

This instrument prepared by
PETER M. HODKIN, ESQ.
4901 N.W. 17th Way, Ste. 504
Ft. Lauderdale, FL 33309

THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM
OF
MIDDLE RIVER HOMES, A CONDOMINIUM

86424637

THIS AMENDMENT to the Declaration of Condominium of Middle River Homes, a Condominium is made by TD ASSOCIATES, a Florida general partnership (the "Developer").

W I T N E S S E T H :

WHEREAS, Developer executed the Declaration of Condominium for Middle River Homes, a Condominium (the "Condominium") which was filed for record April 15, 1986, in Official Records Book 13327, at Page 1, of the Public Records of Broward County, Florida (the "Declaration"); and

WHEREAS, Developer executed the First and Second Amendments to the Declaration which were filed on May 27, 1986 and June 25, 1986, respectively in Official Records Book 13425, at Page 778 and Official Records Book 13593, at Page 98, respectively of the Public Records of Broward County, Florida; and

WHEREAS, in accordance with the provisions of the Condominium Act and the rights conferred unto the Developer pursuant to the Declaration, the Developer desires to amend the Declaration in order to effect the phasing in of Phase II, as provided and described in Paragraph 41 of the said Declaration.

NOW, THEREFORE, in consideration of the premises, the Developer hereby amends the Declaration as follows:

1. SUBMISSION OF PHASE II.

In accordance with the said provisions of the said Paragraph 41 of the Declaration, the Developer hereby submits to the condominium form of ownership:

A. The Land. The lands owned in fee simple by Developer lying and being situate in Broward County, Florida, as described on Exhibit A attached hereto and made a part hereof as though set out in full.

B. The Improvements. Phase II improvements shall be composed of eight (8) buildings to wit: Building Nos. 800, 820, 825, 840, 2925, 2940, 2955 and 2985 in which there shall upon substantial completion be located a total of sixty-eight (68) residential condominium units.

Record and Return to:
PETER M. HODKIN, ESQ.
Hodkin & Levine, P.A.
4901 N.W. 17th Way, Ste. 504
Ft. Lauderdale, FL 33309

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49-204

2. AS BUILT CERTIFICATION

On the date of recordation of these presents, the construction of Building No. 840 is substantially complete. In accordance with its rights pursuant to Section 718.104(4)(e), Florida Statutes, Developer does hereby set forth as Exhibit I the "as built" plot plan, survey and graphic description of the improvements upon Phase II which are substantially complete, together with surveyor's certification that the said Exhibit I, together with the provisions of the Declaration, constitutes an accurate representation of the location and dimensions of the substantially completed improvements, together with certifications that such substantially completed improvements as are depicted thereon, including but not limited to, landscaping, utilities services and access to substantially completed Units and common element facilities serving the building in which the units are located have been substantially completed. Each substantially completed Unit is identified by a number and each building is similarly designated by a number as shown on Exhibit I so that no Unit in a numbered building bears the same designation as any other Unit in the same numbered building.

3. EFFECT OF SUBMISSION.

The said Declaration is hereby further amended so that all provisions thereof shall apply to, pertain to, encompass and affect the lands and improvements in the said Phase II as if the said lands and improvements were included in the property originally submitted to condominium form of ownership by the provisions of the said Declaration which refer to and provide for the addition of Phase II are hereby and henceforth effective.

4. OWNERSHIP OF COMMON ELEMENTS AND RESTRICTIONS THERETO.

The owner of each Unit shall own a share and interest in the condominium property which is appurtenant to his Unit, which includes, but is not limited to, the following items which are appurtenant to the several Units, as indicated:

A. Common Elements. Each of the unit owners shall own a share and certain interest in the common elements appurtenant to each of the Units as is more particularly set forth on the schedule of Unit Owners Percentages -- Upon Inclusion of Phase II attached to the Declaration as Exhibit "J".

B. Common Surplus. Each Unit owner shall own any common surplus of his condominium in the same percentages as the common elements appurtenant to each unit are shared as shown on Exhibit "J"

to the Declaration of Condominium. This ownership, however, does not include the right to withdraw or require payment or distribution of the same.

IN WITNESS WHEREOF, the undersigned has caused the foregoing amendment to be executed by its general partners this 25th day of September, 1986.

Signed, sealed and delivered in the presence of:

Pat M. Hall
George M. Smith

TD ASSOCIATES, a Florida general partnership

BY: M R Homes, Inc., a Florida corporation; general partner

BY: Charles E. Tyler
CHARLES E. TYLER, President

(SEAL)

AND

Pat M. Hall
George M. Smith

By: Pine Valley of Palm Beach, Inc. a Florida corporation; general partner

By: Abe Dick
ABE DICK, President

(SEAL)

STATE OF FLORIDA)
COUNTY OF BROWARD))SS:

I HEREBY CERTIFY that on this day personally appeared before me CHARLES E. TYLER, President of M R HOMES, INC., a Florida corporation and general partner of TD ASSOCIATES, a Florida general partnership, to me known to be the person who signed the foregoing Amendment to Declaration, on behalf of such corporation, acting on behalf of such partnership and he acknowledged the execution thereof to be his free act and deed as such officer for the uses and purposes therein mentioned, that he affixed thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation and said partnership.

WITNESS my hand and official seal at Ft. Lauderdale, County, Florida, this 25th day of September, 1986.

Pat M. Hall
Notary Public, State of Florida at Large

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. NOV 21, 1987
BONDED THRU GENERAL INS. UND.

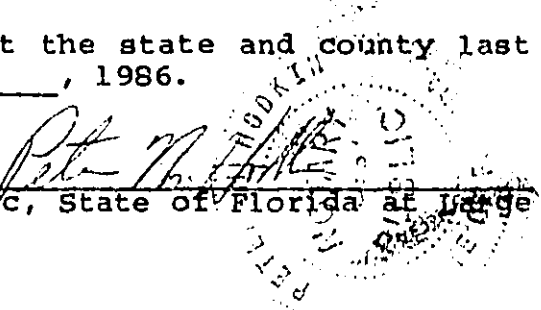
STATE OF FLORIDA)

COUNTY OF BROWARD)

)SS:

I HEREBY CERTIFY that on this day personally appeared before me ABE DICK, President of PINE VALLEY OF PALM BEACH, INC., a Florida corporation and general partner of TD ASSOCIATES, a Florida general partnership, to me known to be the person who signed the foregoing Amendment to Declaration, on behalf of such corporation, acting on behalf of such partnership and he acknowledged the execution thereof to be his free act and deed as such officer for the uses and purposes therein mentioned, that he affixed thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation and said partnership.

WITNESS my hand and official seal at the state and county last above written, this 25th day of Sept-86, 1986.


Notary Public, State of Florida at Large

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. NOV 21, 1987
BONDED THRU GENERAL INS. UND.

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BML/mlw/5259A
03/31/86

EXHIBIT "A"

PHASE II

LEGAL DESCRIPTION:

Commencing at the N.W. Corner of Parcel "A", "A.D.K. Plat", as recorded in Plat Book 77, Page 35, of the Public Records of Broward County, Florida; thence South along the West Line of said Parcel "A", 490.17 feet to the Point of Beginning; thence continue South along the West Line of said Parcel "A", 227.54 feet; thence S15°04'00"W, along the West Line of said Parcel "A", 223.00 feet, more or less, to a point on the North Bank of the North Fork of Middle River; thence Easterly along the North Bank of the North Fork of Middle River, 369.00 feet, more or less, to a line 115.00 feet West of the East Line of said Parcel "A"; thence North along a line 115.00 feet West of and parallel to the East Line of said Parcel "A", 61.61 feet, more or less, to a point; thence S82°00'00"W, 77.87 feet; thence North 463.86 feet; thence West along a line 490.17 feet, South of and parallel to the North Line of said Parcel "A", 205.00 feet to the Point of Beginning. Said lands situate, lying and being in Broward County, Florida.

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REC 13882

DAVIS ASSOCIATES, INC.

Consulting Civil and Environmental Engineers • Land Surveyors • Land Development Consultants • Planners

1634 E. ATLANTIC BOULEVARD • POMPANO BEACH, FLA. 33060

phone: (305) 782-9447

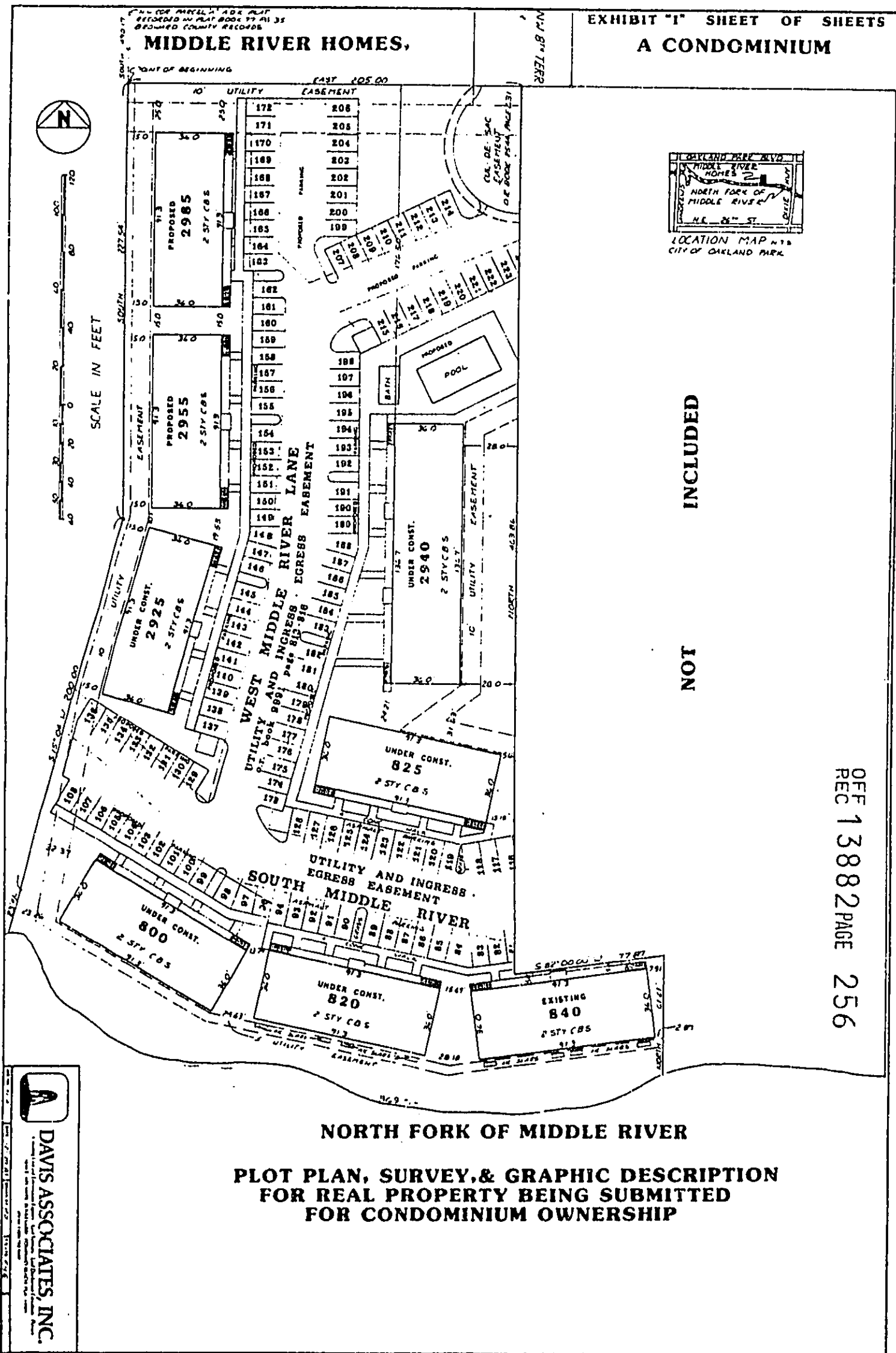
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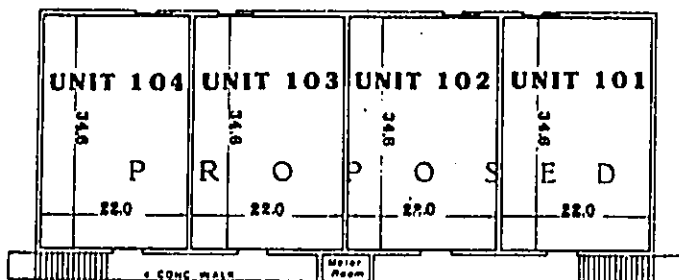
DATE: 12-30-85

DRAWN BY: P.D.

F.B./PG. N/A

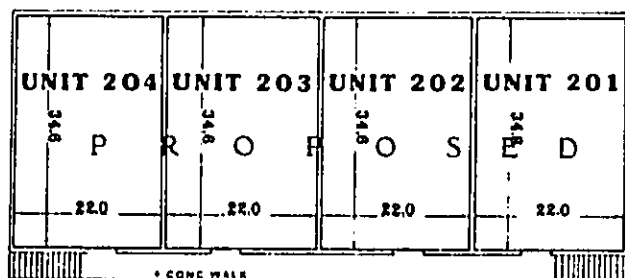
EXHIBIT "I"





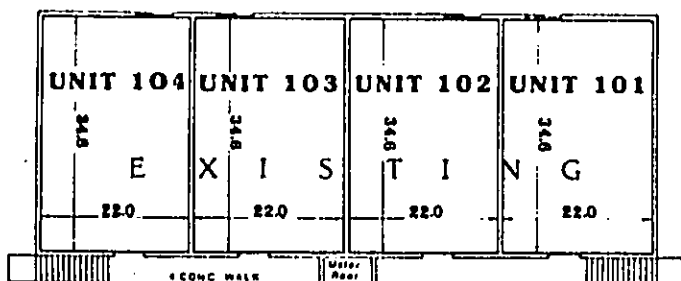
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FINISH FLOOR ELEVATION 7.11 FEET
FINISH CEILING ELEVATION 16.15 FEET



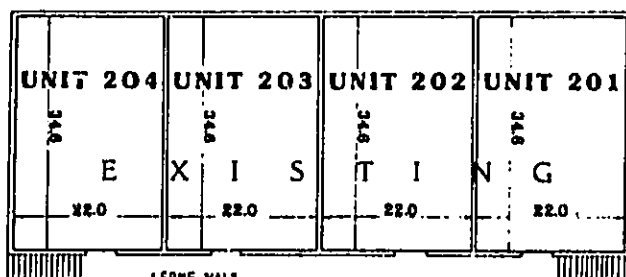
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FINISH FLOOR ELEVATION 16.73 FEET
FINISH CEILING ELEVATION 25.84 FEET



FLOOR PLAN FIRST FLOOR BUILDING NO. 840

FINISH FLOOR ELEVATION 7.11 FEET
FINISH CEILING ELEVATION 16.15 FEET



FLOOR PLAN SECOND FLOOR BUILDING NO. 840

FINISH FLOOR ELEVATION 16.73 FEET
FINISH CEILING ELEVATION 25.84 FEET

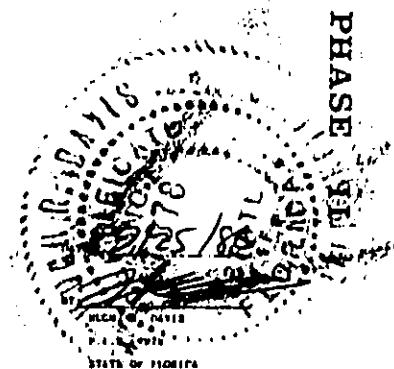


SCALE IN FEET
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10
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EXHIBIT SHEET OF SHEETS

PHASE 1

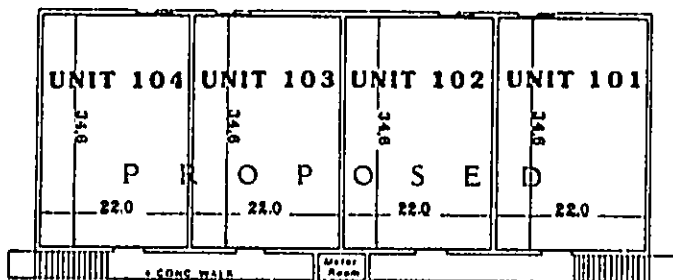


- NOTES:
1. ALL ELEVATIONS SHOWN HEREIN REFER TO NATIONAL GEODETIC VERTICAL DATUM.
 2. UNIT EXISTING DIMENSIONS SHOWN ARE IN FEET AND DECIMALS AND ARE APPROXIMATE.
 3. ALL WALLS ARE 0.70 FEET WIDE.

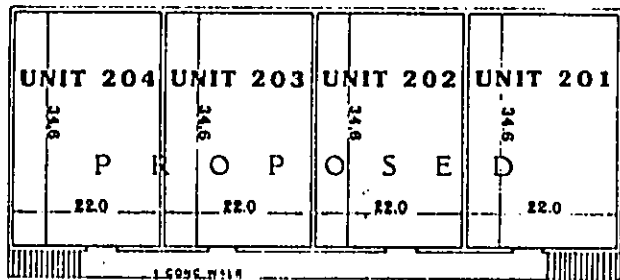
MIDDLE RIVER HOMES,
A CONDOMINIUM



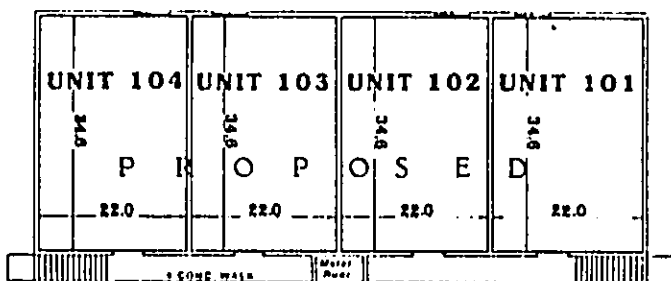
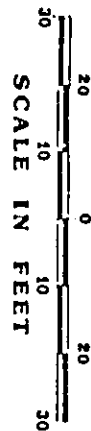
DAVIS ASSOCIATES, INC.
1000 N. W. 10th Avenue, Suite 1000
Fort Lauderdale, Florida 33304
Phone: (305) 555-1000



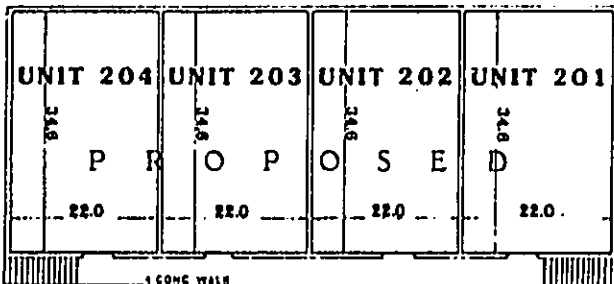
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BUILDING NO. 825**
FINISH FLOOR ELEVATION 7.11 FEET
FINISH CEILING ELEVATION 16.15 FEET



**FLOOR PLAN SECOND FLOOR
BUILDING NO. 825**
FINISH FLOOR ELEVATION 16.73 FEET
FINISH CEILING ELEVATION 25.84 FEET



**FLOOR PLAN FIRST FLOOR
BUILDING NO. 800**
FINISH FLOOR ELEVATION 7.11 FEET
FINISH CEILING ELEVATION 16.15 FEET



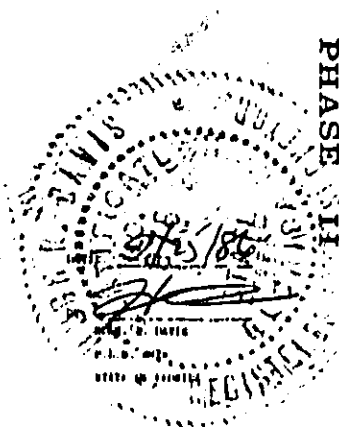
**FLOOR PLAN SECOND FLOOR
BUILDING NO. 800**
FINISH FLOOR ELEVATION 16.73 FEET
FINISH CEILING ELEVATION 25.84 FEET

- NOTES:**
1. ALL ELEVATIONS SHOWN HEREIN ARE TO FINISH SURFACE UNLESS OTHERWISE NOTED.
 2. UNIT LOCATIONS SHOWN ARE IN FEET TO CENTERLINE AND ARE APPROXIMATE.
 3. ALL WALLS ARE 8 INCH THICK UNLESS NOTED OTHERWISE.

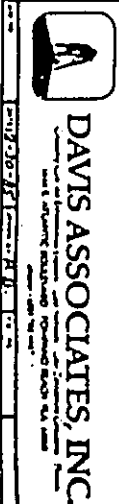
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EXHIBIT SHEET OF SHEETS

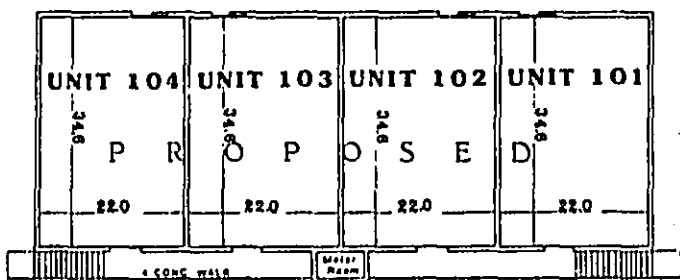
PHASE II



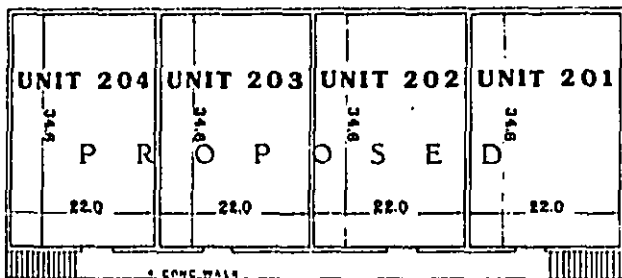
**MIDDLE RIVER HOMES,
A CONDOMINIUM**



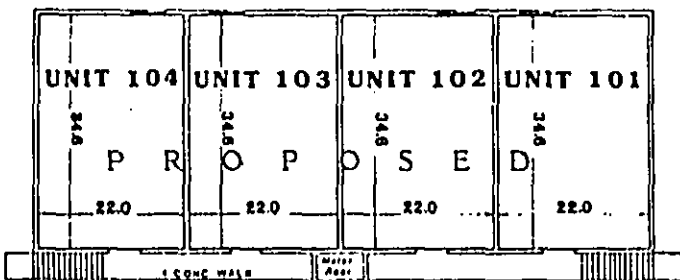
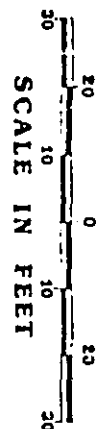
DAVIS ASSOCIATES, INC.



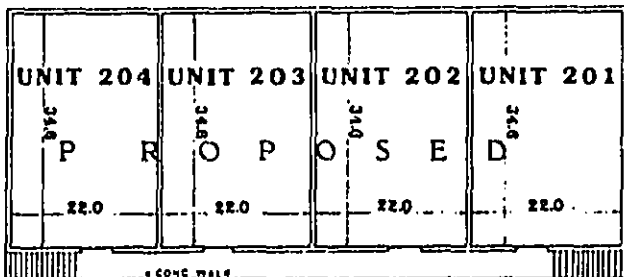
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BUILDING NO. 2955**
FINISH FLOOR ELEVATION 7.11 FEET
FINISH CEILING ELEVATION 16.15 FEET



**FLOOR PLAN SECOND FLOOR
BUILDING NO. 2955**
FINISH FLOOR ELEVATION 16.73 FEET
FINISH CEILING ELEVATION 25.84 FEET



**FLOOR PLAN FIRST FLOOR
BUILDING NO. 2925**
FINISH FLOOR ELEVATION 7.11 FEET
FINISH CEILING ELEVATION 16.15 FEET

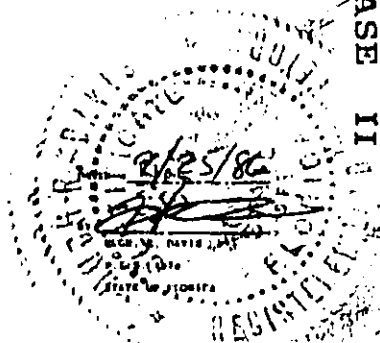


**FLOOR PLAN SECOND FLOOR
BUILDING NO. 2925**
FINISH FLOOR ELEVATION 16.73 FEET
FINISH CEILING ELEVATION 25.84 FEET

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PHASE II

EXHIBIT SHEET OF SHEETS



- NOTES:
1. ALL ELEVATIONS SHOWN REFER TO NATIONAL ELECTRIC MEASUREMENT.
 2. UNIT ELEVATION DIMENSIONS SHOWN ARE IN FEET AND DECIMALS AND ARE APPROXIMATE.
 3. ALL WALLS ARE 0.75 FEET THICK.

**MIDDLE RIVER HOMES,
A CONDOMINIUM**

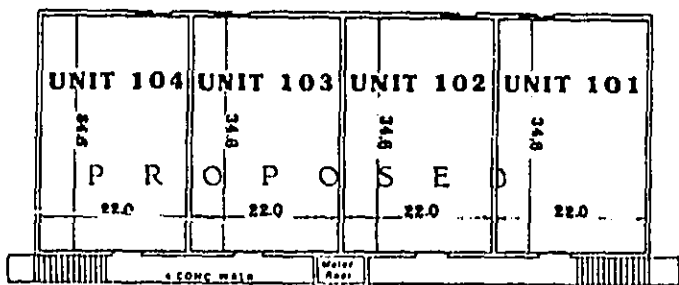


DAVIS ASSOCIATES, INC.

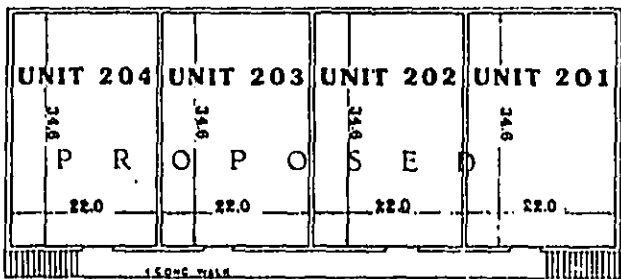
DAVIS ASSOCIATES, INC.



20 0 20
30 10 10 30
SCALE IN FEET



FLOOR PLAN FIRST FLOOR
BUILDING NO. 2985
FINISH FLOOR ELEVATION 7.11 FEET
FINISH CEILING ELEVATION 16.15 FEET

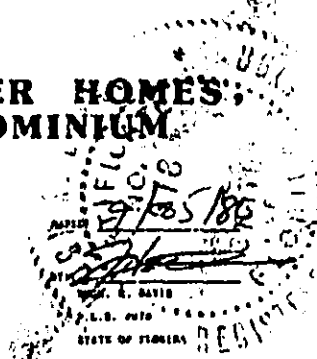


FLOOR PLAN SECOND FLOOR
BUILDING NO. 2985
FINISH FLOOR ELEVATION 16.73 FEET
FINISH CEILING ELEVATION 25.84 FEET

NOTES:

1. ALL ELEVATIONS SHOWN HEREON REFER TO NATIONAL GEODETIC VERTICAL DATUM.
2. UNIT BOUNDARY DIMENSIONS SHOWN ARE IN FEET AND DECIMALS AND ARE APPROPRIATE.
3. ALL WALLS ARE 0.70 FEET WIDE.

MIDDLE RIVER HOMES,
A CONDOMINIUM

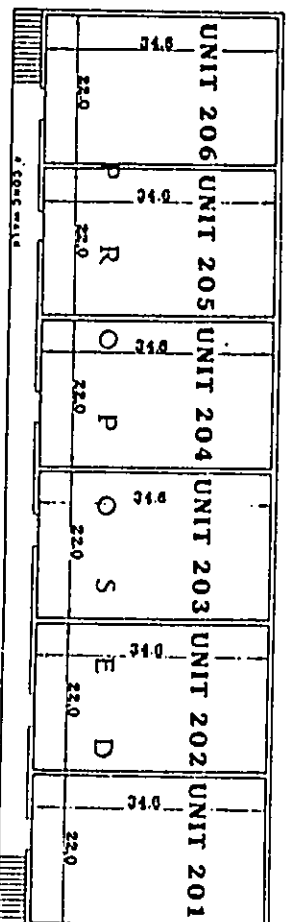
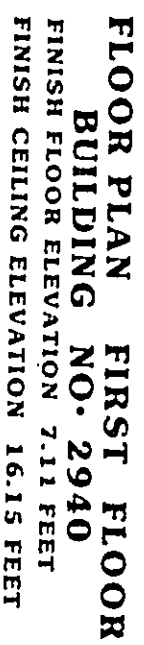


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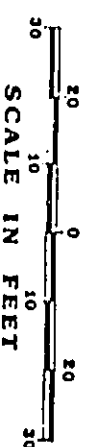
EXHIBIT SHEET OF SHEETS
PHASE II



DAVIS ASSOCIATES, INC.
Surveyors and Engineers
1001 North 1st Street, Suite 100
Tampa, Florida 33602
Phone: 813-241-1111



**FLOOR PLAN SECOND FLOOR
BUILDING NO. 2940
FINISH FLOOR ELEVATION 16.73 FEET
FINISH CEILING ELEVATION 25.84 FEET**



**MIDDLE RIVER HOMES,
A CONDOMINIUM**



DAVIS ASSOCIATES, INC.

REMARKS:

1. ALL ELEVATIONS SHOULD BE GIVEN EFFECT BY NATIONAL GEODETIC VERIFIED DATA.
2. DOLL HORIZONTAL ELEVATIONS SHOULD BE IN FEET AND DECIMALS AND NOT METERS.


SHEET OF SHEETS

EXHIBIT "I" PHASE II

CERTIFICATE OF SURVEYOR

The undersigned, a licensed and registered Land Surveyor, duly authorized to practice under the laws of the State of Florida, does hereby certify that, notwithstanding that certain buildings in the condominium are not substantially completed, the buildings and units described "EXISTING" herein are completed and that, as to such units and improvements, the construction of the improvements described herein, including but not limited to landscaping, utility services and access to such completed units, and common element facilities serving the completed buildings in which such completed units are located, have been substantially completed so that this Exhibit "I" to the Declaration of Condominium, together with the provisions of the aforesaid Declaration, constitute a correct representation of such completed improvements described herein and, further, that the identification, location and dimensions of the common elements, limited common elements serving such completed units and all of each such completed units may be determined from said materials.

Dated this 25 day of September, 1986.


HUGH R. DAVIS, R.L.S.
Registered Land Surveyor
Florida Registration No. 9782

RECORDED IN THE CITY RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
F. T. JOHNSON
COUNTY ADMINISTRATOR



DAVIS ASSOCIATES, INC.

Consulting Civil and Environmental Engineers · Land Surveyors · Land Development Consultants · Planners

1634 E. ATLANTIC BOULEVARD · POMPANO BEACH, FLA. 33060

phone: (305) 782-9447

JOB NO.

DATE

DRAWN BY

F.B./P.O.

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