

Rec. 15.00



**TENTH AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR
HIDEAWAY BAY BEACH CLUB CONDOMINIUM**

FILE 831732 ON BOOK 1601 PAGE 699 RECORDED 03/11/98 9 02:43 PM
CHARLOTTE COUNTY, HANNAH T. SCOTT, CLERK FEE \$15.00

Whereas on the April 29, 1988, RADNOR GASPARILLA CORPORATION, a Delaware corporation ("the Developer") executed the Declaration of Condominium for HIDEAWAY BAY BEACH CLUB, A CONDOMINIUM ("The Declaration") which Declaration, including all exhibits attached thereto, was recorded April 29, 1988 in O.R. Book 972, Page 725 et seq., first amended April 19, 1990, in O.R. Book 1098 at Page 1855 et seq., second amended May 26, 1992 in O.R. Book 1218, Page 2179, et. seq., third amended December 4, 1992 in O.R. Book 1250, Page 1320, et. seq., fourth amended December 11, 1992 in O.R. Book 1251, Page 1778, et. seq., fifth amended December 7, 1993 in O.R. Book 1313, Page 1172, et. seq., sixth amended May 2, 1994 in O.R. Book 1344, Page 388, et. seq., corrective seventh amendment dated April 13, 1995 recorded at O.R. Book 1398, Page 1800, eighth amendment dated March 24, 1997 recorded at O.R. Book 1521, Page 835, and ninth amendment dated 3/31/98 recorded at O.R. Book 1601, Page 699, all of the Public Records of Charlotte County, Florida. In addition, the plat of HIDEAWAY BAY BEACH CLUB, A CONDOMINIUM was recorded in Condominium Plat Book 7, Pages 82 et seq., Public Records of Charlotte County, Florida ("the Plat"). The aforesaid Declaration and Plat submitted to condominium ownership the real property described therein; and

Whereas, Chapter 718, Florida Statutes and the Declaration permits the Developer to submit additional units to condominium ownership.

Whereas, the Developer desires to submit additional units to condominium by filing this Amendment to the aforesaid Declaration;

NOW, THEREFORE, the aforesaid Declaration is hereby amended by adding the following thereto:

1. The Developer for itself, its successors and grantees, pursuant to Chapter 718, Florida Statutes, declares and submits to condominium in fee simple Phase IX of HIDEAWAY BAY BEACH CLUB CONDOMINIUM as described on Exhibit "A" attached hereto and made a part hereof and the Condominium Plat recorded in Plat Book 7, Page 82 et seq. of the Public Records of Charlotte County, Florida, so that Phase IX shall share in the common elements of HIDEAWAY BAY BEACH CLUB CONDOMINIUM and it shall be subject to the

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terms, conditions, restrictions, reservations, easements, rights, duties and obligations of the Declaration and Plat of HIDEAWAY BAY BEACH CLUB CONDOMINIUM. Upon recordation of this Tenth Amendment to Declaration, as a result of submission of the Phase IX lands to condominium form of ownership, there will be one hundred-two (102) units in the condominium and each unit owner will own a 1/102nd share of the common elements as an appurtenance to his/her ownership of a condominium unit.

2. Phase IX shall contain ten (10) units in one two story building, numbered A1 through A10, inclusive, as more particularly described in the plat recorded in Condominium Plat Book 7, Page 82 as amended.

3. Except as modified hereby the Declaration establishing HIDEAWAY BAY BEACH CLUB, A CONDOMINIUM, including the Exhibits attached thereto and made a part thereof, shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer has executed this Amendment to the Declaration this ¹² 20 day of March 1998.

Witnesses:

[Handwritten signatures]
Cedric S. Gordon
Julie J. Harley
Julie J. Harley

HIDEAWAY BAY PROPERTIES, INC., a Florida corporation

By: *[Handwritten signature]*
C. Guy Batsel, President

STATE OF FLORIDA
COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this ²⁰ 20 day of March 1998, by C. GUY BATSEL, President of HIDEAWAY BAY PROPERTIES, INC., a Florida corporation, who is personally known to me.



Cedric S. Gordon
MY COMMISSION EXPIRES
October 3, 1998
SOCIETY TRUST BANK BUILDING, INC.

[Handwritten signature]
Notary Public
My Commission Expires:

10238a02

Return to:

THIS INSTRUMENT WAS PREPARED BY
C. GUY BATSEL
BATSEL, MCKINLEY & ITTERSAGEN P.A.
ATTORNEYS AT LAW
1881 FLORIDA RD., STE. 204
ENGLIWOOD, FL 34223

EXHIBIT "A"

PHASE IX

Commence at the Northeast corner of Lot 1 of GASPAR'S HIDEAWAY UNIT ONE, as recorded in Plat Book 15, Page 2, Public Records of Charlotte County, Florida, said point lying on the South line of Tract 7 of GASPARILLA Estates Subdivision, as recorded in Plat Book 2, Page 94, Public Records of Charlotte County, Florida; thence run North $61^{\circ}40'25''$ East along said South line of Tract 7, 948.63 feet; thence leaving said South line, run North $28^{\circ}19'35''$ West, 25 feet to the Point of Beginning of Phase IX; thence North $61^{\circ}40'25''$ East, 171.74 feet to the Point of Curvature of a curve to the left; thence run in a general Northeastwardly direction, along the arc of said curve, having a radius of 190 feet and a central angle of $20^{\circ}10'25''$, 66.90 feet; thence run North $48^{\circ}30'00''$ West along a radial line, 95.70 feet; thence South $61^{\circ}40'25''$ West, 174.60 feet; thence South $12^{\circ}02'10''$ East, 105.73 feet to the Point of Beginning.

