

Rec'd 1/17/96

**ELEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR
HIDEAWAY BAY BEACH CLUB, A CONDOMINIUM**

RECITALS:

On April 29, 1988, RADNORGASPARILLA 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 28, 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 18, 1994 in O.R. Book 1344, Page 388, et. seq., corrective seventh amended April 25, 1995 in O.R. Book 1398, Page 1800, eighth amended March 25, 1997 in O.R. Book 1521, Page 835, ninth amended March 31, 1998 in O.R. Book 1601, Page 696 and tenth amended March 31, 1998 in O.R. Book 1601, Page 699, all of the Public Records of Charlotte County, Florida (the "Declaration"). 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 Declaration and Plat submitted to condominium ownership the real property described therein; and

Chapter 718, Florida Statutes and the Declaration permit the Developer and the Association to submit additional lands to condominium ownership, and

The Developer and Association desire to submit additional lands 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, dedicates and submits as a common element in fee simple the lands proposed as Phase VIII 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 the lands constitute a common element of HIDEAWAY BAY BEACH CLUB, A CONDOMINIUM, and shall be subject to the terms, conditions, restrictions, reservations, easements, rights, duties and obligations of the Declaration and Plat of HIDEAWAY BAY BEACH CLUB CONDOMINIUM.

2. Phase VIII was the last phase that had not been submitted to condominium ownership. Given the developer's decision to forego construction of units on Phase VIII, and the agreement between the developer and the Association that the lands proposed as Phase VIII would instead be submitted as common elements, Phase VIII shall not be submitted to condominium use. As a result, there shall be 102 condominium units in Hideaway Bay Beach Club, a Condominium, with the percentage share of common expense, and proportionate ownership interest in common elements and common surplus, established as set forth in the Tenth Amendment.

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.

FILE 618114 OR BOOK 1573 PAGE 1570 RECORDED 01/22/99 @ 04:19 PM
CHARLOTTE COUNTY, BARBARA T. SCOTT, CLERK FEE \$ 415.00

Return to
40 → O. Greg Cabell, Esq.
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ENGLEWOOD, FL 34223

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

HIDEAWAY BAY PROPERTIES, INC.

BY: [Signature]
C. Guy Batzel, President

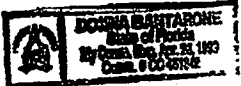
[Signature]
Witness Signature
William Scitacene
Printed Name

[Signature]
Witness Signature
STEVE REBECK
Printed Name

STATE OF FLORIDA
COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 12th day of July, 1998 by C. Guy Batzel, as President of HIDEAWAY BAY PROPERTIES, INC., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced n/a as identification. If no type of identification is indicated, the above-named person is personally known to me.

[Signature]
Notary Public
Printed Name William Scitacene
State of Florida
My Commission Expires _____



OR BOOK 1767 PAGE 1443



JOINDER AND CONSENT OF ASSOCIATION

The undersigned officers of Hideaway Bay Beach Club Condominium Association, Inc., a Florida not-for-profit corporation in charge of the operation and control of Hideaway Bay Beach Club Condominium, according to the Declaration of Condominium thereof as recorded in O.R. Book 872, page 725, et seq., Public Records of Charlotte County, Florida, as amended, hereby certify that the Eleventh Amendment to the Declaration of Condominium for Hideaway Bay Beach Club, a Condominium, was approved by not less than fifty-one percent of the entire membership of the Association on May 23, 1998. Pursuant to Section 718.110(6), Florida Statutes, the Association joins in and consents to the enlargement of the common elements of the condominium by the addition of the lands formerly proposed as Phase VIII of the condominium as additional common elements. Title to the lands added to common elements under the Declaration shall be vested in the unit owners of the condominium as part of the common elements in the same proportion as the undivided shares in the common elements that are appurtenant to the unit owned by them.

HIDEAWAY BAY BEACH CLUB
CONDOMINIUM ASSOCIATION, INC.

BY: Dr. Matt Fox
Dr. Matt Fox, President

M. D. Wright
Witness Signature

M. D. Wright
Printed Name

Colman M. Lowe
Witness Signature

MARLEEN M. LOWE
Printed Name

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me this 2 day of JULY, 1998 by Dr. Matt Fox, as President of HIDEAWAY BAY BEACH CLUB CONDOMINIUM ASSOCIATION, INC., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced Allison Brehl as identification. If no type of identification is indicated, the above-named person is personally known to me.

Allison Brehl
Notary Public
Printed Name Allison Brehl
State of Florida
My Commission Expires _____

Allison Brehl
My Commission 0086696
Expires August 03, 2001

OR BOOK 1767 PAGE 1444

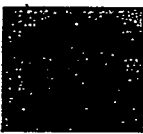


EXHIBIT "A"

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 VIII; thence North $12^{\circ}02'10''$ West, 105.73 feet; thence South $61^{\circ}40'25''$ West, 190.29 feet; thence South $12^{\circ}02'10''$ East, 105.73 feet; thence North $61^{\circ}40'25''$ East, 190.29 feet to the Point of Beginning.