

This instrument prepared by:

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Naples, FL 34103  
(239) 649-6555

AMENDMENT TO  
DECLARATION OF CONDOMINIUM  
OF  
BEACH COLONY EAST, A CONDOMINIUM

Pursuant to Section 15.2B of the Declaration of Condominium of Beach Colony East, a Condominium, Perdido Beach Development Corporation, a Florida corporation, (hereinafter referred to as "Developer"), hereby affirms that Developer still owns at least one Unit and hereby amends that certain Declaration of Condominium of Beach Colony East as recorded in Official Records Book 5550, page 193, Public Records of Escambia County, Florida, as follows:


Article III Section 3.6 entitled LIMITED COMMON ELEMENTS, second paragraph is amended as follows:

The Ground Floor Building Plan shall contain three areas which are Limited Common Areas to be subdivided by the Developer and assigned by the Developer for the exclusive use of the certain Units the owners and their guests and invitees. The Developer retains the right to assign portions of these three areas as Limited Common Elements even after all Units have been conveyed by Developer. The right to assign portions of these areas as Limited Common Elements includes the right of the Developer to receive valuable consideration for any assignment. The Developer may subdivide this space for use as cabanas or storage areas/rooms or any combination thereof in Developer's sole discretion, and it is estimated that a maximum of fourteen (14) cabanas and fourteen (14) storage areas may be developed in these three areas. The above facilities constitute Limited Common Elements and, as such, are reserved for the use of the Unit appurtenant thereto, to the exclusion of other Units, and there shall pass with each Unit as appurtenant thereto the exclusive right to use the Limited Common Elements so appurtenant. The right to utilize previously, assigned storage areas, and assigned cabanas may be transferred between units by a written instrument of conveyance in a form which shall be agreed upon by the transferor and transferee. The original instrument conveyance shall be given to the Association and shall become a part of the official records of the Association. Maintenance and repair of the interior of the cabanas and storage areas shall be the responsibility of the Unit Owner of the Unit to which the Limited Common Element is an appurtenance. Until assigned by the Developer to a Unit Owner these Limited Common Areas, and unassigned cabanas and storage areas shall be maintained and repaired by the Developer. If the storage areas and cabanas are separately metered for electricity, then the costs of some shall be borne by the Developer until the storage areas and cabanas have been assigned to Unit Owners and thereafter by the Unit Owners of Units to which these storage areas and cabanas are assigned.

IN WITNESS WHEREOF, the Developer, has caused these presents to be executed by its authorized agent, this 28<sup>th</sup> day of December, 2005.

Signed, sealed and delivered  
in the presence of:

  
Print Name: SHARON DOLINSKY

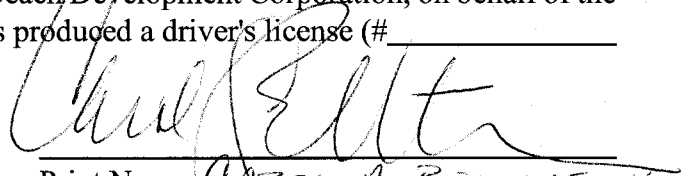
  
Print Name: Carlos Aleman

PERDIDO BEACH DEVELOPMENT  
CORPORATION, a Florida corporation

By:   
George O. Rethati, Vice President

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was acknowledged before me this <sup>17<sup>th</sup></sup> ~~20~~ day of December, 2005,  
by George O. Rethati, Vice President of Perdido Beach Development Corporation, on behalf of the  
corporation. He is personally known to me or has produced a driver's license (# \_\_\_\_\_  
\_\_\_\_\_) as identification and did take an oath.



CAROL A. BELLANTONI  
MY COMMISSION # DD 398329  
EXPIRES: June 20, 2009  
Bonded Thru Budget Notary Services

Print Name: CAROL A. BELLANTONI  
Notary Public  
Commission No. DD 398329  
My Commission Expires: 6-20-09

(SEAL)