

PREPARED BY AND TO BE RETURNED TO:

Robert S. Freedman, Esquire
Carlton, Fields, Ward, Emmanuel,
Smith & Cutler, P.A.
Post Office Box 3239
Tampa, Florida 33601

**FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM FOR
FAIRWAY OAKS CONDOMINIUM**

WHEREAS, the Declaration of Condominium for Fairway Oaks Condominium (the "Declaration") was recorded on April 25, 1995, in Official Records Book 1458, Page 1093, and the condominium drawings for Phase I, the only property submitted to condominium ownership under the Declaration, were recorded in Condominium Book 28, Page 89, all of the public records of Manatee County, Florida; and

WHEREAS, Section 3 of the Declaration allows FRU-CON OCEAN GOLF PARK, LTD., a Florida limited partnership (the "Developer"), without joinder by others, to amend the Declaration to submit additional phases of Fairway Oaks Condominium to condominium ownership.

NOW, THEREFORE, the Developer, for itself and its successors, grantees and assigns, hereby makes, declares and publishes its intention to submit and does hereby submit the real property described herein to condominium ownership and use in accordance with Chapter 718 of the Florida Statutes, as follows:

The real property submitted to condominium ownership and use includes the lands lying and being situated in Manatee County, Florida, designated and described as Phases II and III on Exhibit 1 attached hereto and made a part hereof, of which the condominium drawings are recorded in Condominium Book 28, Page 108, of the public records of Manatee County, Florida, together with all improvements from time to time erected or installed thereon.

The real property described above shall be subject to all of the terms, provisions, conditions and easements contained in the Declaration.

In accordance with the formula set forth in Section 5 of the Declaration, each unit in Fairway Oaks Condominium, as amended, shall have appurtenant to it a 1/36th undivided share of the common elements.

BK 1458 PG 2568
DKT# 012275
1 of 9

in

IN WITNESS WHEREOF, this instrument was executed by the undersigned this 6th day of APRIL, 1995.

WITNESSES:

FRU-CON OCEAN GOLF PARK, LTD., a Florida limited partnership, by its sole general partner, The Fru-Con Projects, Inc., a Florida corporation, formerly known as Fru-Con Ocean Golf Park Corporation

Mary C. Stern
Name: MARY C. STEIN

By: [Signature]
Name: A. A. ZEHNER
Title: VICE PRESIDENT

Cheri A. Lyne
Name: Cheri C. Lyne

Attest: [Signature]
Name: PEGGY H. MORRIS
Title: SECRETARY

STATE OF MISSOURI
COUNTY OF ST. LOUIS

The foregoing instrument was acknowledged before me this 6th day of APRIL, 1995, by A. A. Zehner and Peggy H. Morris, as Vice President and Secretary, respectively, of The Fru-Con Projects, Inc., a Florida corporation, formerly known as Fru-Con Ocean Golf Park Corporation, the sole general partner of FRU-CON OCEAN GOLF PARK, LTD., a Florida limited partnership, the Developer of Fairway Oaks Condominium. They either are personally known to me or have produced _____ as identification.

My Commission Expires:

(AFFIX NOTARY SEAL)

[Signature]
(Signature)
Name: Kathleen A. Hoffman
(Legibly Printed)
Notary Public, State of Missouri
N/A
(Commission Number, if any)

KATHLEEN A HOFFMAN
NOTARY PUBLIC STATE OF MISSOURI
ST. LOUIS COUNTY
MY COMMISSION EXP JUNE 23, 1996

BK 1459 PG 2589 2 of 9

**JOINER AND CONSENT TO FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM FOR FAIRWAY OAKS CONDOMINIUM**

LEONARD R. RUZICKA, JR., AS TRUSTEE OF THE B + B LAND TRUST, a Florida land trust, the holder of a mortgage dated the 8th day of April, 1992, and recorded in Official Record Book 1380, Page 1246, of the public records of Manatee County, Florida, as has been or may be amended from time to time ("Mortgage"), which Mortgage encumbers the real property described in Exhibit 1 to the First Amendment to Declaration of Condominium for Fairway Oaks Condominium, hereby consents to the recording of said First Amendment subjecting the property described therein to condominium ownership and use.

DATE: 4/6, 1995

WITNESSES:

Mary C. Stein
Name: MARY C. STEIN

Leonard R. Ruzicka, Jr.
**LEONARD R. RUZICKA, JR., AS TRUSTEE
OF THE B + B LAND TRUST, a Florida land
trust**

Cheri G. Lyne
Name: Cheri G. Lyne

STATE OF Missouri
COUNTY OF St. Louis

The foregoing instrument was acknowledged before me this 6th day of April, 1995, by Leonard R. Ruzicka, Jr., as Trustee of The B + B Land Trust, a Florida land trust. He is personally known to me or has produced _____ as identification.

My Commission Expires:

(AFFIX NOTARY SEAL)

Kathleen A. Hoffman
(Signature)

Name: Kathleen A. Hoffman
(Legibly Printed)

Notary Public, State of Missouri

N/A
(Commission Number, if any)

KATHLEEN A HOFFMAN
NOTARY PUBLIC STATE OF MISSOURI
ST LOUIS COUNTY
MY COMMISSION EXP JUNE 23,1996

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FAIRWAY OAKS CONDOMINIUM
SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA

CONDOMINIUM BOOK 28 PAGE 108
 SHEET NO. 1 OF 6 SHEETS

- GENERAL NOTES:
- ELEVATIONS SHOWN HEREON ARE BASED ON THE GEOPLO vertical datum (MVD) OF 1929, BASED ON A BENCHMARK MARKED CROSS BARK STAMPED 353, 1985 ELEVATION = 232.74
 - BENCHMARK ARE BASED ON AN ASSUMED MEROUWY OF S.0023°38' W. FOR THE EAST LINE OF SECTION 10.
 - PROPOSED DIMENSIONS HAVE BEEN TAKEN FROM ARCHITECTURAL PLANS AND DO NOT REPRESENT CONSTRUCTED IMPROVEMENTS.
 - SHEET 2 OF THIS PLAN IS A CORRECT REPRESENTATION OF A BOUNDARY SURVEY OF THE LANDS DESCRIBED HEREON AS FARNAY OAKS CONDOMINIUM AND MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN CHAPTER 61 017-6 OF THE FLORIDA ADMINISTRATIVE CODE.

- DESCRIPTION OF COMMON ELEMENTS:
 - The land encompassed by the property description which is not in the unit boundary or
 - All part of the limited common elements.
 - All part of the common elements not included within this unit.
 - The property and installations for furnishing utility service to more than one unit or to the common elements.
 - The tangible personal property required for maintenance and operation of the condominium property.
 - Such other property as may be provided for in the Declaration of Condominium.

B. DESCRIPTION OF LIMITED COMMON ELEMENTS:

Limited common elements shall include a five (5) foot perimeter ground each cluster of connected units. The ground within the perimeter shall be common elements shown on the drawing. Limited common elements shall terminate at and shall not extend into the common elements.

- An easement is hereby granted and reserved upon and applicable to all common elements and limited common elements and other property described herein for the construction, use and maintenance of all utilities whether public or private (including cable television), for or associated with the maintenance, repair and operation of the condominium property and adjacent thereto, and the installation, operation and use of such utilities, for the construction, maintenance and operation of the parking and other parking areas, for the construction, maintenance and operation of the playground for the condominium to which the drawings refer.
- All improvements shown are proposed except to the extent such improvements have been certified as being substantially complete.

CERTIFICATE OF SURVEYOR

THE UNDERSIGNED, BEING A PROFESSIONAL LAND SURVEYOR AUTHORIZED TO PRACTICE IN THE STATE OF FLORIDA, PURSUANT TO SECTION 718 (4) (1) (E), FLORIDA STATUTES, HEREBY CERTIFIES THAT THE CONSTRUCTION OF THE IMPROVEMENTS COMPRISING OF FARNAY OAKS CONDOMINIUM IS NOT SUBSTANTIALLY COMPLETE SO THAT THIS EXHIBIT TO THE DECLARATION OF CONDOMINIUM DESCRIBING THE PROPERTY AND COMMON ELEMENTS, IS AN ACCURATE REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT CAN BE DETERMINED FROM THESE MATERIALS, ALSO THAT THE BOUNDARY SURVEY AS SHOWN ON SHEET 2 OF 6 IS AN ACCURATE DERIVATION OF LANDS SURVEYED AS PER THE REQUIREMENTS OF CHAPTER 61 017-6 FLORIDA ADMINISTRATIVE CODE.

KENNETH R. PALMER
 FLORIDA LICENSE NO. 4861
 DATE OF SURVEY: 12-27-94

Kenneth R. Palmer 05/05/1995



21ST STREET WEST

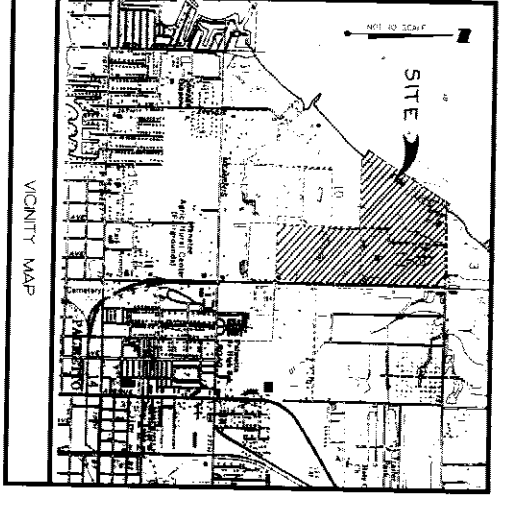
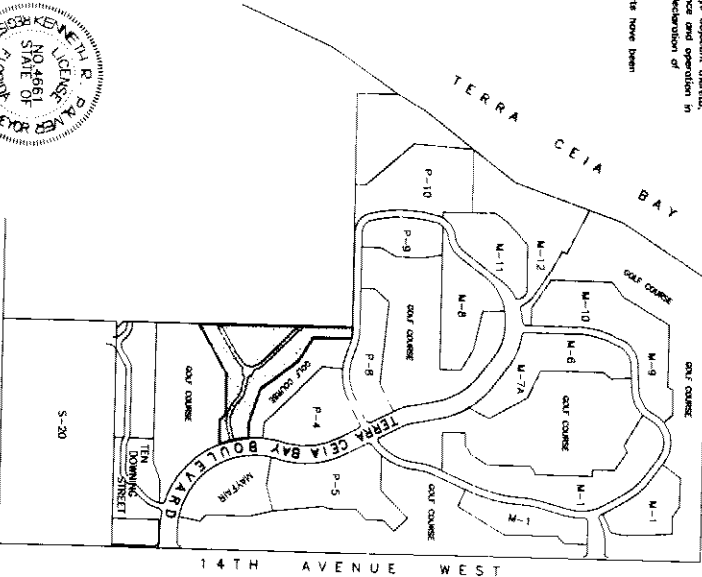


Exhibit "1"

DECLARATION OF ACCESS AND USE AND GRANT OF EASEMENT

A NON-EXCLUSIVE EASEMENT FOR ACCESS AND THROUGH ACCESS OVER AND UPON THE UNIMPROVED OPEN AREA, PARK DRIVE, 1457 OAKS, 1557 OAKS, 2011 OAKS AND WALKWAYS AS RECORDED IN OFFICIAL RECORDS BOOK 1457 PAGE 2008, 1457 OAKS, 1557 OAKS AND WALKWAYS AS RECORDED IN OFFICIAL RECORDS BOOK 1457 PAGE 2008, 2011 OAKS AS RECORDED IN OFFICIAL RECORDS OF MANATEE COUNTY, FLORIDA.

DECLARATION OF EASEMENTS

CERTAIN NON-EXCLUSIVE EASEMENTS OVER, UNDER AND THROUGH THESE PORTIONS OF THE CONDOMINIUM FROM SERVICE CONNECTIONS OF PROVIDING SEWER SERVICES AND DRINKAGE WATER SERVICES AND OTHER UTILITIES AND SERVICES TO THE UNITS AND DRIVEWAYS AND ALLEYS AND DRIVEWAYS AS RECORDED IN OFFICIAL RECORDS OF MANATEE COUNTY, FLORIDA, 1457 OAKS, 1557 OAKS, 2011 OAKS AS RECORDED IN OFFICIAL RECORDS OF MANATEE COUNTY, FLORIDA.

GOLF CART PATH EASEMENT AGREEMENT

CERTAIN NON-EXCLUSIVE EASEMENTS OVER, UNDER AND THROUGH A PORTION OF THE CONDOMINIUM PROPERTY FOR THE PURPOSE OF PROVIDING A GOLF CART PATH TO PROVIDE DESTINATION AND SERVICE TO THE UNITS AND DRIVEWAYS AS RECORDED IN OFFICIAL RECORDS OF MANATEE COUNTY, FLORIDA, 1457 OAKS, 1557 OAKS, 2011 OAKS AS RECORDED IN OFFICIAL RECORDS OF MANATEE COUNTY, FLORIDA.

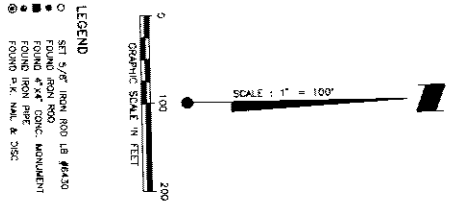


HOSTETTLER AND ASSOCIATES, P.A.

REGISTERED PROFESSIONAL ENGINEER AND SURVEYOR PROJECT MANAGER - LAND PLANNING
 800 766-9990 - FAX 202-0080

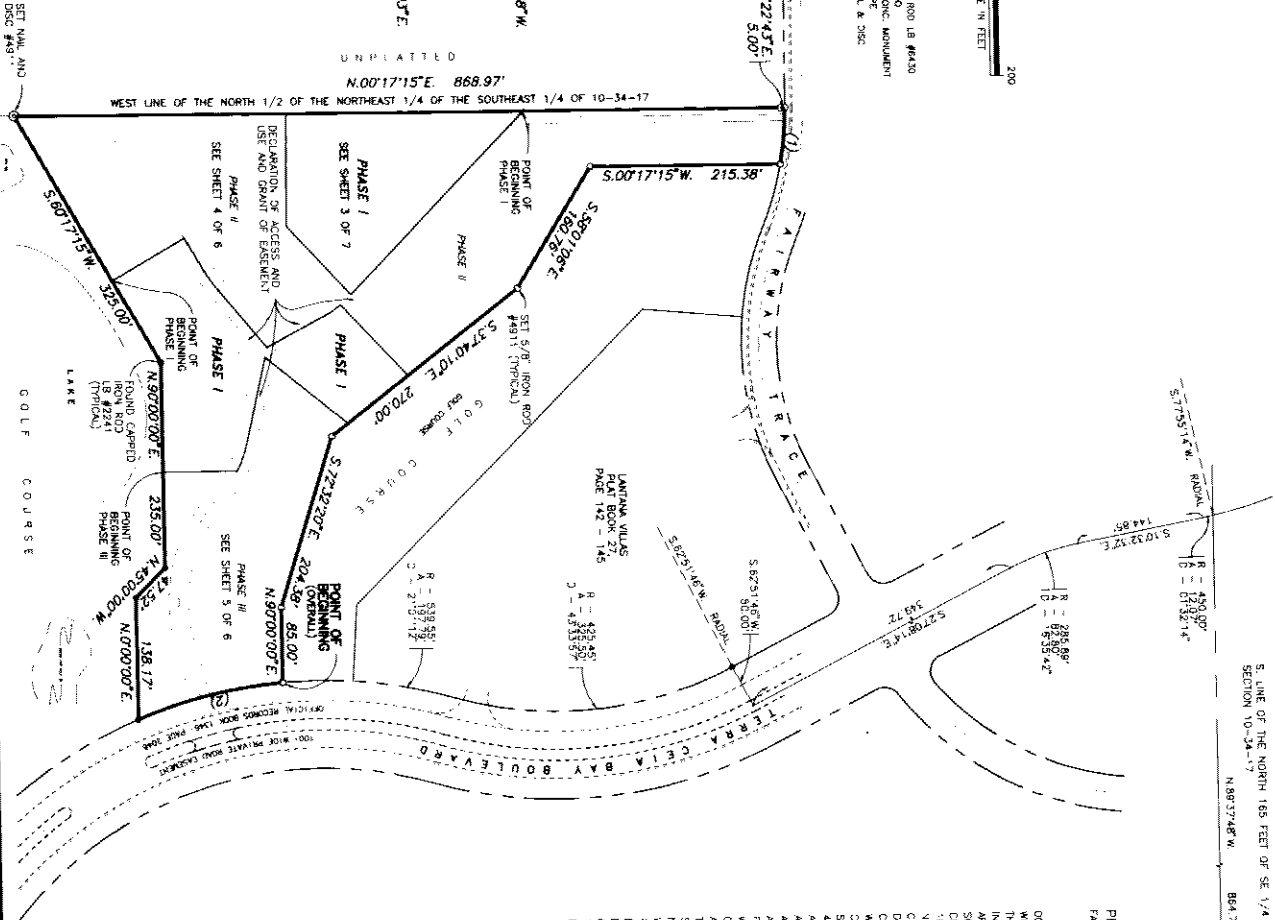
FAIRWAY OAKS CONDOMINIUM

A CONDOMINIUM IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA

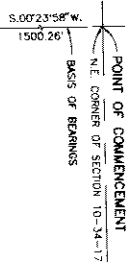


Curve Number 1
 Radius = 353.00'
 Delta = 170.00'
 Arc = 170.00'
 Tangent = 85.71'
 Chord = 85.71'
 Chord Brg. = S.1736.03° E.

Curve Number 2
 Radius = 539.55'
 Delta = 180.00'
 Arc = 180.00'
 Tangent = 85.71'
 Chord = 85.71'
 Chord Brg. = S.1736.03° E.



5. LINE OF THE NORTH 1/4 SECTION 10, TWP. 34S., R. 17E., THENCE S 00°23'58\"/>



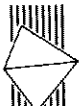
PROPERTY DESCRIPTION:
 PARCEL OAKS CONDOMINIUM PHASES I, II AND III

COMMENCE AT THE NORTHEAST CORNER OF SECTION 10, TWP. 34S., R. 17E., THENCE S 00°23'58\"/>

NOTES:

1. SHEET 2 OF THIS PLAN IS A CORRECT REPRESENTATION OF A BOUNDARY SURVEY OF THE LANDS DESCRIBED WITHIN THE CHINA STANDARDS SET OF COURSE N. 61° 7' 6\"/>

BOUNDARY SURVEY & PHASING PLAN



HOSTETLER AND ASSOCIATES, P.A.
 PROFESSIONAL ENGINEERS - LAND SURVEYORS - PROJECT MANAGERS - LAND PLANNERS
 800 N. GULF BLVD., SUITE 1000, TAMPA, FLORIDA 33602
 TEL: 813-288-8800 FAX: 813-288-8801

FAIRWAY PARKS CONDOMINIUM PHASE I

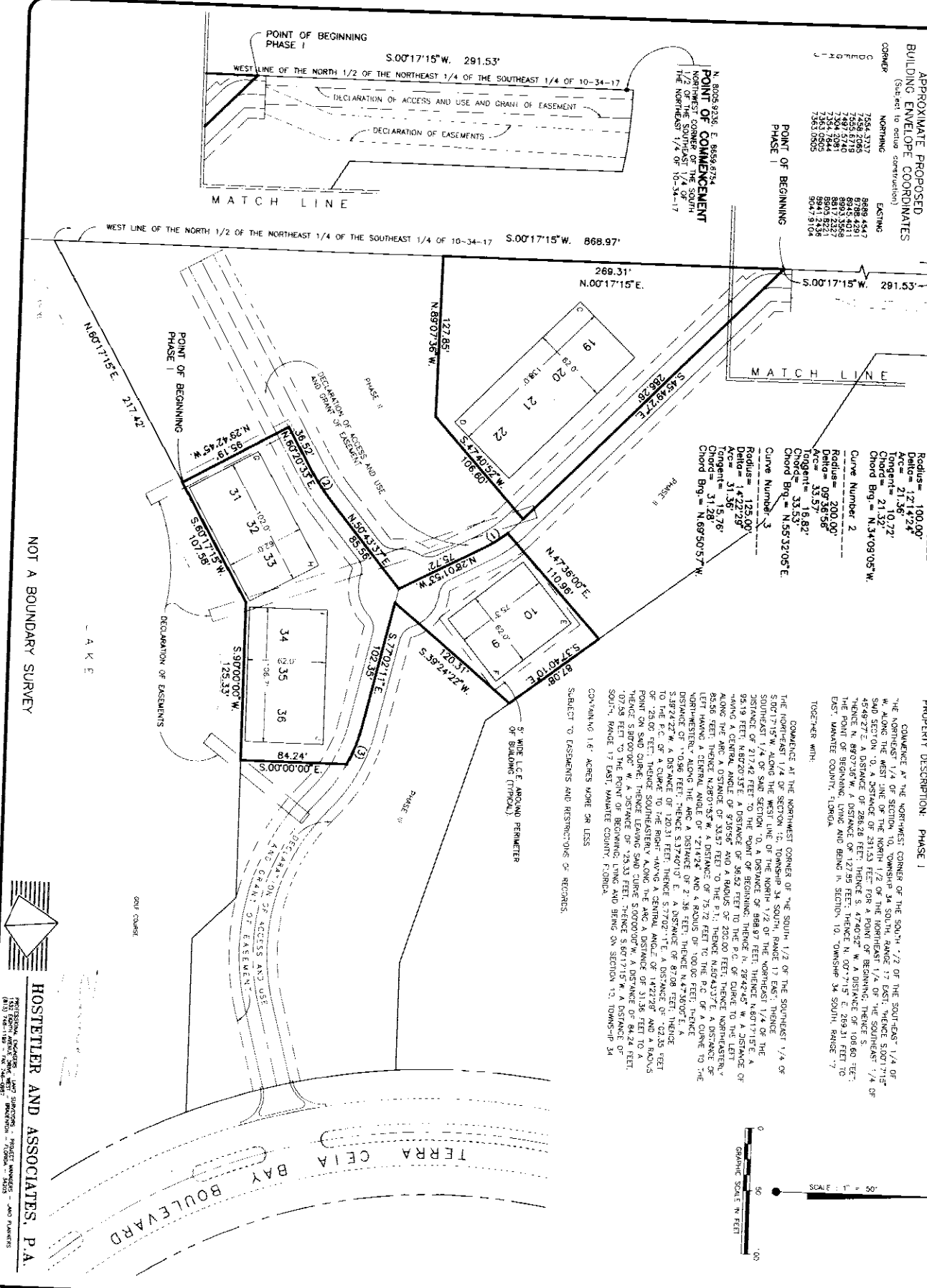
A CONDOMINIUM IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA

CONDOMINIUM BOOK 28 PAGE 110
SHEET No. 3 OF 6 SHEETS

APPROXIMATE PROPOSED BUILDING ENVELOPE COORDINATES

(Subject to actual construction)

CORNER	NORTHING	EASTING
1	7584.3377	6989.4547
2	7488.2065	6798.4591
3	7488.2065	6945.4611
4	7488.2065	8817.2359
5	7304.3081	8809.6822
6	7281.0544	8847.5194
7	7281.0544	8647.5194
8	7583.0505	



Curve Number 1
Radius = 100.00'
Delta = 21.32°
Chord Brg. = N.13°09'05\"

Curve Number 2
Radius = 200.00'
Delta = 09°36'58\"

Curve Number 3
Radius = 125.00'
Delta = 11°32'28\"

Chord Brg. = N.89°50'57\"

PROPERTY DESCRIPTION: PHASE I

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, THENCE S.00°17'15\"

THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, THENCE S.00°17'15\"

ALONG THE WEST LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, THENCE N.60°17'15\"

217.42 FEET TO THE POINT OF BEGINNING OF PHASE I, THENCE N.60°17'15\"

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CONTAINING 1.6 ACRES MORE OR LESS
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORDS.

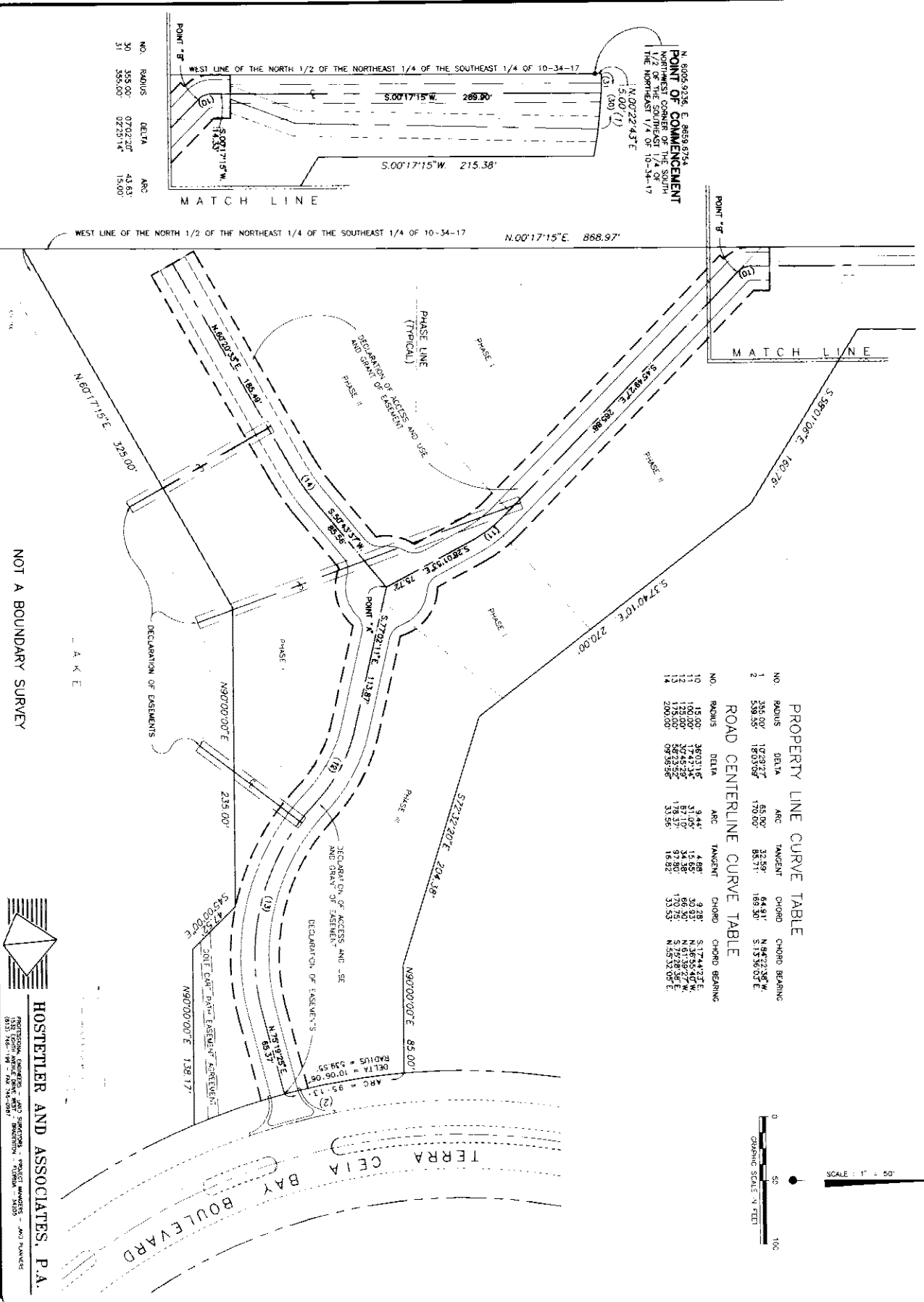
HOSTETLER AND ASSOCIATES, P.A.
PROFESSIONAL ENGINEER AND SURVEYOR
NO. 1018
1000 EAST BAY AVENUE, SUITE 200
TERRA CEIA, FLORIDA 34626
(888) 999-9999

NOT A BOUNDARY SURVEY



FAIRWAY OAKS CONDOMINIUM
 A CONDOMINIUM IN SECTION 10, TOWNSHIP 34
 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA

CONDOMINIUM BOOK 28 PAGE 113
 S.E.E. 10, 6 OF 3 S.E.E. 10



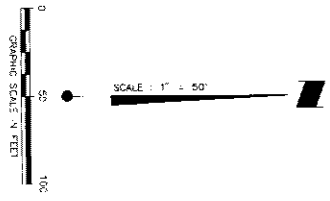
NO.	RADIUS	DELTA	ARC
30	358.00'	07:02:20"	43.63'
31	358.00'	02:29:14"	15.00'

PROPERTY LINE CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	358.00'	18:03:09"	58.90'	13.50'	64.91'	N 84°23'38" W
2	358.00'	18:03:09"	170.00'	85.71'	168.30'	S 1°35'05" E

ROAD CENTERLINE CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
10	15.00'	36:03:16"	9.44'	4.88'	9.28'	S 17°43'37" E
11	100.00'	17:42:34"	31.05'	15.65'	30.93'	N 85°50'40" W
12	175.00'	10:06:06"	17.53'	8.78'	17.02'	S 72°28'56" E
13	135.00'	26:23:52"	17.53'	8.78'	17.02'	N 55°32'05" E
14	200.00'	09:58:58"	33.56'	16.82'	33.53'	N 55°32'05" E



NOT A BOUNDARY SURVEY

HOSTETLER AND ASSOCIATES, P.A.
 PROFESSIONAL ENGINEERS - CIVIL SURVEYORS - REGISTERED MEMBERS - FLS 1000
 1315 TOWN CENTER DRIVE, SUITE 200, WINTER HAVEN, FLORIDA 33880
 (813) 939-9999 FAX (813) 939-9990