

MONROE COUNTY
OFFICIAL RECORDS

FILE #971264
BK#1426 PG#1588

This instrument prepared by
and return to:

Karen Whitehead
BAKER & HOSTETLER
2300 SunTrust Center
200 South Orange Avenue
Post Office Box 112
Orlando, Florida 32802
(407) 649-4000

RCD Oct 21 1996 09:13AM
DANNY L KOLHAGE, CLERK

THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM
OF
SUNSET HARBOR RESORT, A CONDOMINIUM

This is an Amendment to the Declaration of Condominium of SUNSET HARBOR RESORT, A CONDOMINIUM, as recorded in Official Records Book 1376, Page 1093, Public Records of Monroe County, Florida (Condominium").

Sunset Harbor Development Partnership, a Florida general partnership ("Developer"), hereby makes and files this Second Amendment to Declaration of Condominium pursuant to the provisions of Article XVIII of the Declaration of Condominium, and by this amendment hereby submits Phase IV to the condominium form of ownership, as more specifically described in Exhibit "A" attached hereto. Phase IV consists of ten (10) residential Units and five hundred and ten (510) Unit Weeks.

Now that all Units in Phase IV of the Condominium have been declared for condominium use, the Condominium consists of a total of forty (40) residential Units containing two thousand and forty (2,040) Unit Weeks, and four (4) Commercial Units. Accordingly, each residential Unit within the Condominium will have an undivided 1/40 X 99.99% interest in and to the Common Elements and Common Surplus and be responsible for an undivided 1/40 X 99.99% of the Common Expenses of the Condominium. The total percentage interest in the Common Elements and Common Surplus, as well as the total percentage share of the Common Expenses, attributable to the Commercial Units is .01%.

In witness whereof, Sunset Harbor Development Partnership has caused these presents to be executed in its behalf by its undersigned authorized officer this 16th day of OCTOBER, 1996.

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WITNESSES:

SUNSET HARBOR DEVELOPMENT PARTNERSHIP, a Florida general partnership

By: SUNSET HARBOR DEVELOPMENT CORPORATION, a Florida corporation and authorized general partner

Sandi Wee
Print Name: Sandi Wee

By: [Signature]
As its: PRESIDENT

Alan Reed
Print Name: Alan Reed

STATE OF FLORIDA)
COUNTY OF MONROE) SS.

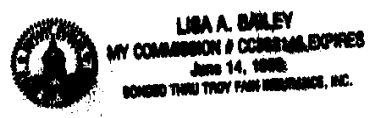
Before me, the undersigned authority authorized to take acknowledgments in the state and county aforesaid, appeared ROBERTA SPOTTSWOOD, known to me to be the PRESIDENT of SUNSET HARBOR DEVELOPMENT CORPORATION, a Florida corporation, and partner of Sunset Harbor Development Partnership, a Florida general partnership, and HE acknowledged that HE executed the foregoing instrument on behalf of the corporation pursuant to due authority therefrom. HE is personally known to me or has produced _____ as identification.

Witness my hand and seal this 16th day of October, 1996.

(NOTARY SEAL)

Lisa A. Bailey
(Notary Signature)
LISA A. BAILEY
(Notary Name Printed)
NOTARY PUBLIC
Commission No. _____

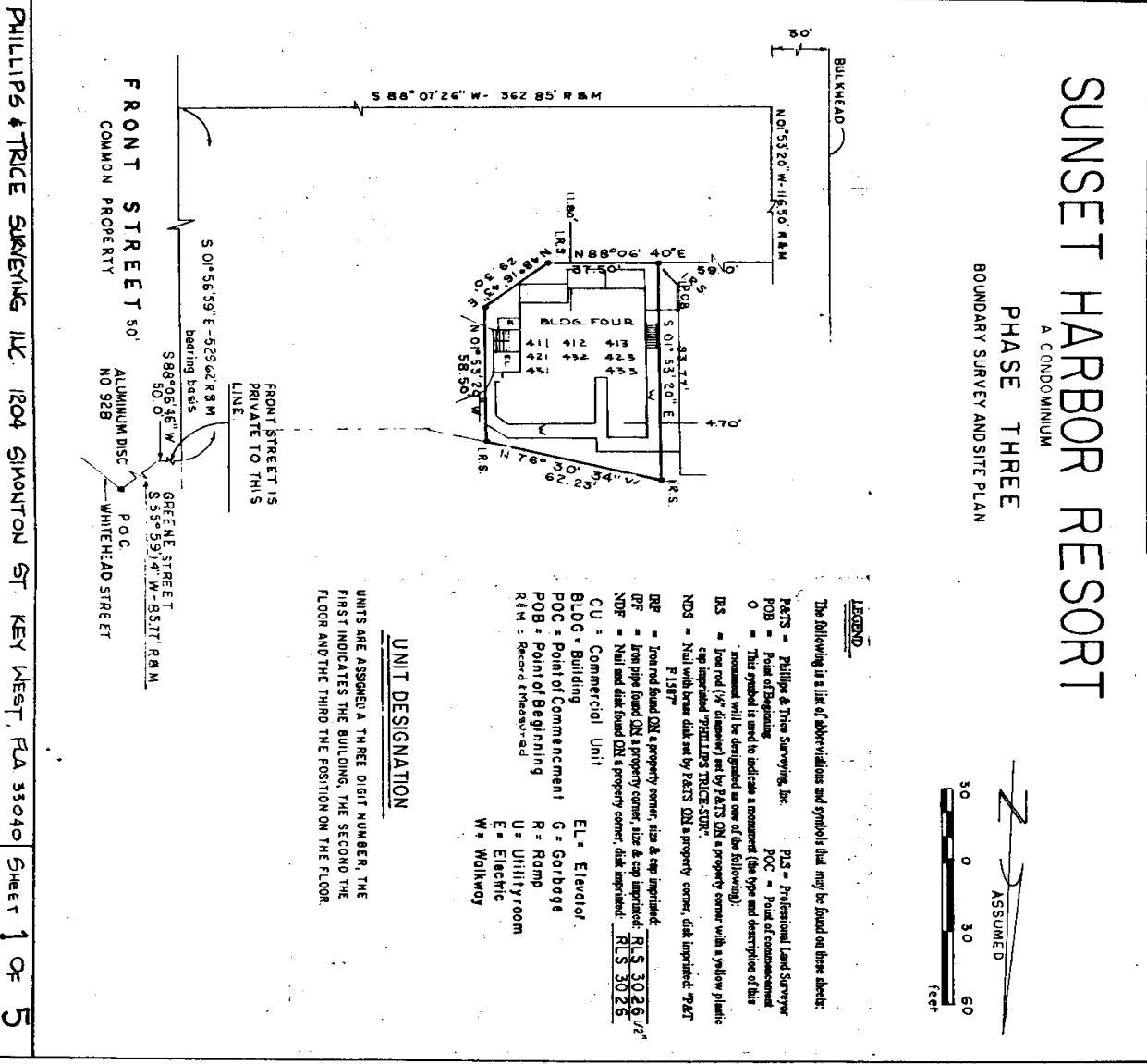
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SUNSET HARBOR RESORT

A CONDOMINIUM
 PHASE THREE
 BOUNDARY SURVEY AND SITE PLAN



LEGEND

- The following is a list of abbreviations and symbols that may be found on these sheets:
- P&T S = Phillips & Trice Surveying, Inc.
 - P.L.S. = Professional Land Surveyor
 - POB = Point of Beginning
 - POC = Point of Commencement
 - O = This symbol is used to indicate a monument (the type and description of this monument will be designated as one of the following):
 - IRS = Iron rod (1/4" diameter) set by P&T S ON a property corner with a yellow plastic cap inscribed "PHILLIPS TRICE SURV."
 - NDS = Nail with brass disk set by P&T S ON a property corner, disk inscribed "P&T P 1587"
 - IRB = Iron rod found ON a property corner, size & cap inscribed: "R.L.S. 3026 1/2"
 - DFP = Iron pipe found ON a property corner, size & cap inscribed: "R.L.S. 3026 1/2"
 - NDF = Nail and disk found ON a property corner, disk inscribed: "R.L.S. 3026"
 - CU = Commercial Unit
 - BLOG = Building
 - POC = Point of Commencement
 - POB = Point of Beginning
 - RtM = Record measured
 - EL = Elevator
 - G = Garbage
 - R = Ramp
 - U = Utility room
 - E = Electric
 - W = Walkway

UNIT DESIGNATION

UNITS ARE ASSIGNED A THREE DIGIT NUMBER. THE FIRST INDICATES THE BUILDING, THE SECOND THE FLOOR AND THE THIRD THE POSITION ON THE FLOOR.

FRONT STREET IS PRIVATE TO THIS LINE

5 01°56'39" E - 529.62' R.M.
 bearing basis

S 88°06'46" W
 50.0'

GREENE STREET
 S 55°59'14" W - 85.17' R.M.

POC
 ALUMINUM DISC
 NO 528
 WHITEHEAD STREET

PHILLIPS & TRICE SURVEYING, INC. 1204 SIMONTON ST KEY WEST, FLA 33040 SHEET 1 OF 5

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SUNSET HARBOR RESORT

A CONDOMINIUM

PHASE THREE

CERTIFICATE OF SURVEYOR

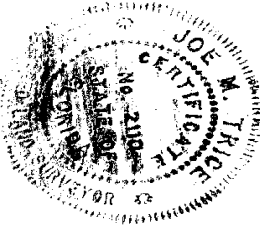
The undersigned, being a Registered Land Surveyor authorized to perform land surveys in the State of Florida, deposes as follows:

1. That the boundaries of the real property shown and attached hereto and made a part hereof are true and correct to the best of my knowledge and belief, the same based on a boundary survey thereof completed 3/3/96 and performed under the personal direction and control of the Florida Professional Land Surveyor named below.
2. That all improvements shown on the drawing attached hereto with respect to Phase Three are substantially complete so that the material, together with the provisions of the Declaration of Condominium describing the condominium property are an accurate representation of the location and dimensions of the improvements and that the identification locations and dimensions of the common elements said of which unit can be determined from these exhibits.
3. This certificate is made in accordance with Section 718.104(4)(c) of the Florida Statutes.
4. That the survey delineated herein complies with the minimum technical standards as set forth by the Florida Board of Land Surveyors, pursuant to Section 472.027, Florida Statutes and Chapter 61G17-6.002 of the Florida Administrative Code and that there are no encroachments, above ground, other than those shown herein if any.

PHILLIPS & TRICE SURVEYING, INC.

Joe M. Trice
Joe M. Trice, Professional Land Surveyor
Florida Registration Certificate No. 2110

Signature date: 9-6-96



LAND SUBMITTED TO CONDOMINIUM OWNERSHIP

SUNSET HARBOR RESORT - PHASE THREE:

A parcel of land on the island of Key West, Monroe County, Florida, being portions of Corbin Street, of Lot 4 in Block 17 (numbersed), and Ellid subdivided lands all as shown on the unrecorded Map of the Town of Key West together with the "Lands" as surveyed and delineated in February 1829 by W. A. Whitehead and being more particularly described as follows: COMMENCE at the intersection of the Southerly right of way line of Whitehead Street and the Southerly right of way line of Corbin Street, said point marked by an aluminum disc stamped No. 928; thence run along the Southerly right of way line of Corbin Street S 55° 39' 14" W, 83.77 feet to a point of intersection with the Easterly right of way line of Frost Street; thence S 88° 06' 49" W, 50.00 feet to a point on the Westerly right of way line of Frost Street; thence along said Westerly right of way line S 1° 49' 59" E, 528.62 feet; thence leaving said right of way line, S 88° 07' 28" W, 362.85 feet to a point of intersection with a line (being 30.00 feet) and parallel with the outermost line of a bulwark; thence along said line N 1° 53' 20" W, 116.50 feet; thence N 88° 06' 49" E, 39.00 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue along the following course N 88° 06' 49" E, 37.50 feet; thence N 46° 16' 43" E, 28.50 feet; thence N 1° 53' 20" W, 58.50 feet; thence N 76° 30' 34" W, 612.23 feet; thence S 1° 53' 20" E, 93.77 feet back to the POINT OF BEGINNING, containing 0.113 acres, more or less.

PHILLIPS & TRICE SURVEYING, INC. 1204 SIMPSON ST. KEY WEST, FLA 33040 SHEET 2 OF 5

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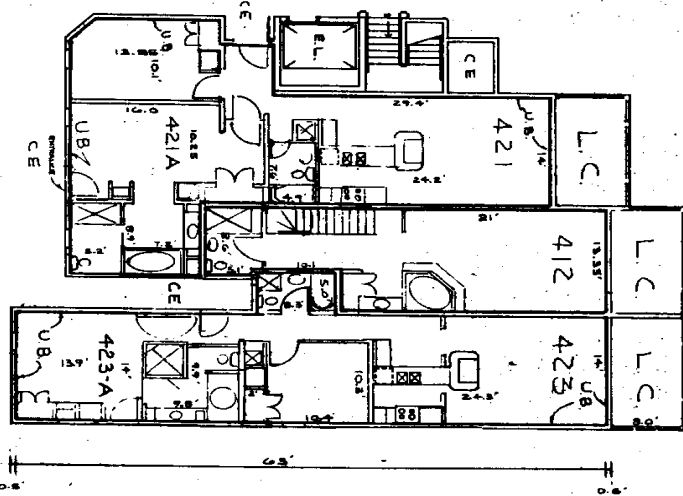
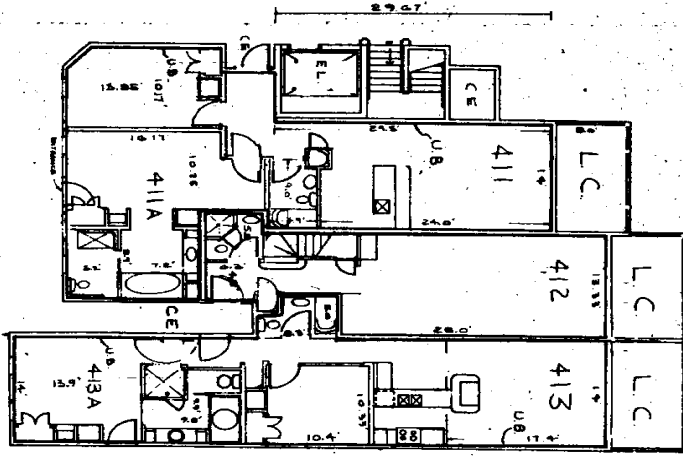
SUNSET HARBOR RESORT

A CONDOMINIUM
PHASE THREE

BUILDING FOUR

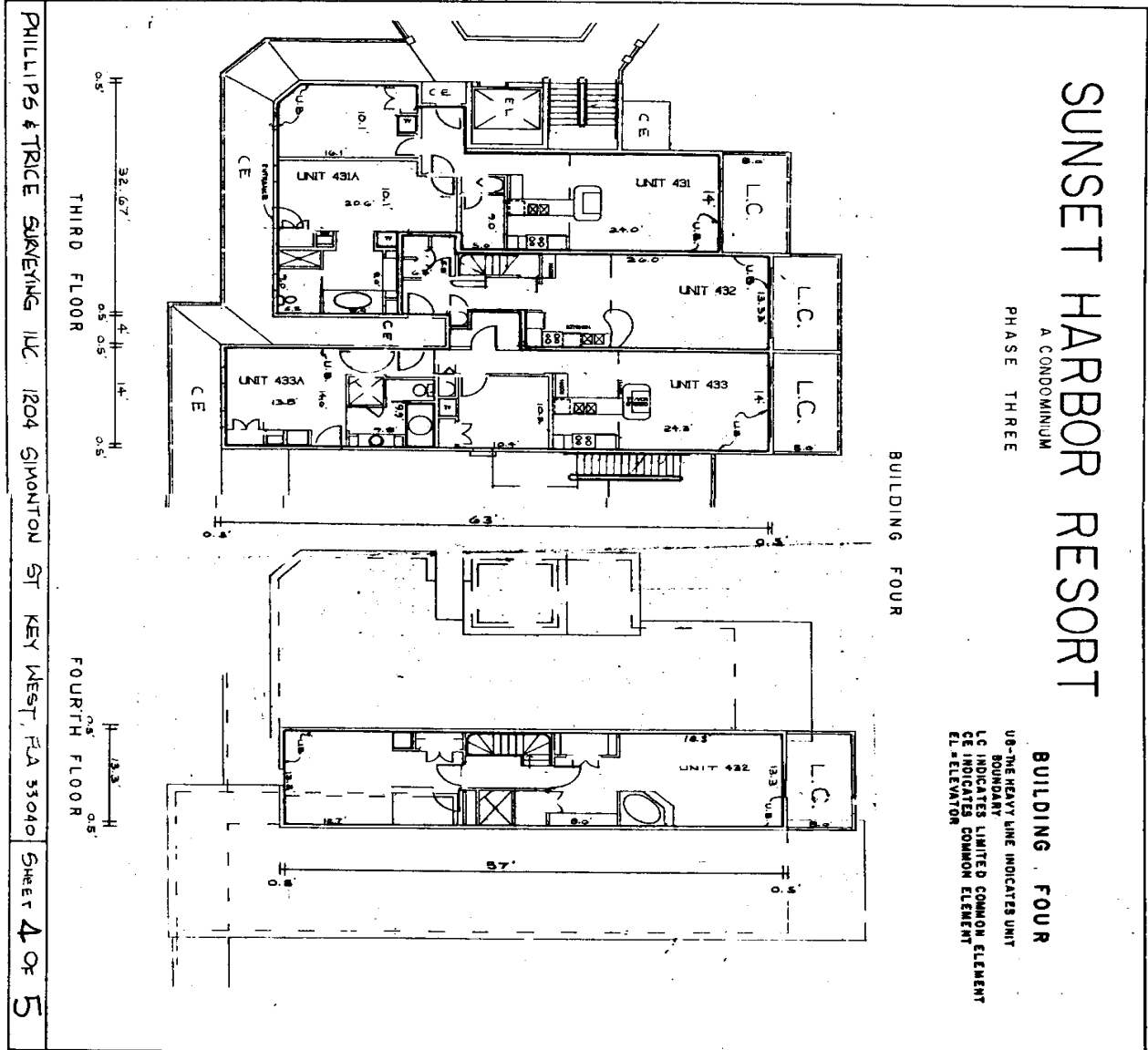
BUILDING FOUR

UB-THE HEAVY LINE INDICATES UNIT
BOUNDARY
LC INDICATES LIMITED COMMON ELEMENT
CE INDICATES COMMON ELEMENT
EL-ELEVATOR



PHILLIPS & TRICE SURVEYING LLC 1204 SIMONTON ST KEY WEST, FLA 33040 SHEET 3 OF 5

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MONROE COUNTY
OFFICIAL RECORDS