 1810, 1820, 1830, 1840, 1850, 1930P, 320, 440, 840, 850, 1120 and 1220, of Jade East Towers, a Condominium, joins in the making of the foregoing Certificate of Amendment of the Declaration of Condominium of Jade East Towers, a Condominium.

Signed, sealed and delivered in the presence of:

· · · ·

LORIE. OGLES Printed Name of Witness

LLOYD F. Bell Jr.

Printed BARBARA MOSES

LORIE. OGLES

Printed Hams of Witness

BARBARA E. MOSES Printed Name of Hitness

W Bell

DESTIN BEACH, INC.

LORIE. OGLES

Printed Nat ot Hitness Kisos 10 BARBARA E. MOSES

Printed Name of Hitness

* Lloyd F. Bell, Jr.'s signature is not a certification by him as to the state of completion of construction of the Condominium.

** Ann W. Bell's signature is not a certification by her as to the state of completion of construction of the Condominium.

By: Lloyd F. Bell, Jr. Its President (Corporate Seal:

LAB.

"mannan

#* OFFICIAL KELUKUS #* BK 2076 PG 1487

STATE OF FLORIDA COUNTY OF OKALOOSA

7 ... 4

The foregoing instrument was acknowledged before me this 6th day of ______, 1997, by Lloyd F. Bell, Jr. He: (notary must check applicable box)

is personally known to me.

Ŕ produced a current _____ driver's license as identification. as identification. produced

RY PU OFFICIAL NOTARY SEAL BARBARA E NOSES DETAR CONSISTION NUMBER 110000/ HARBARA E. MOSES CC395882 MY COMMISSION EXP. Notary Public AUG. 11,1999 Serial # My Commission Expires:

STATE OF FLORIDA COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 6th day of ________, 19⁹⁷, by Ann W. Bell. She: (notary must check applicable.box)

is personally known to me.
produced a current _____ driver's license as identification.
produced ______ as identification.

OF LO AUG. 11.1988 AUG. 11.1998

HARBABA E. MOSES Notary Public Serial #

My Commission Expires:____

STATE OF FLORIDA COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this ^{6th} day of ______, 19⁹⁷, by Lloyd F. Bell, Jr., as President of Destin Beach, Inc., a Florida corporation, on behalf of the corporation. He: (notary must check applicable box)

6

is personally known to me. produced a current _____ driver's license as identification. produced ______ as identification.

Joinder - 2

NOTABARBARATINOSES NOTABARBARATINOSES CONMISSION NUMBER CC395882 To CC395882 To CC395882 To CC395882 To CC395882 To CC395882

BARBARA E

(Print Name) Notary Public Serial # _____ My Commission Expires:____

THIS DOCUMENT PREPARED BY: Les W. Burke, Esq. BURKE & ELUE, P. A. P. O. Box 70 Panama City, Florida 32402



L. H. B.

FILE # 1555781 RCD: Jun 09 1997 @ 11:38AM Newman C. Brackin, Clerk, Okaloosa Cnty Fl