

STATE OF FLORIDA
CLERK CIRCUIT COURT

PREPARED BY:
VICTOR L. STOSIK, ESQ.
9555 North Kendall Drive
Miami, Florida 33176

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40 Rec 19.00
41 St _____
42 Sur _____
43 Int _____
Tot 19.00
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O. R. 4617 PAGE 14

AMENDMENT TO DECLARATION OF CONDOMINIUM FOR CLEARBROOKE TOWNHOUSE CONDOMINIUMS, PHASE V

This Amendment to Declaration of Condominium for Clearbrooke Townhouse Condominiums, Phase V, is made as of this 14 day of October, 1977 by F & R BUILDERS, INC., a Florida corporation ("Developer") and CLEARBROOKE TOWNHOUSE CONDOMINIUMS ASSOCIATION, INC., a Florida corporation not-for-profit ("Association").

WHEREAS, the Developer with the joinder and consent of the Association did on the 12th day of September, 1977 by that certain Declaration of Condominium dated September 6, 1977 and recorded in Official Records Book 4596, at Pages 388 - 450, in the Public Records of Pinellas County, Florida, declare and create a plan of condominium ownership for the land and improvements for Clearbrooke Townhouse Condominiums, Phase V ("Declaration"); and

WHEREAS, the Developer and the Association have discovered a scrivener's error in the legal descriptions attached to said Declaration and desire to amend the same as hereinafter set forth; and

WHEREAS, the Developer and the Association have, pursuant to Article XXXIII of the Declaration, reserved the right to amend the Declaration.

NOW, THEREFORE, it is declared as follows:

1. The fourth sentence of Article II of the Declaration is hereby amended to read as follows:

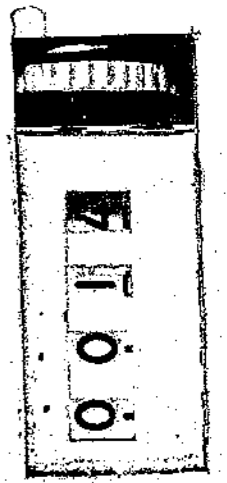
"Exhibit C is also recorded as a separate Condominium Plat in Condominium Plat Book 26 on pages 1, 2, 3, 4, and 5 and amended in Condominium Plat Book 26 on page 62, both in the Public Records of Pinellas County, Florida."

2. Page 2 of Exhibit A entitled "Legal Description - Parcel J" attached to said Declaration is hereby amended to read as follows:

See Exhibit A attached hereto and by this reference made a part hereof.

Plat pertaining hereto is filed in Condominium Plat Book 26 Page 62

HOLD:
AMERICAN TITLE INSURANCE CO.
CLEARWATER OFFICE



3. Page 3 of Exhibit A entitled "Legal Description - Parcel K" attached to said Declaration is hereby amended to read as follows:

See Exhibit B attached hereto and by this reference made a part hereof.

4. Page 2 of Exhibit C being part of the survey and plot plan for Clearbrooke Townhouse Condominiums, Phase V attached to said Declaration is hereby amended to read as follows:

See Exhibit C attached hereto and by this reference made a part hereof.

5. Except as set forth above, the Declaration remains in full force and effect.

IN WITNESS WHEREOF, this Amendment to Declaration of Condominium has been signed by the Developer and Association on the day and year first above set forth.

Signed, sealed and delivered in the presence of:

Norma G. Cuguel
Elena L. Lanes
As to F & R Builders, Inc.

BY: [Signature]
F & R BUILDERS, INC.
President
Attest: [Signature]
Assistant Secretary
(CORPORATE SEAL)
UNOFFICIAL COPY

CLEARBROOKE TOWNHOUSE CONDOMINIUMS ASSOCIATION, INC. (SEAL)

Norma G. Cuguel
Elena L. Lanes
As to Clearbrooke Townhouse Condominiums Association, Inc.

BY: [Signature]
President
Attest: [Signature]
Secretary
(CORPORATE SEAL)

STATE OF FLORIDA)
COUNTY OF DADE)

The foregoing instrument was acknowledged before me this 14 day of October, 1977, by ARNOLD P. ROSEN and KATHLEEN E. SIERRA, President and Assistant Secretary, respectively, of F & R BUILDERS, INC., a Florida corporation, on behalf of said corporation.

My commission expires:

[Signature]
NOTARY PUBLIC, State of Florida
at Large
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES JAN. 21, 1981
BONDED THRU GENERAL

STATE OF FLORIDA)
COUNTY OF DADE)

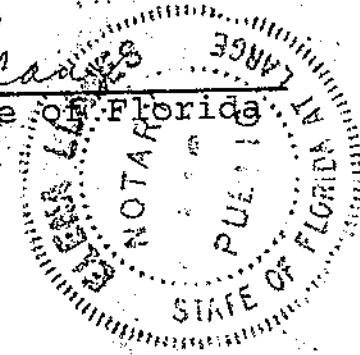
G. R. 4617 PAGE 16

The foregoing instrument was acknowledged before me this
14 day of October, 1977, by RICHARD WARK and ROBERT C. BIGHAM,
as President and Secretary, respectively, of CLEARBROOKE TOWNHOUSE
CONDOMINIUMS ASSOCIATION, INC., a Florida non-profit corporation,
on behalf of the corporation.

Reena Leas
NOTARY PUBLIC, State of Florida
at Large

My commission expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXPIRES JAN 21 1981
BONDED THROUGH



UNOFFICIAL COPY

LEGAL DESCRIPTION

PARCEL "J"

Begin at the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 29, Township 29 South, Range 16 East and run South 0° 12' 01" East 425.18 feet for a Point of Beginning; thence continue South 0° 12' 01" East 130.00 feet; thence run North 89° 29' 21" East 81.82 feet; thence run North 0° 30' 39" West 58.00 feet; thence run North 89° 29' 21" East 87.00 feet; thence run North 0° 30' 39" West 72.00 feet; thence run South 89° 29' 21" West 168.12 feet to the Point of Beginning.

Subject to restrictions, reservations, conditions, limitations, and easements of record, and such other easements as may be required. Developer, F & R Builders, Inc. for itself and its nominee and its successors and assigns, reserves an easement or easements as may be necessary or required by Developer in its sole discretion, over, across, under and through any of the hereinbefore described real property for ingress and egress, including ingress and egress over driveways and walkways, for use and enjoyment, and for power, electric, telephone service, water and other utility services; and lighting facilities, irrigation, television transmission facilities, security service and facilities in connection therewith. All such easements are reserved by Developer until all property described in the Declaration as Clearbrooks has been submitted to condominium ownership, and Developer reserves the right to grant and convey from time to time, such easement or easements and cross-easements over, across, under and through any of the hereinbefore described real property, in favor of other condominiums to be established in Clearbrooke and others, including but not limited to mortgage lenders, when required by mortgage lenders, as the development of Clearbrooke progresses.

This sheet amends Exhibit A, page 2, as recorded in O R Book 4596, Page 424, Public Records of Pinellas County, Florida.

EXHIBIT A

PAGE-2-

As Amended

EXHIBIT A

LEGAL DESCRIPTION

PARCEL "K"

Begin at the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 29, Township 29 South, Range 16 East and run South 0° 12' 01" East 647.18 feet for a Point of Beginning; thence continue South 0° 12' 01" East 133.00 feet; thence run North 89° 29' 21" East 151.82 feet; thence run North 0° 30' 39" West 54.33 feet; thence run North 29° 29' 21" East 23.61 feet; thence run South 89° 29' 21" West 80.57 feet; thence run North 0° 30' 39" West 58.00 feet; thence run South 89° 29' 21" West 82.32 feet to the Point of Beginning.

Subject to restrictions, reservations, conditions, limitations, and easements of record, and such other easements as may be required. Developer, F & R Builders, Inc. for itself and its nominee and its successors and assigns, reserves an easement or easements as may be necessary or required by Developer in its sole discretion, over, across, under and through any of the hereinbefore described real property for ingress and egress, including ingress and egress over driveways and walkways, for use and enjoyment, and for power, electric, telephone service, water and other utility services; and lighting facilities, irrigation, television transmission facilities, security service and facilities in connection therewith. All such easements are reserved by Developer until all property described in the Declaration as Clearbrooke has been submitted to condominium ownership, and Developer reserves the right to grant and convey from time to time, such easement or easements and cross-easements over, across, under and through any of the hereinbefore described real property, in favor of other condominiums to be established in Clearbrooke and others, including but not limited to mortgage lenders, when required by mortgage lenders, as the development of Clearbrooke progresses.

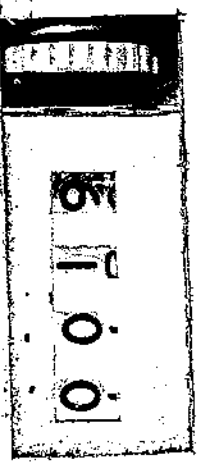
This sheet amends Exhibit A, page 3, as recorded in O R Book 4596, Page 425, Public Records of Pinellas County, Florida.

EXHIBIT A

PAGE-3-

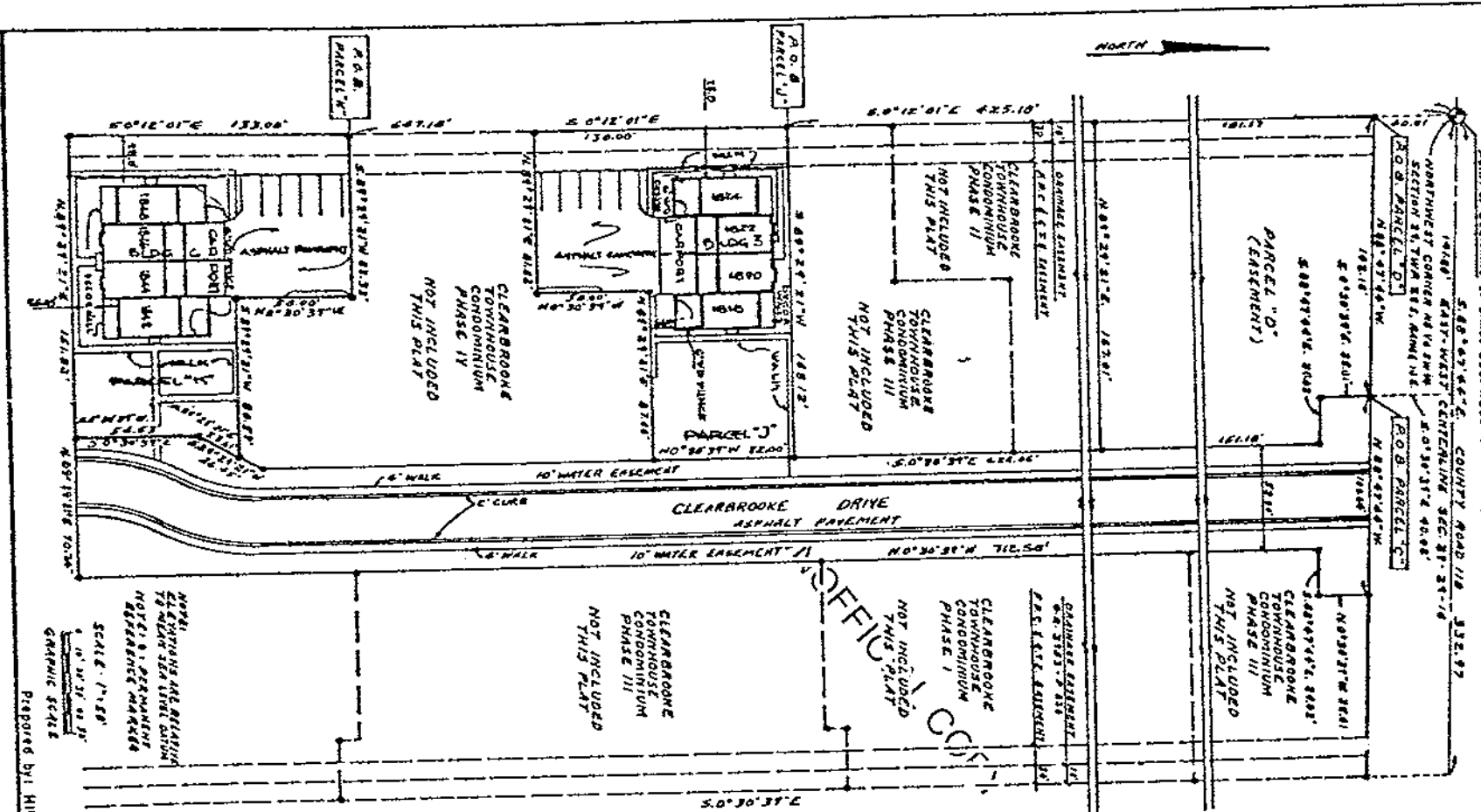
As Amended

EXHIBIT B



CLEARBROOKE TOWNHOUSE CONDOMINIUM-PHASE V.

SECTION 29, TOWNSHIP 29 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.



THE ORIGINAL OF THIS INSTRUMENT IS VERY POOR

CONDOMINIUM PLAT BOOK PAGE NO.

AS AMENDED

LEGAL DESCRIPTION - PARCEL 'A'

Begin at the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of Section 29, Township 29 South, Range 16 East and run South 0° 12' 01" East 425.18 feet for a point of beginning; thence continue south 89° 21' 11" East 130.00 feet; thence run North 19° 21' 11" East 97.19 feet; thence run North 0° 30' 39" West 39.00 feet; thence run South 89° 21' 11" West 189.12 feet to the point of beginning. Subject to Restrictions, Reservations, Conditions, Easements and Assessments of Record, and such other easements as may be required by the Developer, 7 & B Builders, Inc. for itself and its successors and assigns, reserves an easement, or easements as may be necessary, through any of the heretofore described real property for access, under easement, including ingress and egress over driveways and walkways, ingress and egress and for power, electric, telephone service, water and/or utility purposes; and lighting facilities, irrigation, television transmission facilities, security service and facilities in connection therewith. All such easements are reserved by developer with all property described in the Declaration as Clearbrooke has been submitted to condominium ownership, and developer reserves the right to grant and convey from time to time, such easement or easements and cross-easements over, across, under and through any of the heretofore described real property, including but not limited to mortgage lenders, when required by mortgage lenders, as the development of Clearbrooke progresses.

LEGAL DESCRIPTION - PARCEL 'K'

Begin at the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of Section 29, Township 29 South, Range 16 East and run South 0° 12' 01" East 425.18 feet for a point of beginning; thence continue south 89° 21' 11" East 130.00 feet; thence run North 19° 21' 11" East 97.19 feet; thence run North 0° 30' 39" West 39.00 feet; thence run South 89° 21' 11" West 189.12 feet to the point of beginning.

LEGAL DESCRIPTION - PARCEL 'C' - EASEMENT

A non-exclusive mutual easement for ingress and egress, for use and enjoyment and maintenance, for power, electric, telephone service, water, sewer and other utility services, irrigation, lighting, television, and other facilities, as well as for the following described property, situated, lying across, under and over the County of Pinellas, Florida, described as follows: Begin at the Northeast corner of the Northeast 1/4 of the Southeast 1/4 of Section 29, Township 29 South, Range 16 East and run thence South 89° 21' 11" East 118.88 feet to the center of the centerline of said Section 29 and the centerline of said Road 118.88 feet; thence run South 0° 30' 39" East 22.00 feet; thence run South 89° 21' 11" East 24.02 feet; thence run South 0° 30' 39" East 52.06 feet; thence run South 29° 29' 21" West 36.45 feet; thence run South 0° 30' 39" East 54.53 feet; thence run North 89° 21' 11" East 78.24 feet; thence run North 0° 30' 39" West 712.35 feet; thence run North 89° 21' 11" East 24.02 feet; thence run North 0° 30' 39" West 100.04 feet to the point of beginning.

SURVEYOR'S CERTIFICATE

I hereby certify that this map was drawn from a survey made by me on 05/06/1979 and that this map is a correct representation of the lands platted and the improvements described thereon and said improvements were constructed as of the date of said survey and that permanent reference monuments have been placed as prescribed by law.

Richard Joseph Werner, Surveyor
 Florida Certificate No. 1938

UNDEVELOPED 1/4 UNPLATTED
 FLOOR ELEVATIONS
 BUILDING 02 10'11" x 23'
 BUILDING 03 16'3" x 41'
 SCALE: 1" = 20'

This sheet AMENDS the original PLAT sheet 2 of 5 of Clearbrooke Townhouse Condominium, which is recorded in O.R. Book 4096, Page 520, and in Condominium Plat Book 26, Page 1, Public Records of Pinellas County, Florida.

Prepared by HILBORN, WERNER, CARTER & ASSOCIATES, INC.

SHEET 2 OF 5