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This instrument was prepared by:
Curtis R. Mosley, Esquire
Mosley & Wallis, P.A.
1220 East New Haven Avenue
P.O. Box 1210
Melbourne, FL 32902-1210

**FIFTH AMENDMENT TO DECLARATION OF
CONDOMINIUM OF ISLAND POINTE, A CONDOMINIUM**

TOWNE DEVELOPMENT OF ISLAND POINTE, INC., a Florida corporation ("Developer"), pursuant to the authority reserved in Article XIII of the Declaration of Condominium establishing ISLAND POINTE, A CONDOMINIUM, as recorded in Official Records Book 5374, Pages 2577 through 2667, as re-recorded in that certain Amended and Restated Declaration of Condominium as recorded in Official Records Book 5388, Pages 2563 through 2565, as amended by Amendment to Declaration of Condominium as recorded in Official Records Book 5438, Page 1365, and as amended by Restated Amendment to Declaration of Condominium as recorded in Official Records Book 5482, Page 5208, as amended by Second Amendment to Declaration of Condominium as recorded in Official Records Book 5482, Page 5232, as amended by Third Amendment to Declaration of Condominium as recorded in Official Records Book 5685, Page 2501, and as amended by Fourth Amendment to Declaration of Condominium as recorded in Official Records Book 5557, Page 3024, all of the Public Records of Brevard County, Florida (the "Declaration"), and the Florida Condominium Act, hereby amends the Declaration as follows to wit:


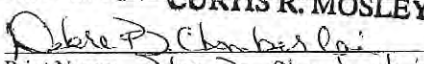
1. Delete Sheets 7 through 12, inclusive, of Exhibit "F" to the Declaration as recorded in Official Records Book 5482, Page 5244 through 5249, inclusive, in their entirety and substitute revised Sheets 7 through 12, inclusive, of Exhibit "F" attached hereto and made a part hereof therefor.
2. The Affidavit of the Surveyor as to the Scrivener's error in the legal description required by the Declaration and the Florida Condominium Act is attached hereto as Exhibit "B" and made a part hereof.

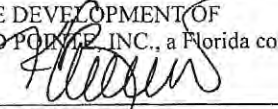
All other terms, provisions and conditions of the Declaration shall remain in full force and effect and unchanged except as set forth herein.

IN WITNESS WHEREOF, the above-stated Developer has caused these presents to be signed and sealed on this 18 day of MARCH, 2010.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:



DEVELOPER:


 Print Name: CURTIS R. MOSLEY

 Print Name: Debra P. Chamberlain

TOWNE DEVELOPMENT OF
ISLAND POINTE, INC., a Florida corporation
 BY: 
 Kohn Bennett, Vice President

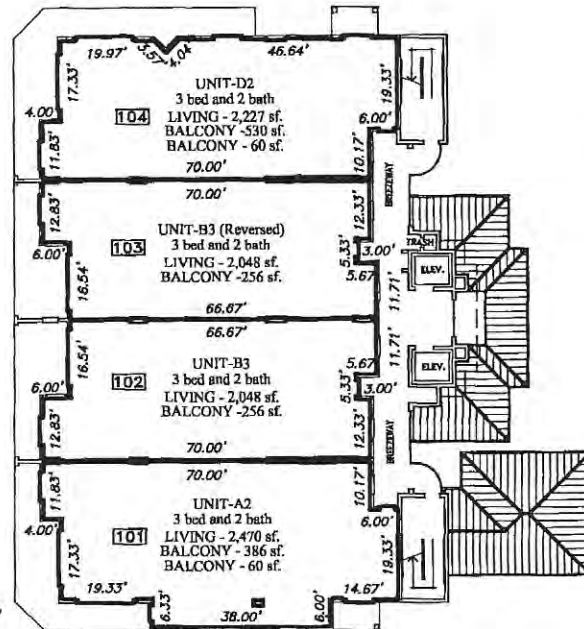
STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 18 day of MARCH, 2010, by Kohn Bennett, Vice President of Towne Development of Island Pointe, Inc., a Florida corporation, on behalf of the corporation, who is personally known to me or produced as identification.


 NOTARY PUBLIC
 My Commission Expires Dec 27, 2010

 CURTIS R. MOSLEY
 Notary Public - State of Florida
 My Commission Expires Dec 27, 2010
 Commission # DD 606703
 Bonded Through National Notary Assn.

ISLAND POINTE, A CONDOMINIUM PHASE 1C

BUILDING 1C - SECOND FLOOR PLAN



SCALE: 1"=30'

SURVEYOR'S NOTES:

1. The finished second floor elevation is 17.12 feet.
2. The finished ceiling elevation is 25.84 feet.
3. ——— Indicates the limits of the units.
4. [101] Indicates the unit number designation.
5. All areas and improvements exclusive of the units are common elements of the condominium.
6. The elevations shown are based on National Geodetic Vertical Datum of 1929.
7. The exterior walkways are common elements limited for the use of the adjacent unit.
8. See sheets 13 through 15 for typical unit plans.
9. The floor plan was prepared by MRI Architectural Group Inc., 3000 North Atlantic Avenue, Cocoa Beach, Florida. This drawing was modified for this exhibit.
10. The unit square foot areas were provided by MRI Architectural Group Inc.

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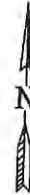
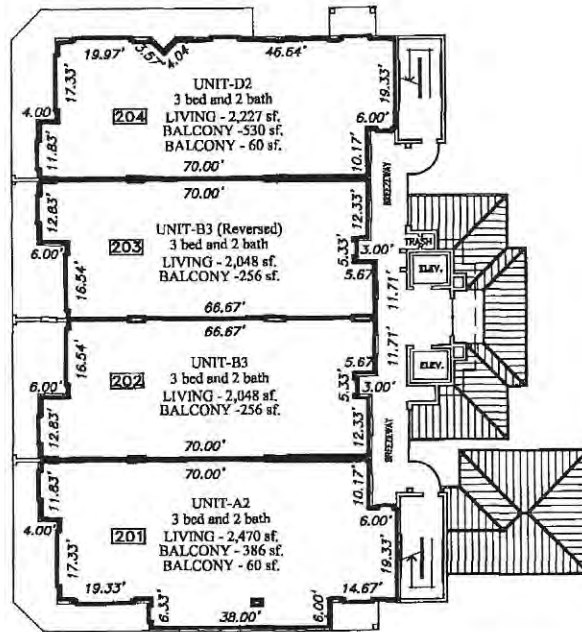
ALLEN ENGINEERING INC.
106 DIXIE LANE
COCOA BEACH FLORIDA
MARCH 24, 2005
REVISED APRIL 12, 2010

EXHIBIT "F"

SHEET 7 OF 15

ISLAND POINTE, A CONDOMINIUM PHASE 1C

BUILDING 1C - THIRD FLOOR PLAN



SCALE: 1"=30'

SURVEYOR'S NOTES:

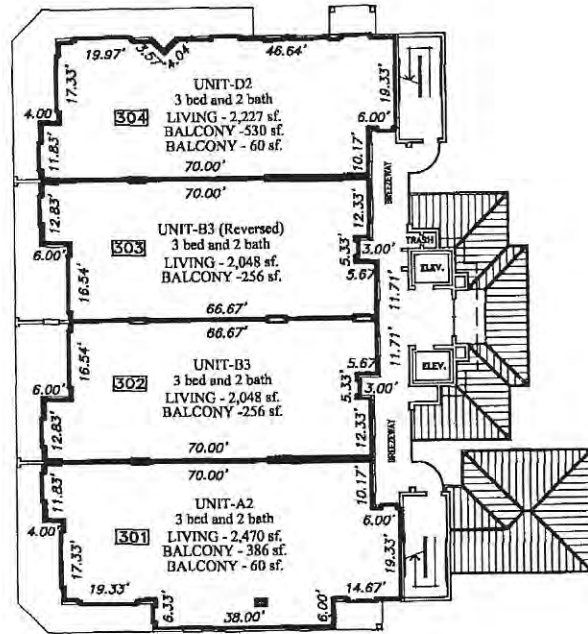
1. The finished third floor elevation is 26.42 feet.
2. The finished ceiling elevation is 35.11 feet.
3. ——— Indicates the limits of the units.
4. 201 Indicates the unit number designation.
5. All areas and improvements exclusive of the units are common elements of the condominium.
6. The elevations shown are based on National Geodetic Vertical Datum of 1929.
7. The exterior walkways are common elements limited for the use of the adjacent unit.
8. See sheets 13 through 15 for typical unit plans.
9. The floor plan was prepared by MRI Architectural Group Inc., 3000 North Atlantic Avenue, Cocoa Beach, Florida. This drawing was modified for this exhibit.
10. The unit square foot areas were provided by MRI Architectural Group Inc.

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ALLEN ENGINEERING INC.
106 DIXIE LANE
COCOA BEACH FLORIDA
MARCH 24, 2005
REVISED APRIL 12, 2010

ISLAND POINTE, A CONDOMINIUM PHASE 1C

BUILDING 1C - FOURTH FLOOR PLAN



SCALE: 1"=30'

SURVEYOR'S NOTES:

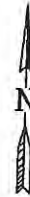
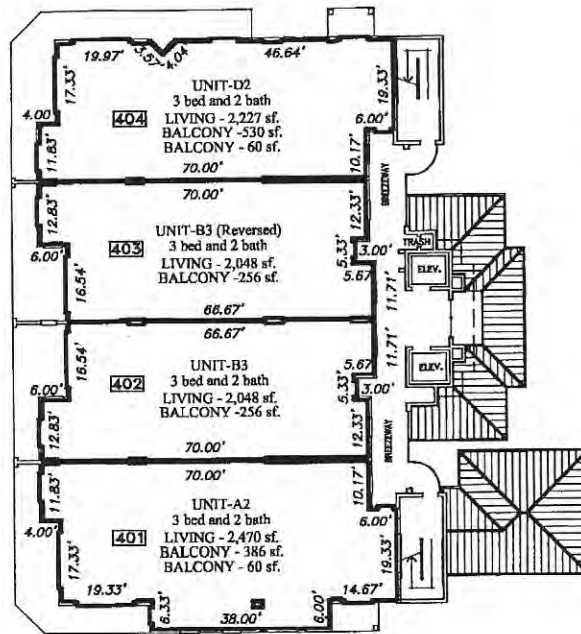
1. The finished fourth floor elevation is 35.77 feet.
2. The finished ceiling elevation is 44.42 feet.
3. ——— Indicates the limits of the units.
4. **301** Indicates the unit number designation.
5. All areas and improvements exclusive of the units are common elements of the condominium.
6. The elevations shown are based on National Geodetic Vertical Datum of 1929.
7. The exterior walkways are common elements limited for the use of the adjacent unit.
8. See sheets 13 through 15 for typical unit plans.
9. The floor plan was prepared by MRI Architectural Group Inc., 3000 North Atlantic Avenue, Cocoa Beach, Florida. This drawing was modified for this exhibit.
10. The unit square foot areas were provided by MRI Architectural Group Inc.

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ALLEN ENGINEERING INC.
106 DIXIE LANE
COCOA BEACH FLORIDA
MARCH 24, 2005
REVISED APRIL 12, 2010

ISLAND POINTE, A CONDOMINIUM PHASE 1C

BUILDING 1C - FIFTH FLOOR PLAN



SCALE: 1"=30'

SURVEYOR'S NOTES:

1. The finished fifth floor elevation is 45.12 feet.
2. The finished ceiling elevation is 53.78 feet.
3. ——— Indicates the limits of the units.
4. **401** Indicates the unit number designation.
5. All areas and improvements exclusive of the units are common elements of the condominium.
6. The elevations shown are based on National Geodetic Vertical Datum of 1929.
7. The exterior walkways are common elements limited for the use of the adjacent unit.
8. See sheets 13 through 15 for typical unit plans.
9. The floor plan was prepared by MRI Architectural Group Inc., 3000 North Atlantic Avenue, Cocoa Beach, Florida. This drawing was modified for this exhibit.
10. The unit square foot areas were provided by MRI Architectural Group Inc.

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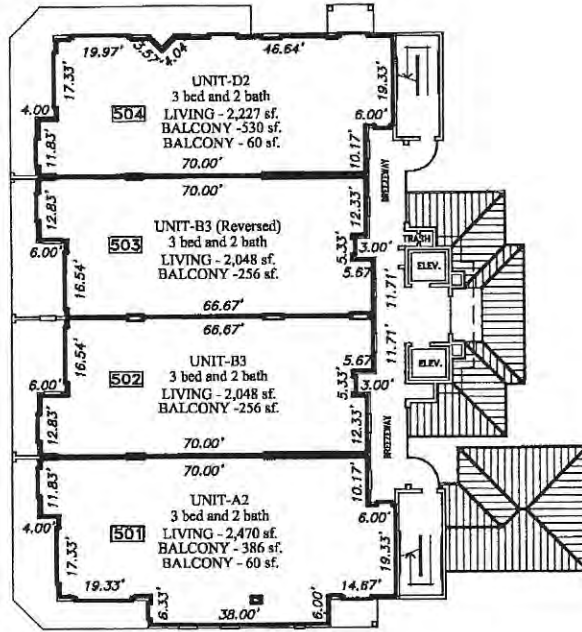
ALLEN ENGINEERING INC.
106 DIXIE LANE
COCOA BEACH FLORIDA
MARCH 24, 2005
REVISED APRIL 12, 2010

EXHIBIT "F"

SHEET 10 OF 15

ISLAND POINTE, A CONDOMINIUM PHASE 1C

BUILDING 1C - SIXTH FLOOR PLAN



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↑
SCALE: 1" = 30'

SURVEYOR'S NOTES:

1. The finished sixth floor elevation is 54.54 feet.
2. The finished ceiling elevation is 63.23 feet.
3. ——— Indicates the limits of the units.
4. [501] Indicates the unit number designation.
5. All areas and improvements exclusive of the units are common elements of the condominium.
6. The elevations shown are based on National Geodetic Vertical Datum of 1929.
7. The exterior walkways are common elements limited for the use of the adjacent unit.
8. See sheets 13 through 15 for typical unit plans.
9. The floor plan was prepared by MRI Architectural Group Inc., 3000 North Atlantic Avenue, Cocoa Beach, Florida. This drawing was modified for this exhibit.
10. The unit square foot areas were provided by MRI Architectural Group Inc.

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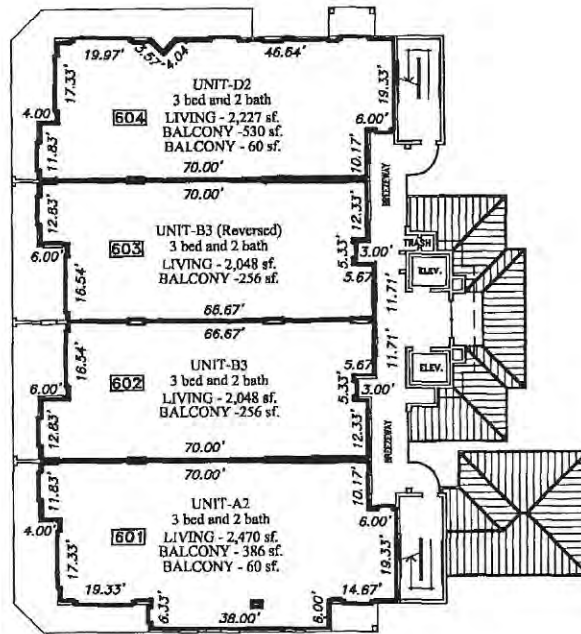
ALLEN ENGINEERING INC.
106 DIXIE LANE
COCOA BEACH FLORIDA
MARCH 24, 2005
REVISED APRIL 12, 2010

EXHIBIT "F"

SHEET 11 OF 15

ISLAND POINTE, A CONDOMINIUM PHASE 1C

BUILDING 1C - SEVENTH FLOOR PLAN



SCALE: 1"=30'

SURVEYOR'S NOTES:

1. The finished seventh floor elevation is 64.90 feet.
2. The finished ceiling elevation is 74.32 feet.
3. ——— indicates the limits of the units.
4. **601** indicates the unit number designation.
5. All areas and improvements exclusive of the units are common elements of the condominium.
6. The elevations shown are based on National Geodetic Vertical Datum of 1929.
7. The exterior walkways are common elements limited for the use of the adjacent unit.
8. See sheets 13 through 15 for typical unit plans.
9. The floor plan was prepared by MRI Architectural Group Inc., 3000 North Atlantic Avenue, Cocoa Beach, Florida. This drawing was modified for this exhibit.
10. The unit square foot areas were provided by MRI Architectural Group Inc.

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ALLEN ENGINEERING INC.
106 DIXIE LANE
COCOA BEACH FLORIDA
MARCH 24, 2005
REVISED APRIL 12, 2010

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Prepared by and return to:
Robert M. Salmon, P.S.M.
Allen Engineering, Inc.
P.O. Box 321321
Cocoa Beach, FL 32932-1321

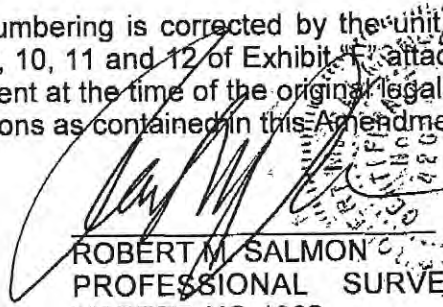
SURVEYOR'S AFFIDAVIT

STATE OF FLORIDA)
) SS:
COUNTY OF BREVARD)

BEFORE ME, the undersigned authority, personally appeared Robert M. Salmon, who is personally known to me, who upon being duly sworn, deposes and says:

1. Affiant is a Professional Surveyor and Mapper licensed in the State of Florida, registration number 4262.
2. Affiant prepared Exhibit "F" to that Declaration of Condominium for ISLAND POINTE, A CONDOMINIUM, Phase 1C, recorded in Official Records Book 5374, Page 2577 and as recorded in that certain Amended and Restated Declaration of Condominium as recorded in Official Records Book 5388, Page 2563, and as amended by amendment to Declaration of Condominium as recorded in Official Records Book 5438, Page 2563, and as amended by Restated Amendment to Declaration of Condominium as recorded in Official Records Book 5482, Page 5208 and as amended by Second Amendment to Declaration of Condominium as recorded in Official Records Book 5482, Page 5232 and as amended by Second Amendment to Declaration of Condominium as recorded in Official Records Book 5482, Page 5232, and as amended by Third Amendment to Declaration of Condominium as recorded in Official Records Book 5685, Page 2501, all of the Public Records of Brevard County, Florida.
3. Affiant states the unit numbering reflected on Sheets 7, 8, 9, 10, 11 and 12 of said Exhibit "F" was provided to the Affiant by the Developer or the General Contractor. The unit numbers shown on Sheets 7, 8, 9, 10, 11 and 12 as recorded read North to South as follows 2nd Floor 201 on the North and 204 on the South; 3rd Floor 301 on the North and 304 on the South; 4th Floor 401 on the North and 404 on the South; 5th Floor 501 on the North and 504 on the South; 6th Floor 601 on the North and 604 on the South; 7th Floor 701 on the North and 704 on the South.

- 4. At the request of the Vice President of Towne Realty of Island Pointe, Inc. the Affiant has revised said Sheets 7, 8, 9, 10, 11 and 12 of said Exhibit "F" to reflect the unit numbers reading South to North as follows: 2nd Floor 101 on the South and 104 on the North; 3rd Floor 201 on the South and 204 on the North; 4th Floor 301 on the South and 304 on the North; 5th Floor 401 on the South and 404 on the North; 6th Floor 501 on the South and 504 on the North; 7th Floor 601 on the South and 604 on the North.
- 5. That the error made in the unit numbering is corrected by the unit numbering contained in revised Sheets 7, 8, 9, 10, 11 and 12 of Exhibit "F" attached hereto and made a part hereof and the intent at the time of the original legal description was to make unit number designations as contained in this Amendment
- 6. Affiant further sayeth naught.



ROBERT M. SALMON
 PROFESSIONAL SURVEYOR and
 MAPPER NO.4262
 STATE OF FLORIDA

The foregoing instrument was acknowledged before me this 12th day of April, 2010, by Robert M. Salmon, P.S.M. who is personally known to me.

(seal)



Donna Wimberly
 Donna Wimberly, Notary Public, State of Florida
 My Commission No.: DD539692
 My Commission Expires: May 22, 2010