

# 1089 - 1335

Prepared by: MICHAEL McGillicuddy  
P. O. Box 5979  
Sarasota, Fla. 33579

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CASTEL DEL MARE CONDOMINIUM

AMENDMENT TO DECLARATION OF CONDOMINIUM

644285

WHEREAS, MBC DEVELOPMENT COMPANY, a Florida Partnership, (herein called "Developer") has previously executed a Declaration of Condominium Ownership dated August 11, 1975, recorded August 15, 1975 in Official Record Book 1088 at Page 1305, Records of Sarasota County, Florida, which Declaration submitted to condominium ownership certain real property described in Exhibit "A" as attached to said Declaration and named Castel Del Mare Condominium.

AND WHEREAS, the legal description attached as said Exhibit "A" was found to be in error and the developer wishes to correct the same to conform with the condominium survey as set forth in Exhibit "B" and separately recorded in Condominium Book 8 Pages 44 thru 44D Records of Sarasota County,

NOW, THEREFORE, the undersigned MBC DEVELOPMENT COMPANY, a Florida Partnership, by the execution hereby, declares and agrees, that the description in Exhibit "A" attached to said Declaration is in error, and furthermore substitutes in its place the following correct legal description:

Lands described in Official Record Book 968, Page 1554 & 1555 and Book 650, Pages 39 and 40; less additional right of way for Stickney Point Road, State Route 72 (being generally 84 feet wide), being more particularly described as follows:

Commencing at a chisel cut in the sidewalk at the intersection of the Southeasterly right of way line of Stickney Point Road, S.R.72 (being 84 feet wide) and the Southwesterly right of way line of "D" Avenue (being 60 feet wide) for a point of beginning; thence S 62° 46'00"E, along the Southwesterly line of "D" Avenue, 403.49 feet; thence S 27°14'00"W, 604.15 feet, to a chisel hole in a concrete seawall; thence S 57°14'00"W, along the South line of formerly submerged lands, purchased from the Board of the Trustees of the Internal Improvement Trust Fund, recorded in O.R. Book 650, Page 39, for 200 feet; thence S 80°55'29"W, along said South line of formerly submerged lands, 340.50 feet, to an angle point in the Northeasterly line of the West Coast Inland Navigation District right of way; thence continuing along said South line of formerly submerged lands and the W.C.I.N.D. right of way line, 111.31 feet, to an angle point in the Northeasterly line of W.C.I.N.D right of way; thence N 35°07'31"W, along the Northeasterly line of the W.C.I.N.D. right of way and the West line of formerly submerged lands, 57.03 feet; thence N 48°48'00"E, along the Southeast line of lands described in O.R. Book 953, Page 1027, for 522.31 feet; thence N 41°12'00" W, along the Northeast line of said lands, 267.18 feet to the Southeasterly right of way line of Stickney Point Road, S.R.72; thence N 44°13'34"E, along said right of way,

with title: *Internal District and Title Co., Inc.*  
9-19-83

EXHIBIT "A"

Official Record Book 1088

REC 1009 1536

47.96 feet; thence N 48°48'00"E, continuing along said right of way, 89.50 feet; thence N 84°06'18"E continuing along said right of way, 29.22 feet; thence S 64°42'00"E, continuing along said right of way line, 61.72 feet; thence N 25°18'00"E, continuing along said right of way, 25.00 feet; thence N 64°42'00"W, continuing along said right of way line, 25.00 feet; thence N 25°18'00"E, continuing along said right of way line, 25.00 feet; thence N 21°10'20"W, continuing along said right of way line, 32.59 feet; thence N 43°48'00"E, continuing along said right of way line, 232.80 feet, to the point of beginning, being and lying in Sections 17 and 20, Township 37 South, Range 18 East, Sarasota County, Florida, containing 8.84 acres more or less.

IN WITNESS WHEREOF, the said Developer has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

MBC DEVELOPMENT COMPANY

*[Signature]*  
*[Signature]*  
\_\_\_\_\_  
Robert A. Morris, Jr., Partner

STATE OF FLORIDA  
COUNTY OF SARASOTA

I HEREBY CERTIFY that before me personally appeared ROBERT A. MORRIS, JR., a General Partner of MBC DEVELOPMENT COMPANY, to me known to be the person described in and who executed the foregoing instrument, and he acknowledged the execution thereof to be his free act and deed as such partner for the uses and purposes therein mentioned; and that the said instrument is the act and deed of said partnership.

WITNESS my hand and official seal in the County and State last aforesaid this 22<sup>nd</sup> day of August, A.D., 1975.

My commission expires:

*[Signature]*  
\_\_\_\_\_  
Notary Public  
State of Florida at Large

Notary Public, State of Florida at Large  
My Commission Expires Nov. 22, 1975  
Banks & American Tax & Casualty Co.

REC 1009 1536

COMPOSITE EXHIBIT B

Castel Del Mare Condominium is to be located within the Exhibit A property. The condominium consists of 187 units to be contained in 3 four story buildings and 5 two story buildings. The site plan and floor plans follow.

# CASTEL DEL MARE CONDOMINIUM

## DESCRIPTION

LANDS DESCRIBED IN OFFICIAL RECORD BOOK 958, PAGE 1354 B 1255 AND BOOK 650, PAGES 39 AND 40; LESS ADDITIONAL RIGHT OF WAY FOR STICKNEY POINT ROAD, STATE ROUTE 72 (BEING GENERALLY 84 FEET WIDE), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CHISEL CUT IN THE SIDEWALK AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF STICKNEY POINT ROAD, S.R. 72 (BEING 84 FEET WIDE) AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF "D" AVENUE (BEING 60 FEET WIDE) FOR A POINT OF BEGINNING; THENCE S 82° 46' 00" E, ALONG THE SOUTHWESTERLY LINE OF "D" AVENUE, 403.49 FEET; THENCE S 27° 14' 00" W, 804.15 FEET, TO A CHISEL HOLE IN A CONCRETE SEAWALL; THENCE S 57° 14' 00" W, ALONG THE SOUTH LINE OF FORMERLY SUBMERGED LANDS, PURCHASED FROM THE BOARD OF THE TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND, RECORDED IN O.R. BOOK 650, PAGE 39, FOR 103 FEET; THENCE S 80° 55' 29" W, ALONG SAID SOUTH LINE OF FORMERLY SUBMERGED LANDS, 340.90 FEET, TO AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE WEST COAST INLAND NAVIGATION DISTRICT RIGHT OF WAY; THENCE CONTINUING ALONG SAID SOUTH LINE OF FORMERLY SUBMERGED LANDS AND THE W.C.I.N.D. RIGHT OF WAY LINE, 111.31 FEET, TO AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE W.C.I.N.D. RIGHT OF WAY AND THE WEST LINE OF FORMERLY SUBMERGED LANDS, 5' 03 FEET; THENCE N 48° 48' 00" E, ALONG THE SOUTHEAST LINE OF LANDS DESCRIBED IN O.R. BOOK 953, PAGE 1027, FOR 522.31 FEET; THENCE N 41° 16' 00" W, ALONG THE NORTHEAST LINE OF SAID LANDS, 827.18 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF STICKNEY POINT ROAD, S.R. 72; THENCE N 44° 13' 34" E, ALONG SAID RIGHT OF WAY, 479.8 FEET; THENCE N 48° 48' 00" E, CONTINUING ALONG SAID RIGHT OF WAY, 89.00 FEET; THENCE N 84° 06' 18" E, CONTINUING ALONG SAID RIGHT OF WAY, 29.22 FEET; THENCE S 64° 42' 00" E, CONTINUING ALONG SAID RIGHT OF WAY LINE, 81.72 FEET; THENCE N 23° 18' 00" E, CONTINUING ALONG SAID RIGHT OF WAY, 26.00 FEET; THENCE N 64° 42' 00" W, CONTINUING ALONG SAID RIGHT OF WAY LINE, 25.00 FEET; THENCE N 23° 18' 00" E, CONTINUING ALONG SAID RIGHT OF WAY LINE, 25.00 FEET; THENCE N 21° 10' 20" W, CONTINUING ALONG SAID RIGHT OF WAY LINE, 52.59 FEET; THENCE N 48° 48' 00" E, CONTINUING ALONG SAID RIGHT OF WAY LINE, 232.80 FEET, TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 17 AND 20, TOWNSHIP 37 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, CONTAINING 8.84 ACRES MORE OR LESS.

## UNIT BOUNDARIES

THE UNITS CONTAINED IN AND ESTABLISHED AS PART OF CASTEL DEL MARE CONDOMINIUM ARE IDENTIFIED AND LOCATED IN THIS EXHIBIT. EACH UNIT IS DESCRIBED BY ASSIGNING A STREET ADDRESS AND APARTMENT NUMBER TO THE UNIT (SEE EXHIBIT C TO THE DECLARATION OF CONDOMINIUM). THE DIMENSIONS OF SAID UNITS ARE ALSO PROVIDED. AREAS NOT INCLUDED IN THE UNITS ARE COMMON ELEMENTS.

CASTEL DEL MARE CONDOMINIUM IS ESTABLISHED WITHIN THE PROPERTY DESCRIBED HEREON AND CONTAINS A TOTAL OF 187 UNITS, BUILDINGS 1, 2 AND 3 ARE FOUR STORIES IN HEIGHT; BUILDINGS 4, 5, 6, 7 AND 8 ARE TWO STORIES IN HEIGHT.

UPPER AND LOWER BOUNDARY: THE UPPER BOUNDARY AND LOWER BOUNDARY OF EACH UNIT SHALL BE THE FOLLOWING, EXTENDED TO THE PERIMETER BOUNDARIES:

(a) UPPER BOUNDARY: UP TO AND INCLUDING THE HORIZONTAL PLANE OF THE BACK-SURFACE OF THE DRYWALL WHICH SERVES AS THE UNITS CEILING.

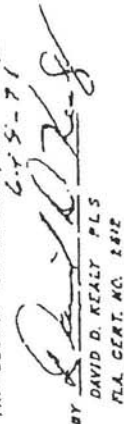
(b) LOWER BOUNDARY: DOWN TO AND INCLUDING THE HORIZONTAL PLANE OF THE BACK-SURFACE OF THE STRUCTURAL SLAB WHICH SERVES AS SUCH UNITS FLOOR IF SUCH IS ON THE GROUND FLOOR, DOWN TO AND INCLUDING THE HORIZONTAL PLANE OF THE BACK-SURFACE OF THE CONCRETE TOPPING WHICH SERVES AS SUCH UNITS FLOOR IF SUCH UNIT IS ON AN UPPER LEVEL.

PERIMETER BOUNDARY: THE PERIMETER BOUNDARY OF EACH UNIT SHALL BE UP TO AND INCLUDING THE VERTICAL PLANE OF THE BACK-SURFACE OF THE DRYWALL SERVING AS A PERIMETER WALL WHICH PLANE SHALL BE EXTENDED TO EACH LEVELS UPPER AND LOWER BOUNDARY. WHERE A BALCONY OR PATIO IS ATTACHED TO THE UNIT BEING BOUNDED, THE OWNER OF SUCH UNIT SHALL OWN THE INTERIOR DECORATIVE SURFACE OF THE FLOOR AND SIDE OF SUCH BALCONY OR PATIO, WHERE A BALCONY OR PATIO SERVES TWO UNITS (E.G. UNIT 1644-201 AND UNIT 1644-202) THE UNIT SHALL INCLUDE THE INTERIOR DECORATIVE SURFACE OF THE FLOOR AND SIDE OF SAID BALCONY OR PATIO, EXCEPT THAT THE AREA DESCRIBED BY EXTENDING THE COMMON STAIRWAY SERVING SAID COMMON BALCONY OR PATIO TO THE STORAGE CLOSETS LOCATED ON SAID BALCONY OR PATIO SHALL BE COMMON ELEMENTS. THE STORAGE CLOSETS LOCATED ON THE EDGES OF BALCONIES OR PATIOS SHALL BE PART OF THE UNIT TO WHICH THE BALCONY OR PATIO BELONGS. THE UNITS SHALL ALSO INCLUDE ALL PERIMETER WINDOWS, SCREENS, AND DOORS. THE UNITS SHALL NOT INCLUDE ENTRANCE STAIRWAYS, ENTRANCE WALLS, ENTRANCE BALCONIES OR COMMON STORAGE FACILITIES IN FRONT OF OR AT THE END OF BUILDINGS.

## SURVEYOR'S CERTIFICATE

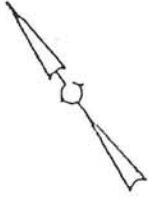
I, DAVID D. KEALY, A PROFESSIONAL LAND SURVEYOR AUTHORIZED TO PRACTICE WITHIN THE STATE OF FLORIDA, HEREBY CERTIFY THAT THE CONSTRUCTION OF THE IMPROVEMENTS DESCRIBED IS SUFFICIENTLY COMPLETE SO THAT THIS EXHIBIT TOGETHER WITH THE WORDING OF THE DECLARATION, AS RECORDED IN O.R. BOOK \_\_\_\_\_, IS A CORRECT REPRESENTATION OF THE IMPROVEMENTS DESCRIBED AND THAT THERE CAN BE DETERMINED THEREFROM THE IDENTIFICATION, LOCATION AND DIMENSIONS OF EACH UNIT. ALL OTHER THAN UNITS ARE COMMON ELEMENTS.

TRI-COUNTY ENGINEERING, INC.

BY   
DAVID D. KEALY, P.L.S.  
FLA. CERT. NO. 1812

1088 PG 1339

# CASTEL DEL MARE CONDOMINIUM

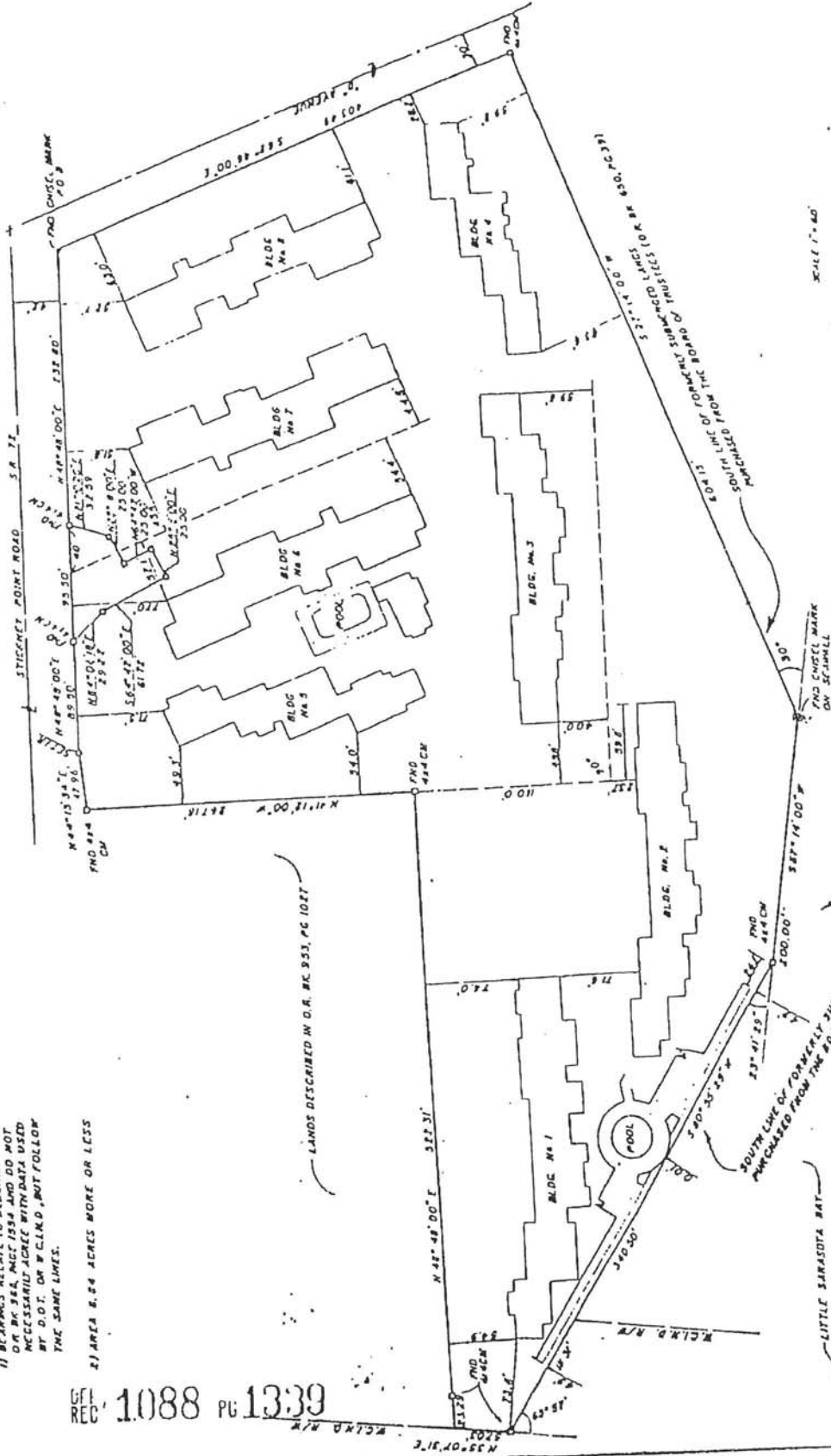


**NOTES**

1) BEARINGS RELATE TO DESCRIPTION IN  
OR MC 384, MC 1254 AND DO NOT  
NECESSARILY AGREE WITH DATA USED  
BY D.O.T. OR W.C.L.N.D., BUT FOLLOW  
THE SAME LINES.

2) AREA 8.24 ACRES MORE OR LESS

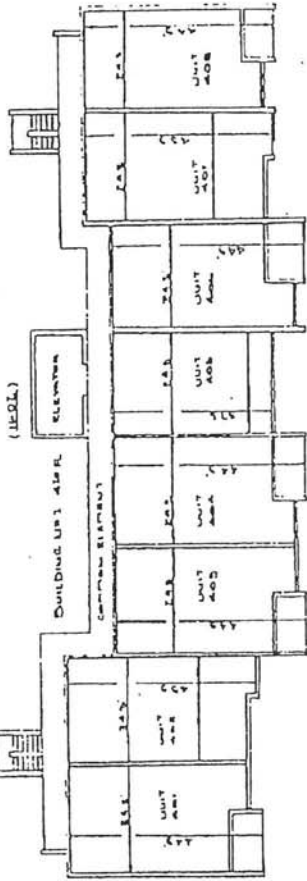
LANDS DESCRIBED IN O.R. MC 953, PG 1027



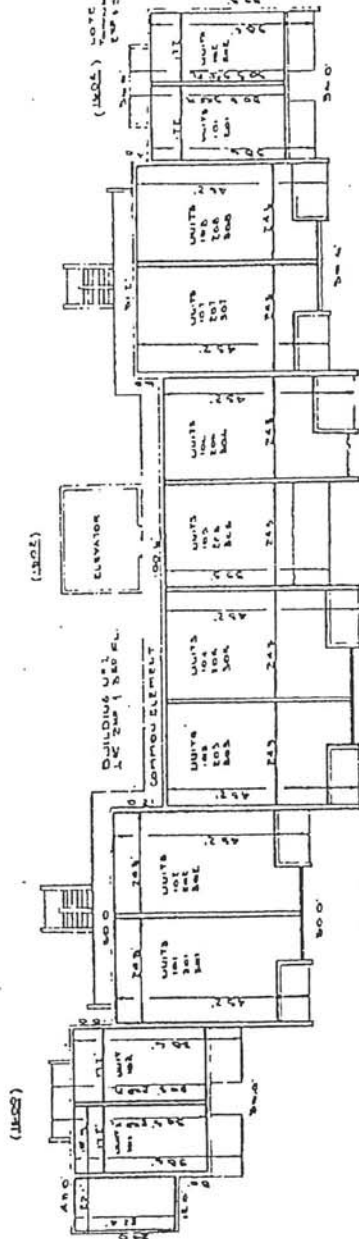
1088 PG 1339

# CASTEL DEL MARE CONDOMINIUM

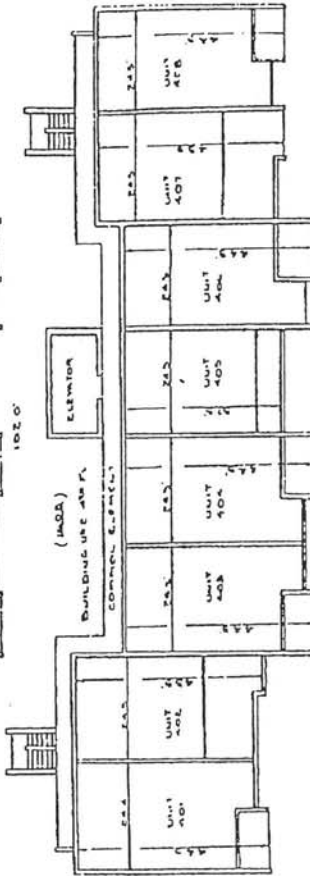
OFF REC 1088 PG 1340



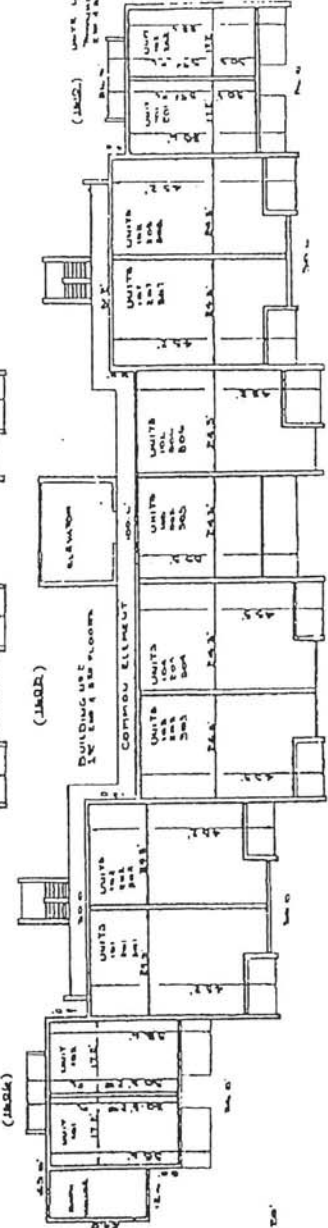
BUILDING NO. 1



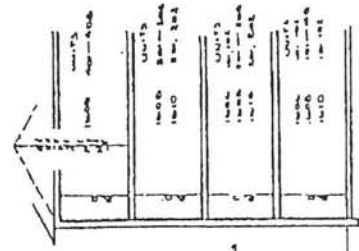
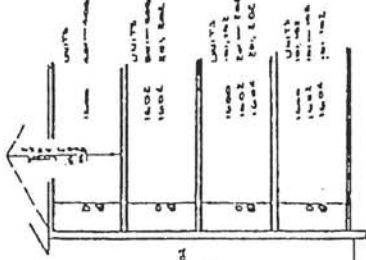
BUILDING NO. 2



BUILDING NO. 3



BUILDING NO. 4

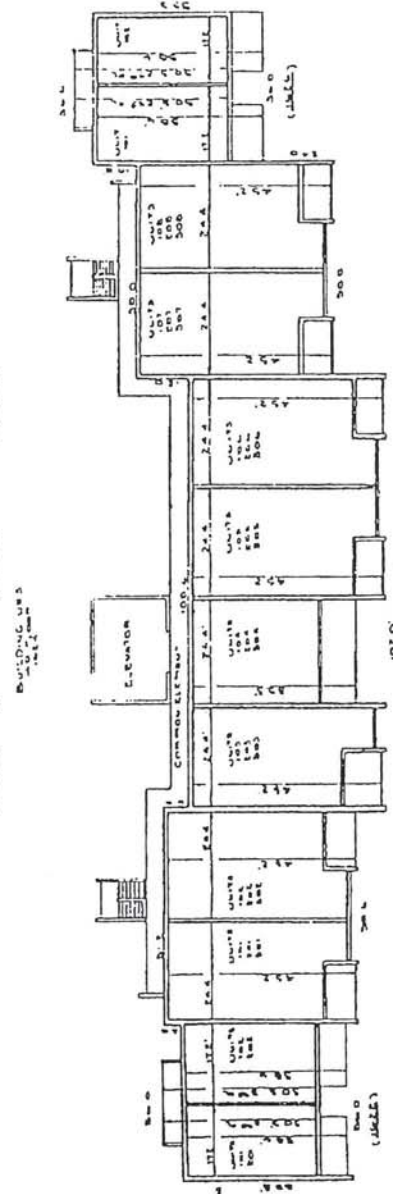
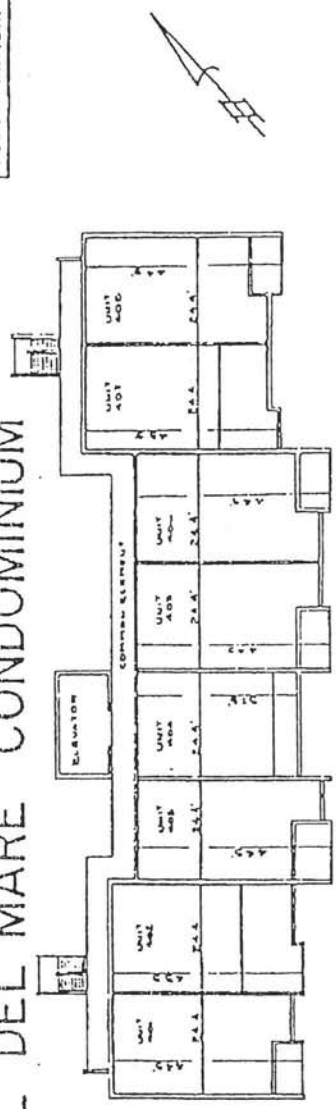


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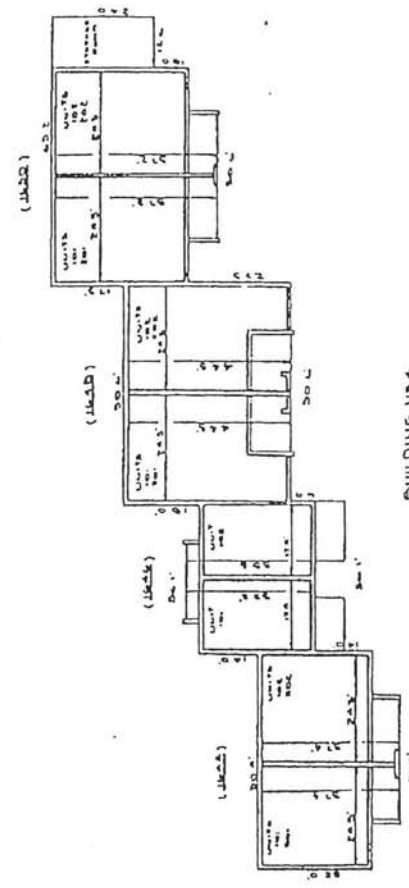
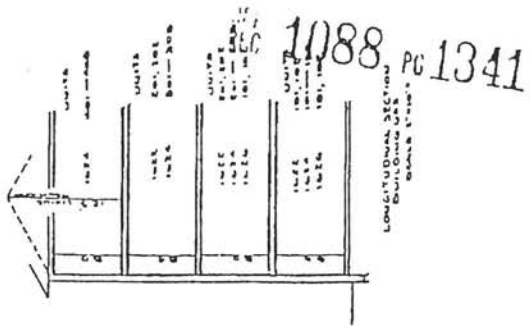


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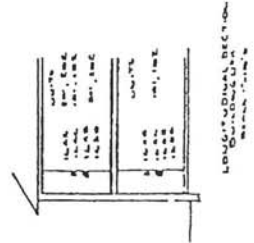
OFF REC 1088 PG 1341



BUILDING FLOOR PLAN



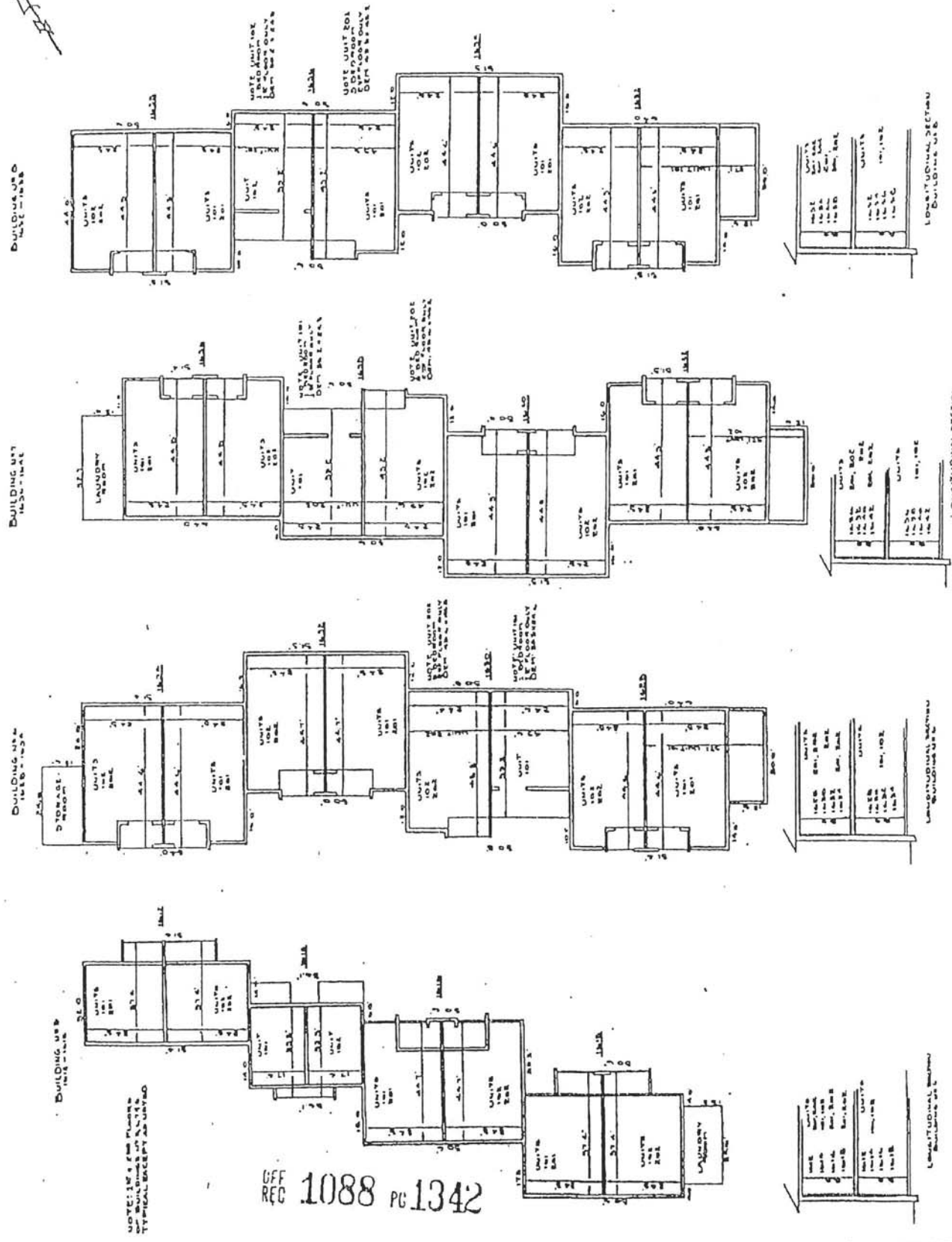
BUILDING FLOOR PLAN



BUILDING FLOOR PLAN

# CASTEL DEL MARE CONDOMINIUM

REC 1088 PG 1342



OFF REC 1088 PG 1342



## EXHIBIT "E"

Percentage of Ownership of  
Common Elements

Percentage of Ownership	Bldg. No.	Address	Unit No.	Type
.572	1	1600	101	2 B 1 1/2 B TH w/Family Room
.542		1600	102	2 B 1 1/2 B TH
.542		1602	101	2 B 2 B
.542		1602	102	2 B 2 B
.542		1602	103	2 B 2 B
.542		1602	104	2 B 2 B
.502		1602	105	1 B 1 B
.542		1602	106	2 B 2 B
.542		1602	107	2 B 2 B
.542		1602	108	2 B 2 B
.542		1602	201	2 B 2 B
.542		1602	202	2 B 2 B
.542		1602	203	2 B 2 B
.542		1602	204	2 B 2 B
.502		1602	205	1 B 1 B
.542		1602	206	2 B 2 B
.542		1602	207	2 B 2 B
.542		1602	208	2 B 2 B
.542		1602	301	2 B 2 B
.542		1602	302	2 B 2 B
.542		1602	303	2 B 2 B
.542		1602	304	2 B 2 B
.502		1602	305	1 B 1 B
.542		1602	306	2 B 2 B
.542		1602	307	2 B 2 B
.542		1602	308	2 B 2 B
.542		1602	401	2 B 2 B
.502		1602	402	1 B 1 B
.542		1602	403	2 B 2 B
.542		1602	404	2 B 2 B
.502		1602	405	1 B 1 B
.542		1602	406	2 B 2 B
.502		1602	407	1 B 1 B
.542		1602	408	2 B 2 B
.502		1604	101	1 B 1 B Studio
.502		1604	102	1 B 1 B Studio
.542		1604	201	2 B 1 1/2 B TH
.542		1604	202	2 B 1 1/2 B TH

## 38 Units

.572	2	1606	101	2 B 1 1/2 B TH w/Family Room
.542		1606	102	2 B 1 1/2 B TH
.542		1608	101	2 B 2 B
.542		1608	102	2 B 2 B
.542		1608	103	2 B 2 B
.542		1608	104	2 B 2 B
.502		1608	105	1 B 1 B
.542		1608	106	2 B 2 B
.542		1608	107	2 B 2 B
.542		1608	108	2 B 2 B
.542		1608	201	2 B 2 B
.542		1608	202	2 B 2 B
.542		1608	203	2 B 2 B
.542		1608	204	2 B 2 B
.502		1608	205	1 B 1 B
.542		1608	206	2 B 2 B
.542		1608	207	2 B 2 B
.542		1608	208	2 B 2 B
.542		1608	301	2 B 2 B
.542		1608	302	2 B 2 B
.542		1608	303	2 B 2 B
.542		1608	304	2 B 2 B
.502		1608	305	1 B 1 B
.542		1608	306	2 B 2 B
.542		1608	307	2 B 2 B
.542		1608	308	2 B 2 B
.542		1608	401	2 B 2 B

Percentage of Ownership	Bldg. No.	Address	Unit No.	Type
.502	2	1608	402	1 B 1 B
.542		1608	403	2 B 2 B
<del>.542</del>	<b>.793</b>	1608	404	2 B 2 B
<del>.502</del>		<del>1608</del>	<del>405</del>	<del>1 B 1 B</del>
<del>.542</del>	<b>.793</b>	1608	406	2 B 2 B
.502		1608	407	1 B 1 B
.542		1608	408	2 B 2 B
.502		1610	101	1 B 1 B Studio
.502		1610	102	1 B 1 B Studio
.542		1610	201	2 B 1 1/2 B TH
.542		1610	202	2 B 1 1/2 B TH

**37** Units

.502	3	1622	101	1 B 1 B Studio
.502		1622	102	1 B 1 B Studio
.542		1622	201	2 B 1 1/2 B TH
.542		1622	202	2 B 1 1/2 B TH
.542		1624	101	2 B 2 B
.542		1624	102	2 B 2 B
.542		1624	103	2 B 2 B
.502		1624	104	1 B 1 B
.542		1624	105	2 B 2 B
.542		1624	106	2 B 2 B
.542		1624	107	2 B 2 B
.542		1624	108	2 B 2 B
.542		1624	201	2 B 2 B
.542		1624	202	2 B 2 B
.542		1624	203	2 B 2 B
.502		1624	204	1 B 1 B
.542		1624	205	2 B 2 B
.542		1624	206	2 B 2 B
.542		1624	207	2 B 2 B
.542		1624	208	2 B 2 B
.542		1624	301	2 B 2 B
.542		1624	302	2 B 2 B
.542		1624	303	2 B 2 B
.502		1624	304	1 B 1 B
.542		1624	305	2 B 2 B
.542		1624	306	2 B 2 B
.542		1624	307	2 B 2 B
.542		1624	308	2 B 2 B
.542		1624	401	2 B 2 B
.502		1624	402	1 B 1 B
<del>.542</del>	<b>.793</b>	1624	403	2 B 2 B
<del>.502</del>		<del>1624</del>	<del>404</del>	<del>1 B 1 B</del>
<del>.542</del>	<b>.793</b>	1624	405	2 B 2 B
.542		1624	406	2 B 2 B
.502		1624	407	1 B 1 B
.542		1624	408	2 B 2 B
.542		1626	101	2 B 1 1/2 B TH
.542		1626	102	2 B 1 1/2 B TH

**37** Units

.502	4	1644	101	1 B 1 B
.502		1644	102	1 B 1 B
.502		1644	201	1 B 1 B
.502		1644	202	1 B 1 B
.542		1646	101	2 B 1 1/2 B TH
.542		1646	102	2 B 1 1/2 B TH
.542		1648	101	2 B 2 B
.542		1648	102	2 B 2 B
.542		1648	201	2 B 2 B
.542		1648	202	2 B 2 B
.502		1650	101	1 B 1 B
.502		1650	102	1 B 1 B
.502		1650	201	1 B 1 B
.502		1650	202	1 B 1 B

14 Units

Percentage of Ownership	Bldg. No.	Address	Unit No.	Type
.502	5	1612	101	1 B 1 B
.502		1612	102	1 B 1 B
.502		1612	201	1 B 1 B
.502		1612	202	1 B 1 B
.542		1614	101	2 B 1 1/2 B TH
.542		1614	102	2 B 1 1/2 B TH
.542		1616	101	2 B 2 B
.542		1616	102	2 B 2 B
.542		1616	201	2 B 2 B
.542		1616	202	2 B 2 B
.502		1618	101	1 B 1 B
.502		1618	102	1 B 1 B
.502		1618	201	1 B 1 B
.502		1618	<u>202</u>	1 B 1 B

14 Units

.576	6	1628	101	3 B 2 B
.542		1628	102	2 B 2 B
.542		1628	201	2 B 2 B
.576		1628	202	3 B 2 B
.502		1630	101	1 B 1 B
.542		1630	102	2 B 2 B
.576		1630	202	3 B 2 B
.542		1632	101	2 B 2 B
.542		1632	102	2 B 2 B
.542		1632	201	2 B 2 B
.542		1632	202	2 B 2 B
.542		1634	101	2 B 2 B
.542		1634	102	2 B 2 B
.542		1634	201	2 B 2 B
.542	1634	<u>202</u>	2 B 2 B	

15 Units

.542	7	1636	101	2 B 2 B
.542		1636	102	2 B 2 B
.542		1636	201	2 B 2 B
.576		1636	202	3 B 2 B
.502		1638	101	1 B 1 B
.542		1638	102	2 B 2 B
.576		1638	202	3 B 2 B
.542		1640	101	2 B 2 B
.542		1640	102	2 B 2 B
.542		1640	201	2 B 2 B
.542		1640	202	2 B 2 B
.542		1642	101	2 B 2 B
.576		1642	102	3 B 2 B
.542		1642	201	2 B 2 B
.542		1642	<u>202</u>	2 B 2 B

15 Units

.576	8	1652	101	3 B 2 B
.542		1652	102	2 B 2 B
.542		1652	201	2 B 2 B
.542		1652	202	2 B 2 B
.542		1654	101	2 B 2 B
.542		1654	102	2 B 2 B
.542		1654	201	2 B 2 B
.542		1654	202	2 B 2 B
.542		1656	101	2 B 2 B
.502		1656	102	1 B 1 B
.576		1656	201	3 B 2 B
.542		1658	101	2 B 2 B
.542		1658	102	2 B 2 B
.576		1658	201	3 B 2 B
.542		1658	<u>202</u>	2 B 2 B

15 Units