

FILE # 1743140 RCD: Dec 16 1999 @ 11:05AM
Newman C. Brackin, Clerk, Okaloosa Cnty Fl

This instrument prepared by and
after recording return to:

Leo J. Salvatori, Esq.
Quarles & Brady LLP
4501 Tamiami Trail North
Suite 300
Naples, Florida 34103

**AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
ST. CROIX AT SILVER SHELLS**

This Amendment to the Declaration of Condominium for ST. CROIX AT SILVER SHELLS is made and entered into this 1st day of October, 1999, by SILVER SHELLS CORPORATION, a Florida corporation, hereinafter referred to as Declarant.

W I T N E S S E T H:

WHEREAS, Declarant has caused a Declaration of Condominium for ST. CROIX AT SILVER SHELLS to be recorded in Official Records Book 2212, Pages 1700 through 1772, inclusive, of the Public Records of Okaloosa County, Florida, as the same has been previously amended (hereinafter, the "Declaration");

WHEREAS, pursuant to paragraph 11.8 of the Declaration, Declarant has the right to amend any provisions contained in said Declaration, without the prior consent of Unit owners, the Association, lienors, Mortgagees or any other third party, for the purposes of: (1) correcting any errors or omissions not affecting the rights of Unit owners, lienors or Mortgagees; (2) adding a Certificate of Surveyor as provided in Section 718.104(4)(e) or other sections of the Florida Statutes; or (3) making reasonable changes to the Condominium Property or Units that do not materially or adversely affect the interest of Mortgagees, nor the Unit owners, nor the Unit owner's share of the Common Elements; and

WHEREAS, Declarant wishes to make certain amendments to the Declaration to correct certain scrivener's errors contained therein and to add an amended Surveyor's Certificate pertaining to Exhibit "B" of such Declaration of Condominium.

NOW, THEREFORE, the Declaration is hereby modified in the following respects:

NOTE: New language is underlined; language being deleted is shown in ~~struck through~~ type.

1. Section 4 and subsection 4.1 shall henceforth read as follows:

4. **DESCRIPTION OF CONDOMINIUM PROPERTY.** The improvements to be constructed on the Condominium Property consist of seventy-six (76) residential Units and fourteen sixteen (1416) Cabana Units located in one fourteen-story building. Each "Unit" and "Cabana Unit" is identified by a number designation or a combination of letters and numbers. A graphic description of the building in which the units are to be located is annexed hereto and made a part hereof as Exhibit "B". Exhibit "B", consisting of the Land survey, and a description and floor plans of the proposed improvements hereon, together with this Declaration, identify the "Common Elements", "Limited Common Elements", each "Unit" and "Cabana Unit" and their relative locations and approximate dimensions. The improvements are further described as:

4.1 **Residential Building.** One fourteen-story building containing seventy-six (76) residential Units and fourteen sixteen (1416) Cabana Units.

2. The first full paragraph of section 5.2 shall henceforth read as follows:

5.2 **Cabana Units.** The term "Cabana Units", as used herein, means the fourteen sixteen (1416) pool cabanas, which are located as shown on Exhibit "B" hereto. The Cabana Units are not intended as separate dwellings, but are intended for use by the owners thereof for purposes incidental to their ownership and enjoyment of a residential Unit in Silver Shells Beach Resort. Cabana Units shall be subject to exclusive ownership as in the case of a residential Unit, but may only be owned by, and may only be conveyed, transferred, sold and assigned to, the owner of a residential Unit in any condominium located within Silver Shells Beach Resort. Any intended or purported conveyance or transfer of a Cabana Unit to a person or entity who does not concurrently own a residential Unit within a condominium at Silver Shells Beach Resort shall be void and of no force and effect. The Cabana Units are subject to various rules, restrictions and conditions which apply exclusively to Cabana Units, as set forth in Section 15.13 herein.

3. The depiction of the Condominium Property referred to in Section 4 and throughout the Declaration, which depiction is contained in Exhibit "B" to the Declaration, shall henceforth be amended by the Surveyor's Certificate(s) attached hereto and incorporated herein by this reference.
4. The undivided share of the Common Elements, Common Surplus and Common Expenses pertaining to each unit, found in Exhibit "C" to the Declaration, is hereby amended and Exhibit "C" to the Declaration shall henceforth read as follows:

Exhibit "C"
to
DECLARATION OF CONDOMINIUM
FOR
ST. CROIX AT SILVER SHELLS, A CONDOMINIUM

**Each Unit Undivided Share of Common Elements, Common Surplus,
and Common Expenses in St. Croix at Silver Shells, a Condominium:**

Unit Numbers	Unit Type	% Share	No. of Units	% Total Type
202, 302, 402, 502, 602, 702, 802, 902, 1002, 1102, 1202, and 1402	A Unit	1.01%	24	24.24%
205, 305, 405, 505, 605, 705, 805, 905, 1005, 1105, 1205, and 1405				
303, 403, 503, 603, 703, 803, 903, 1003, 1103, 1203, and 1403	B Unit	1.32%	22	29.04%
304, 404, 504, 604, 704, 804, 904, 1004, 1104, 1204, and 1404				
201, 301, 401, 501, 601, 701, 801, 901, 1001, 1101, 1201, and 1401	C Unit	1.48%	24	35.52%
206, 306, 406, 506, 606, 706, 806, 906, 1006, 1106, 1206, and 1406				
PH-1, PH-6	PH-1 & 6	2.26%	2	4.52%
PH-3, PH-4	PH-3 & 4	1.70%	2	3.40%
203 and 204	Lanai	0.36%	2	0.72%
C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, and C-16	Cabana	0.16%	<u>14</u> 16	2.56%

TOTAL 92 100.00%

Signed, sealed and delivered
in the presence of:

Witness #1 (print name below)

Ellen Seewald

Nancy C. Jarvi

Witness #2 (print name below)

NANCY C. JARVI

(Corporate Seal)

SILVER SHELLS CORPORATION, a
Florida corporation

By:

Thomas R. Becnel

THOMAS R. BECNEL, as
President

STATE OF FLORIDA
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 18th day of October,
1999, by **THOMAS R. BECNEL**, as President of **SILVER SHELLS CORPORATION**, a Florida
corporation, on behalf of the corporation. He is personally known to me.

(Affix Seal)

[Signature]

Signature of Person Taking Acknowledgment

Name of Acknowledger Typed, Printed or Stamped

Title or Rank, if other than Notary

Serial Number, if any

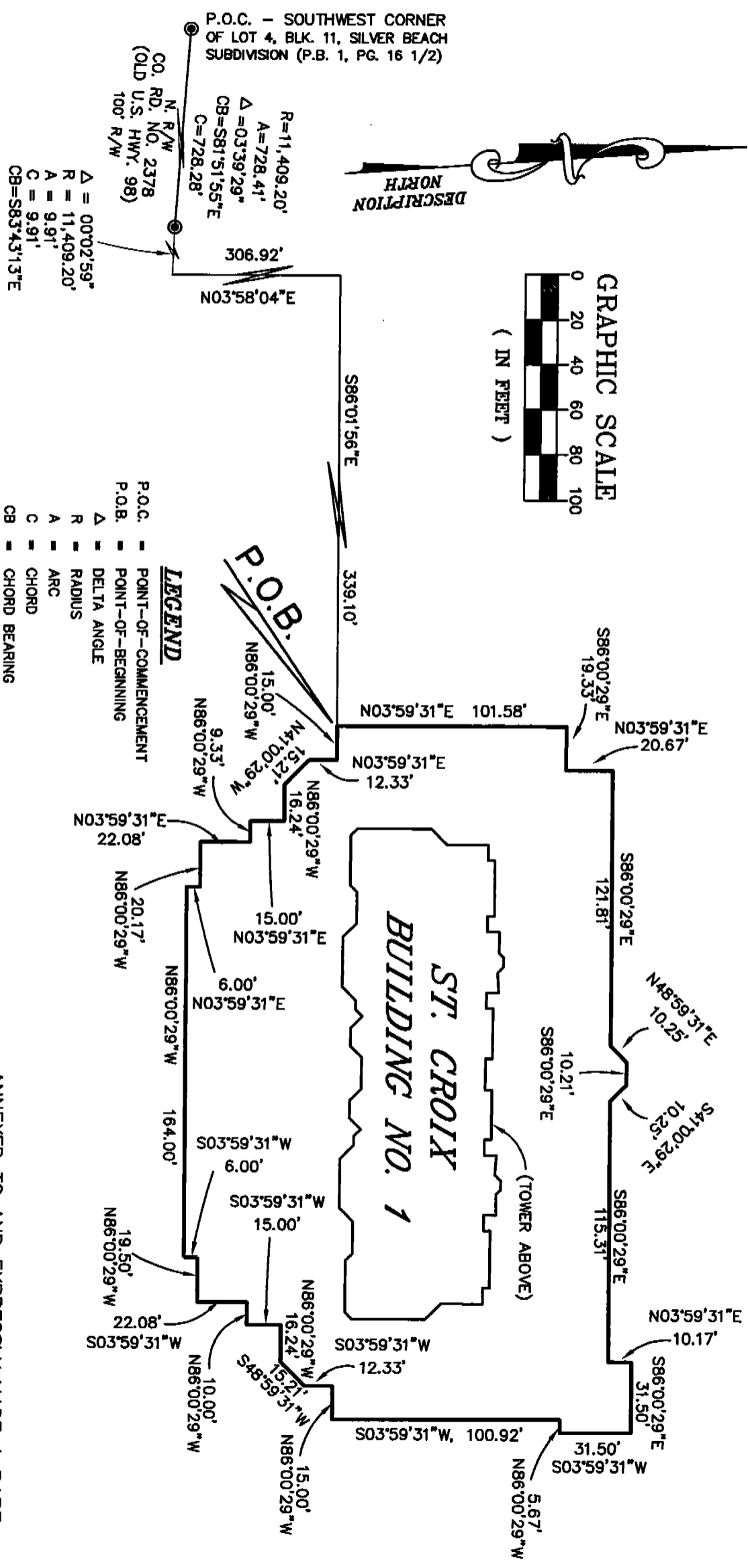
My commission expires:



Exhibit B

ST. CROIX AT SILVER SHELLS, a condominium

IN UNDIVIDED TOWNSHIP 2 SOUTH, RANGE 22 WEST, AND A RESUBDIVISION
OF A PORTION OF SILVER BEACH SUBDIVISION (PLAT BOOK 1, PAGE 16 1/2),
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA



CHOCTAW ENGINEERING, INC.
112 TRUXTON AVENUE
FORT WALTON BEACH, FL 32447
CIVIL ENGINEERING SURVEYING ENVIRONMENTAL

TELEPHONE: 850-862-6611
FAX: 850-863-8089
E-MAIL: ChoctawEng@aol.com

LB #1562

NOTE

1) THE CONSTRUCTION OF THE CONDOMINIUM BUILDING SHOWN HEREON IS SUBSTANTIALLY COMPLETE.

2) BALCONIES/TERRACES AND ASSIGNED PARKING SPACES ARE LIMITED COMMON ELEMENTS.

97-234

ANNEXED TO AND EXPRESSLY MADE A PART
OF THE DECLARATION OF CONDOMINIUM

ST. CROIX AT SILVER SHELLS,
a condominium

CONDOMINIUM PLAT BOOK _____ PAGE _____
SHEET 2 OF 17 SHEETS

ST. CROIX AT SILVER SHELLS, a condominium

LEGAL DESCRIPTION: ST. CROIX AT SILVER SHELLS, a condominium

IN UNDIVIDED TOWNSHIP 2 SOUTH, RANGE 22 WEST, AND A RESUBDIVISION OF A PORTION OF SILVER BEACH SUBDIVISION (PLAT BOOK 1, PAGE 16 1/2), CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA

COMMENCING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 11, SILVER BEACH SUBDIVISION ACCORDING TO PLAT RECORDED IN PLAT BOOK 1, PAGE 16 1/2 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA, SAID POINT LYING IN THE NORTHERLY RIGHT-OF-WAY LINE OF OKALOOSA COUNTY ROAD NUMBER 2378 (OLD U.S. HIGHWAY 98, 100 FOOT WIDE RIGHT-OF-WAY); THENCE PROCEED SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE WITH A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 11409.20 FEET, FOR AN ARC DISTANCE OF 728.41 FEET (CENTRAL ANGLE: 03° 39' 29"; CHORD BEARING AND DISTANCE: SOUTH 81° 51' 55" EAST, 728.28 FEET); THENCE CONTINUE ALONG SAID CURVED RIGHT-OF-WAY LINE FOR AN ARC DISTANCE OF 9.91 FEET (CENTRAL ANGLE: 00° 02' 59"; CHORD BEARING AND DISTANCE: SOUTH 83° 43' 13" EAST, 9.91 FEET) TO THE SOUTH-EAST CORNER OF THAT CERTAIN PARCEL CONVEYED TO THE CITY OF DESTIN PER INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 1699, PAGE 590 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, PROCEED ALONG THE EAST LINE OF SAID PARCEL, NORTH 03° 58' 04" EAST, 306.92 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 86° 01' 56" EAST, 339.10 FEET TO THE POINT OF BEGINNING; THENCE NORTH 03° 59' 31" EAST, 101.58 FEET; THENCE SOUTH 86° 00' 29" EAST, 19.33 FEET; THENCE NORTH 03° 59' 31" EAST, 20.67 FEET; THENCE SOUTH 86° 00' 29" EAST, 121.81 FEET; THENCE NORTH 48° 59' 31" EAST, 10.25 FEET; THENCE SOUTH 86° 00' 29" EAST, 10.21 FEET; THENCE SOUTH 41° 00' 29" EAST, 10.25 FEET; THENCE SOUTH 86° 00' 29" EAST, 115.31 FEET; THENCE NORTH 03° 59' 31" EAST, 10.17 FEET; THENCE SOUTH 86° 00' 29" EAST, 31.50 FEET; THENCE SOUTH 03° 59' 31" WEST, 15.00 FEET; THENCE SOUTH 03° 59' 31" WEST, 12.33 FEET; THENCE SOUTH 03° 59' 31" WEST, 100.92 FEET; THENCE NORTH 86° 00' 29" WEST, 15.00 FEET; THENCE SOUTH 03° 59' 31" WEST, 12.33 FEET; THENCE SOUTH 48° 59' 31" WEST, 10.00 FEET; THENCE SOUTH 03° 59' 31" WEST, 22.08 FEET; THENCE NORTH 86° 00' 29" WEST, 19.50 FEET; THENCE SOUTH 03° 59' 31" WEST, 6.00 FEET; THENCE NORTH 86° 00' 29" WEST, 164.00 FEET; THENCE NORTH 03° 59' 31" EAST, 6.00 FEET; THENCE NORTH 86° 00' 29" WEST, 20.17 FEET; THENCE NORTH 03° 59' 31" EAST, 22.08 FEET; THENCE NORTH 86° 00' 29" WEST, 9.33 FEET; THENCE NORTH 03° 59' 31" EAST, 15.00 FEET; THENCE NORTH 86° 00' 29" WEST, 16.24 FEET; THENCE NORTH 41° 00' 29" WEST, 15.21 FEET; THENCE NORTH 03° 59' 31" EAST, 12.33 FEET; THENCE NORTH 86° 00' 29" WEST, 15.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 1.21 ACRES, MORE OR LESS, ALL LYING AND BEING WITHIN THE SILVER BEACH SUBDIVISION, TOWNSHIP 2 SOUTH, RANGE 22 WEST, CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT AND RIGHT-OF-WAY FOR PEDESTRIAN AND VEHICULAR INGRESS, EGRESS, AND ACCESS, OVER, UPON, ACROSS, AND THROUGH ALL PARTS OF LOT 8 OF SILVER SHELLS BEACH RESORT, A PLANNED UNIT DEVELOPMENT, OKALOOSA COUNTY, FLORIDA, NOW OR HERE-AFTER USED FOR ROADWAY, DRIVEWAY, OR VEHICULAR ACCESS PURPOSES, SUBJECT TO PROVISIONS OF SAID PLAT AND TO TERMS OF THE DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS FOR SILVER SHELLS [MASTER DECLARATION] RECORDED IN OFFICIAL RECORDS BOOK 2210, PAGE(S) 4856 THROUGH 4891 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA. THIS EASEMENT SHALL TERMINATE AUTOMATICALLY UPON THE CONVEYANCE, IF EVER, OF ALL OF SAID LOT 8 LAND TO SILVER SHELLS PROPERTY OWNERS ASSOCIATION, INC. [MASTER ASSOCIATION].

DESCRIPTION OF COMMON ELEMENTS

COMMON ELEMENTS SHALL MEAN AND COMPRISE ALL THE REAL PROPERTY IMPROVEMENTS AND FACILITIES TO ST. CROIX AT SILVER SHELLS, A CONDOMINIUM, INCLUDING ALL PARTS OF THE CONDOMINIUM BUILDING OTHER THAN THE CONDOMINIUM UNITS AS SAME ARE HEREIN DEFINED AND SHALL INCLUDE EASEMENTS THROUGH CONDOMINIUM UNITS FOR CONDUITS, PIPES, DUCTS, PLUMBING, WIRING, AND OTHER FACILITIES FOR THE FURNISHING OF UTILITY SERVICE TO CONDOMINIUM UNITS, AND EASEMENTS OF SUPPORT IN EVERY PORTION OF THE CONDOMINIUM UNIT WHICH CONTRIBUTES TO THE SUPPORT OF THE IMPROVEMENTS AND SHALL FURTHER INCLUDE ALL PERSONAL PROPERTY HELD AND MAINTAINED FOR THE JOINT USE AND ENJOYMENT OF ALL OF THE OWNERS OF ALL SUCH CONDOMINIUM UNITS AND SHALL EXCLUDE ALL THE CONDOMINIUM UNITS.

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR DULY AUTHORIZED TO PRACTICE UNDER THE LAWS OF THE STATE OF FLORIDA, HEREBY CERTIFIES THAT THIS IS A TRUE AND CORRECT SURVEY OF THE PROPERTY DESCRIBED HEREON, AND THAT THE CONSTRUCTION OF THE IMPROVEMENTS DEPICTED AND DESCRIBED IN THIS EXHIBIT OF "ST. CROIX AT SILVER SHELLS, A CONDOMINIUM", IS SUBSTANTIALLY COMPLETE SO THAT SUCH MATERIAL WHICH COMPRISES THIS EXHIBIT, TOGETHER WITH THE PROVISIONS OF THE DECLARATION OF CONDOMINIUM DESCRIBING THE CONDOMINIUM PROPERTY, IS AN ACCURATE REPRESENTATION OF THE LOCATION AND APPROXIMATE DIMENSIONS OF THE IMPROVEMENTS, AND THAT THE IDENTIFICATION, LOCATION AND APPROXIMATE DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT CAN BE DETERMINED FROM SAID MATERIALS.

Registered Land Surveyor, JON A. PROHASKA (Date) 8/31/99
Fl. Certificate No. 4450

ANNEXED TO AND EXPRESSLY MADE A PART OF THE DECLARATION OF CONDOMINIUM

ST. CROIX AT SILVER SHELLS, a condominium
CONDOMINIUM PLAT BOOK _____ PAGE _____
SHEET 3 OF 17 SHEETS

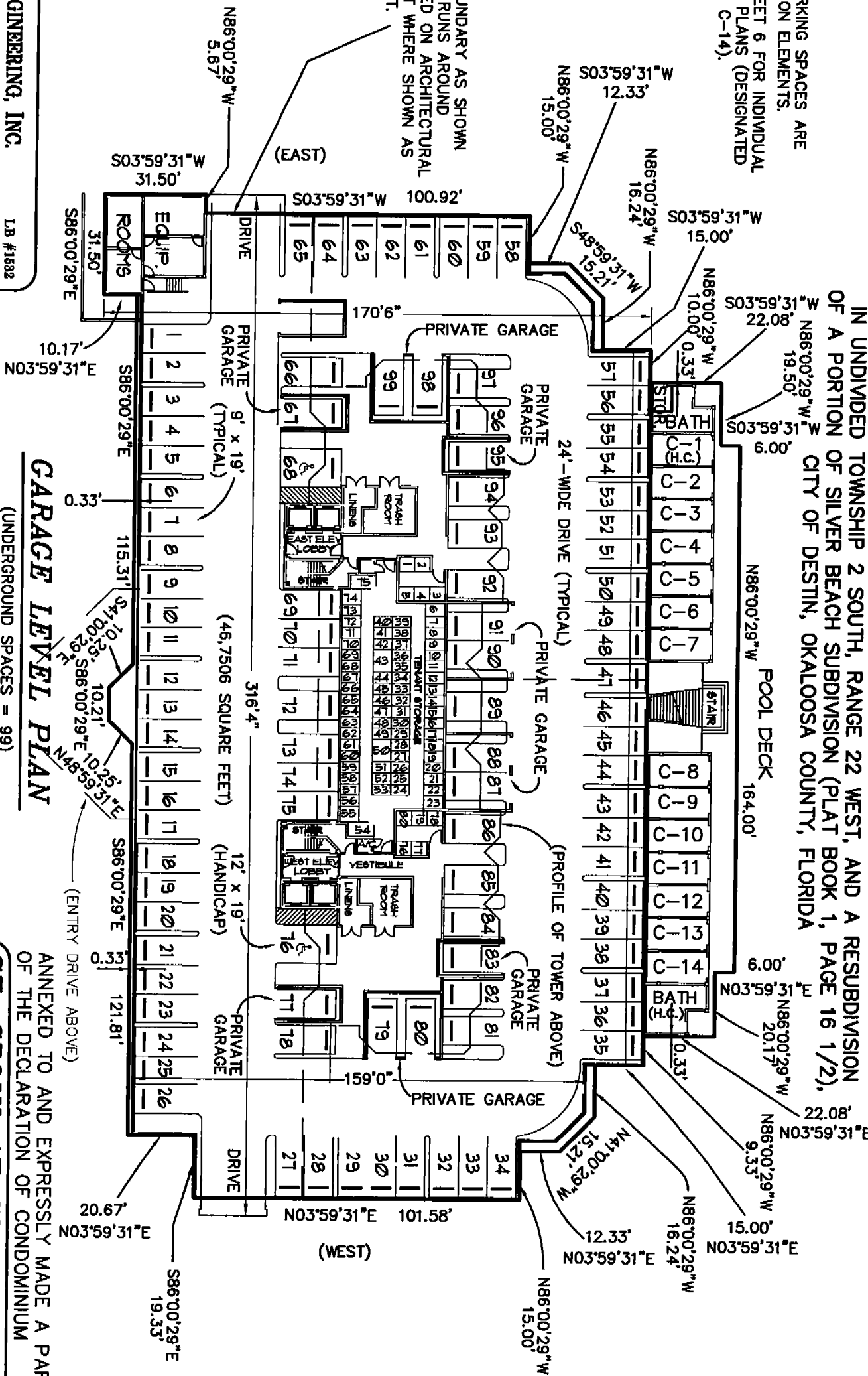
CHOCTAW ENGINEERING, INC. LB #1882
112 TRUXTON AVENUE TELEPHONE: 860-863-6611
PORT WALTON BEACH, FL 32647 FAX: 860-868-8068
CIVIL ENGINEERING SURVEYING ENVIRONMENTAL E-MAIL: ChoctawEng@aol.com

ST. CROIX AT SILVER SHELLS, a condominium

NOTE:
ASSIGNED PARKING SPACES ARE
LIMITED COMMON ELEMENTS.
REFER TO SHEET 6 FOR INDIVIDUAL
CABANA UNIT PLANS (DESIGNATED
AS C-1 THRU C-14).

IN UNDIVIDED TOWNSHIP 2 SOUTH, RANGE 22 WEST, AND A RESUBDIVISION
OF A PORTION OF SILVER BEACH SUBDIVISION (PLAT BOOK 1, PAGE 16 1/2),
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA

ST. CROIX BOUNDARY AS SHOWN
AND WRITTEN RUNS AROUND
WALL INDICATED ON ARCHITECTURAL
PLANS EXCEPT WHERE SHOWN AS
0.33'-OFF-SET.



CHOCTAW ENGINEERING, INC.
112 TRUXTON AVENUE
FORT WALTON BEACH, FL 32647
E-MAIL: ChoctawEng@aol.com
CIVIL ENGINEERING SURVEYING ENVIRONMENTAL

GARAGE LEVEL PLAN (UNDERGROUND SPACES = 99)

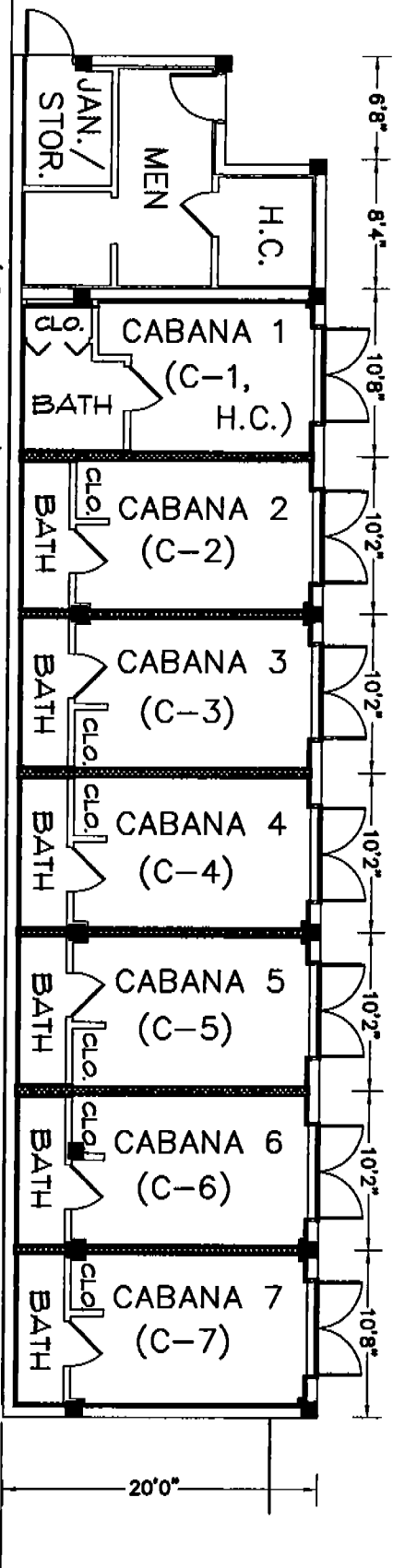
PLANS FROM: ROBERT M. SWEDROE, ARCHITECTS/PLANNERS
771 Lincoln Road, Suite 300 Miami Beach, FL 33139
Phone: (305) 673-8002

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ST. CROIX AT SILVER SHELLS,
a condominium
CONDOMINIUM PLAT BOOK _____ PAGE _____

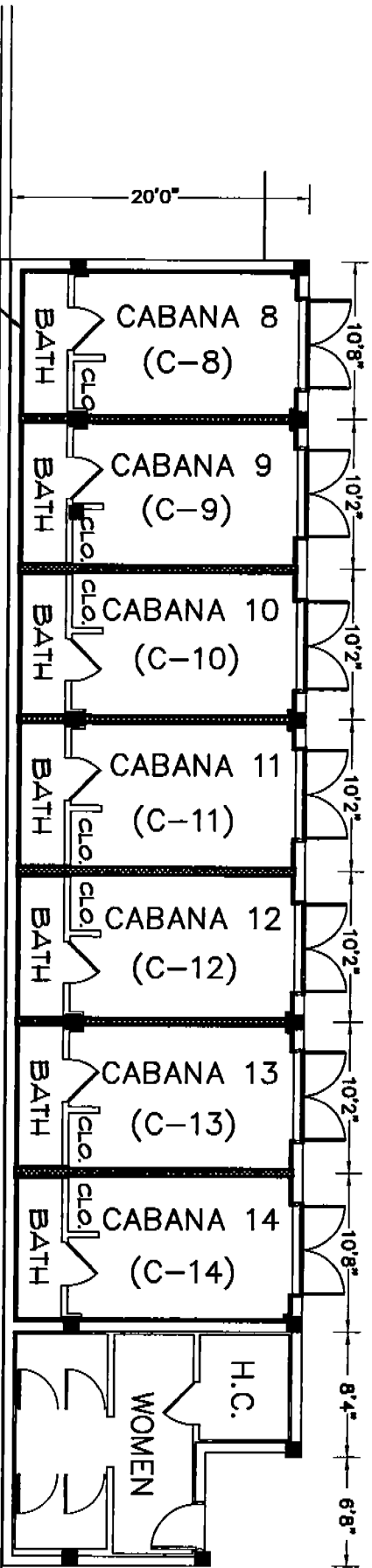
ST. CROIX AT SILVER SHELLS, a condominium

IN UNDIVIDED TOWNSHIP 2 SOUTH, RANGE 22 WEST, AND A RESUBDIVISION
OF A PORTION OF SILVER BEACH SUBDIVISION (PLAT BOOK 1, PAGE 16 1/2),
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA



(GARAGE)

(GARAGE)



(DENOTES UNIT
BOUNDARY)

(GARAGE)

(GARAGE)

(FIRST TYPICAL LEVEL)

CABANA UNIT PLAN 200 S.F.
(UNITS DESIGNATED AS C-1 THROUGH C-14)

CABANA UNITS, GARAGE LEVEL
(GARAGE LEVEL ~ LEVEL 1)

(GARAGE LEVEL ~ LEVEL 1)

~ ELEVATIONS ~
F.F.E. = FINISHED FLOOR ELEVATION

LEVEL 1 (GARAGE)

F.F.E.: +10'0"

LEVEL 2
(LOBBY/LANAI)

F.F.E.: +20'8"

LEVEL 3
(FIRST TYPICAL LEVEL)

F.F.E.: +33'6"

LEVEL 4

(UNITS 301 - 306)

LEVEL 5

(UNITS 401 - 406)

LEVEL 6

(UNITS 501 - 506)

LEVEL 7

(UNITS 601 - 606)

LEVEL 8

(UNITS 701 - 706)

LEVEL 9

(UNITS 801 - 806)

LEVEL 10

(UNITS 901 - 906)

LEVEL 11

(UNITS 1001 - 1006)

LEVEL 12

(UNITS 1101 - 1106)

LEVEL 13 OMITTED

(UNITS 1201 - 1206)

LEVEL 14

(UNITS 1401 - 1406)

LEVEL 15
(PENTHOUSE LEVEL)

(UNITS P1, P3, P4 & P6)

(ROOF LEVEL)

F.F.E.: +148'8"

(MACHINE ROOM ROOF ELEV. +162'1 1/2")

F.F.E.: +138'0"

F.F.E.: +128'6"

F.F.E.: +119'0"

F.F.E.: +109'6"

F.F.E.: +100'0"

F.F.E.: +90'6"

F.F.E.: +81'0"

F.F.E.: +71'6"

F.F.E.: +62'0"

F.F.E.: +52'6"

F.F.E.: +43'0"

F.F.E.: +33'6"

F.F.E.: +20'8"

F.F.E.: +10'0"

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ST. CROIX AT SILVER SHELLS,
a condominium
CONDOMINIUM PLAT BOOK _____ PAGE _____
SHEET 6 OF 17 SHEETS

CHOCTAW ENGINEERING, INC.
112 TRUXTON AVENUE
FORT WALTON BEACH, FL 32547
CIVIL ENGINEERING SURVEYING ENVIRONMENTAL

LB #1562

TELEPHONE: 850-963-6611

FAX: 850-963-8089

E-MAIL: ChoctawEng@aol.com

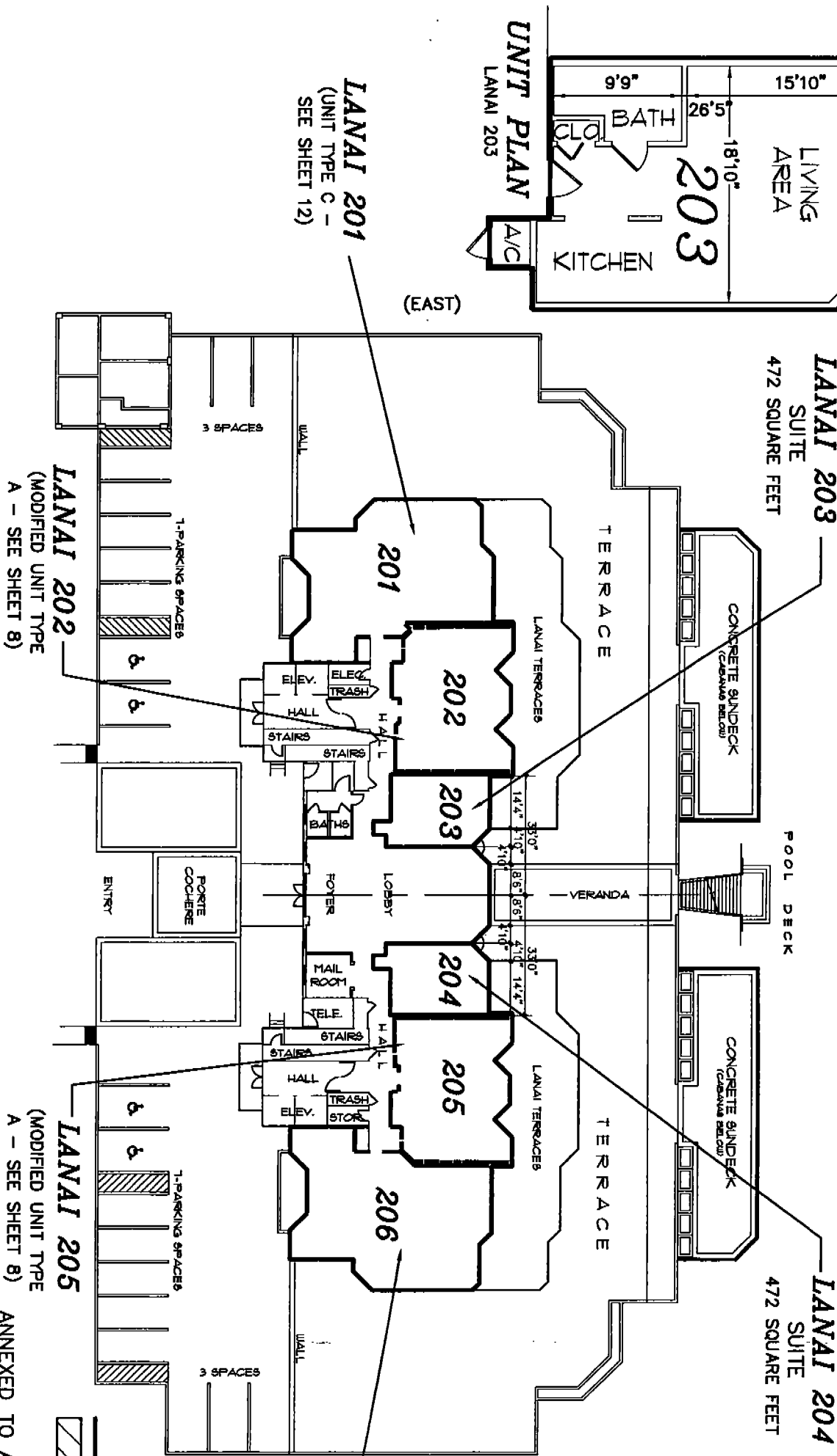
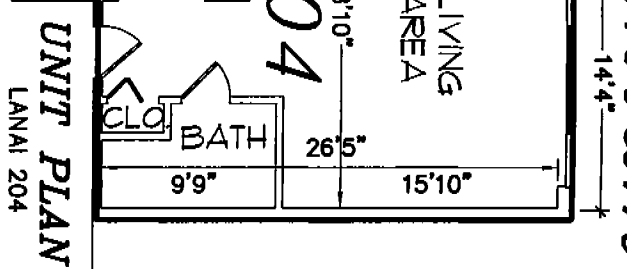
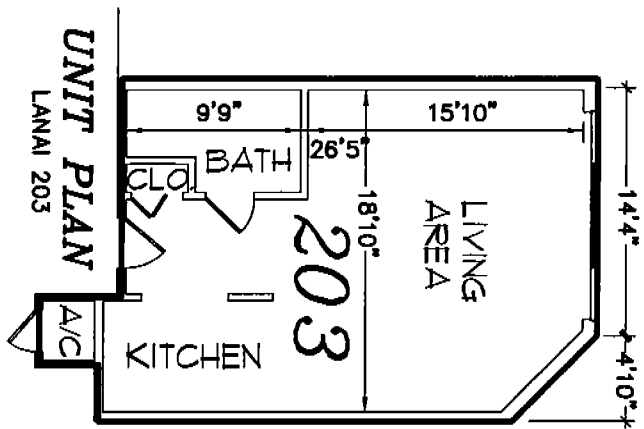
PLANS FROM: ROBERT M. SWEDROE, ARCHITECTS/PLANNERS
1111 Lincoln Road, Suite 300 Miami Beach, FL 33139
Phone: (305) 673-6002

17 AUGUST 1999

[FILE: CROIX7REV]

ST. CROIX AT SILVER SHELLS, a condominium

IN UNDIVIDED TOWNSHIP 2 SOUTH, RANGE 22 WEST, AND A RESUBDIVISION
OF A PORTION OF SILVER BEACH SUBDIVISION (PLAT BOOK 1, PAGE 16 1/2),
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA



LEGEND
= UNIT BOUNDARY
= LIMITED COMMON ELEMENT

LANAI 201
(UNIT TYPE C -
SEE SHEET 12)

LANAI 202
(MODIFIED UNIT TYPE
A - SEE SHEET 8)

LANAI 203
(MODIFIED UNIT TYPE
A - SEE SHEET 8)

LANAI 204
(MODIFIED UNIT TYPE
A - SEE SHEET 8)

LANAI 205
(MODIFIED UNIT TYPE
A - SEE SHEET 8)

LANAI 206
(UNIT TYPE C -
SEE SHEET 12)

CHOCTAW ENGINEERING, INC.
112 TRUXTON AVENUE
FORT WALTON BEACH, FL 32547
E-MAIL: ChoctawEng@aol.com
CIVIL ENGINEERING SURVEYING ENVIRONMENTAL

LOBBY LEVEL FLOOR PLAN
PLANS FROM: ROBERT M. SWEDROE, ARCHITECTS/PLANNERS
1111 Lincoln Road, Suite 300 Miami Beach, FL 33139
Phone: (305) 673-6002

ST. CROIX AT SILVER SHELLS,
a condominium
CONDOMINIUM PLAT BOOK SHEET 7 OF 17 SHEETS