

*Put to*  
↓

This instrument prepared by  
**CURTIS R. MOSLEY, ESQ.**  
Mosley & Wallis, P.A.  
Post Office Box 1210  
Melbourne, Florida 32902-1210



CFN 2005369054

10-12-2005 09:41 am

OR Book/Page: **5549 / 2695**

**EIGHTH AMENDMENT TO DECLARATION OF  
CONDOMINIUM OF BAYSIDE CONDOMINIUMS**

**DAY DEVELOPMENT CORPORATION OF CAPE CANAVERAL, a Florida corporation**, pursuant to the authority reserved in Article XIII of the Declaration of Condominium establishing **BAYSIDE CONDOMINIUMS**, as recorded in Official Records Book 4605, Pages 3849 through 3967, as amended by the First Amendment to Declaration of Condominium as recorded in Official Records Book 4821, Pages 0767 through 0796 as amended by the Second Amendment to Declaration of Condominium as recorded in Official Records Book 5085, Pages 2087 through 2113, as amended by the Third Amendment to Declaration of Condominium as recorded in Official Records Book 5096, Pages 0019 through 0070, inclusive as amended by the Fourth Amendment to Declaration of Condominium (incorrectly labeled Third Amendment) as recorded in Official Records Book 5128, Pages 1345 through 1360, inclusive, as amended by Fifth Amendment to Declaration of Condominium as recorded in Official Records Book 5183, Pages 2309 through 2349, inclusive, as amended by Sixth Amendment to Declaration of Condominium as recorded in Official Records Book 5402, Pages 6130 through 6136, inclusive, as amended by Seventh Amendment to Declaration of Condominium as recorded in Official Records Book 5493, Page 0989 as re-recorded in Official Records Book 5493, Page 3578 all of the Public Records of Brevard County, Florida, and the Florida Condominium Act, hereby amends the Declaration as follows:

**Scott Ellis**  
Clerk Of Courts, Brevard County  
#Names: 2  
Rec: 169.00    Serv: 0.00  
Excise: 0.00  
nt Tax: 0.00  
#Pgs: 21  
Trust: 11.00  
Mtg: 0.00

1. See Exhibit "A" attached hereto and made a part hereof for Certificate of Substantial Completion of Building B.
2. Article X, Use Restrictions, Section B is hereby amended as follows:
  - B. The unit may be rented provided the occupancy is only by one (1) lessee and members of his immediate family and guests. The minimum rental period is ~~ninety (90) days~~ six (6) months which minimum rental period shall not be amended without the approval of a majority of the unit owners in the condominium. No rooms may be rented and no transient tenants may be accommodated. No lease of a unit shall release or discharge the owner thereof of compliance with this Section X or any of his other duties as a unit owner. Time sharing of units is prohibited. Ownership of a unit on a monthly or weekly time sharing program is prohibited. Subleasing of units is prohibited. All leases shall be in writing and shall be subject to this Declaration, the Articles of Incorporation, By-Laws, and the Rules and Regulations of the Association and shall be approved by the Association.
3. All other terms conditions and provisions of the Declaration of the Condominium 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 7<sup>th</sup> day of July, 2005.



CFN 2005369054

DEVELOPER: OR Book/Page: 5549 / 2696

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

DAY DEVELOPMENT CORPORATION OF  
CAPE CANAVERAL, a Florida corporation

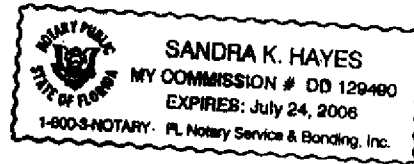
Sandra K Hayes  
Print Name:  
Shirley M. Putzger  
Print Name:

By: William M. Young  
William M. Young, President  
(CORPORATE SEAL)

STATE OF FLORIDA )  
COUNTY OF BREVARD )

The foregoing instrument was acknowledged before me this 22 day of July, 2005, by WILLIAM M. YOUNG, President of DAY DEVELOPMENT CORPORATION OF CAPE CANAVERAL, a Florida corporation, on behalf of the Corporation. He is personally known to me or produced None as identification.

Sandra K Hayes  
NOTARY PUBLIC  
My Commission Expires:



# BAYSIDE CONDOMINIUMS

PHASE III, BUILDING "B"

742 Bayside Drive

SURVEYOR'S CERTIFICATE  
FOR  
BAYSIDE CONDOMINIUM



CFN 2005369054

OR Book/Page: 5549 / 2697

STATE OF FLORIDA  
COUNTY OF BREVARD

BEFORE ME, THE UNDERSIGNED AUTHORITY DULY AUTHORIZED TO ADMINISTER OATHS AND TAKE ACKNOWLEDGMENTS, PERSONALLY APPEARED JOHN R. CAMPBELL, BY ME WELL KNOWN, AND KNOWN TO ME TO BE THE PERSON HEREINAFTER DESCRIBED, WHO AFTER BEING BY ME FIRST DULY CAUTIONED AND SWORN, DEPOSES AND SAYS ON OATH AS FOLLOWS TO-WIT:

I HEREBY CERTIFY THAT THE IMPROVEMENTS SHOWN AND DESCRIBED ON THE ATTACHED EXHIBIT "A" ARE SUBSTANTIALLY COMPLETE SO THAT THE MATERIAL DESCRIBED AND SHOWN ON THE ATTACHED EXHIBIT "A" TOGETHER WITH THE PROVISIONS OF THE DECLARATION OF CONDOMINIUM ESTABLISHING BAYSIDE CONDOMINIUMS, IS AN ACCURATE REPRESENTATION OF THE LOCATION DIMENSIONS OF THE IMPROVEMENTS, AND THE IDENTIFICATION, LOCATIONS AND DIMENSIONS OF THE COMMON ELEMENTS, AND CAN BE DETERMINED FROM THESE MATERIALS.

I FURTHER CERTIFY THAT ALL PLANNED IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO UTILITY SERVICES AND ACCESS TO THE CABANA AND COMMON ELEMENTS SERVING THIS BUILDINGS ARE LOCATED AND HAVE BEEN SUBSTANTIALLY COMPLETED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL, THIS 6th DAY OF DECEMBER, 2004 A.D.

BY: John R. Campbell  
JOHN R. CAMPBELL  
PROFESSIONAL LAND SURVEYOR  
NO. 2351, STATE OF FLORIDA

SWORN TO AND SUBSCRIBED BEFORE ME  
AS TO "JOHN R. CAMPBELL", THIS  
6th DAY OF DECEMBER, 2004 A.D.



Connie Jo Dials  
My Commission DD304031  
Expires March 25, 2008

Connie Jo Dials  
CONNIE JO DIALS

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES: MARCH 25, 2008

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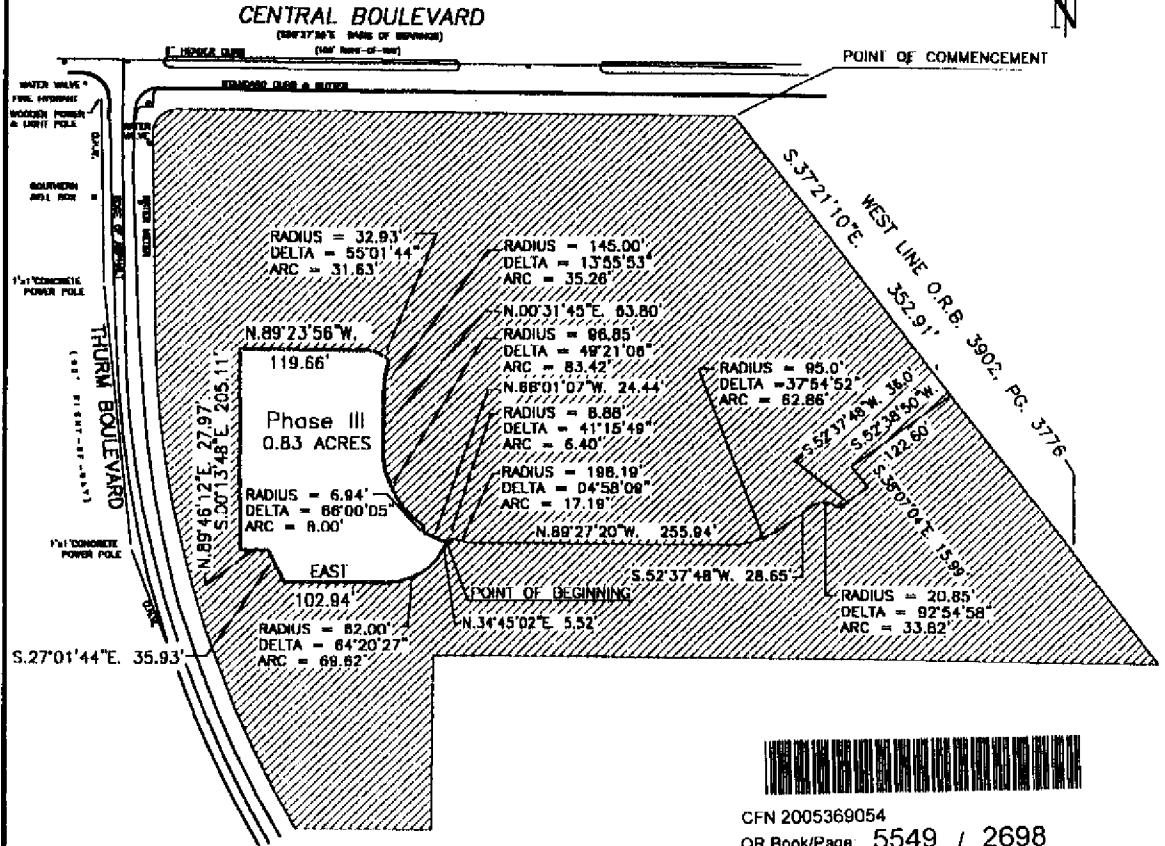
3925 N. COURTENAY PARKWAY - SUITE 1  
MAILING ADDRESS: P.O. BOX 542148  
MERRITT ISLAND, FL 32954 PHONE (407) 453-5820

EXHIBIT "A"

SHEET 1

# BAYSIDE CONDOMINIUMS

## Sketch of Survey Phase III



CFN 2005369054  
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SEE SHEET 3 FOR LEGAL DESCRIPTION FOR PHASE III.

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EXHIBIT "A"

SHEET 2

# BAYSIDE CONDOMINIUMS



CFN 2005369054

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## LEGAL DESCRIPTION: (Phase III)

A portion of land lying in Section 15, Township 24 South, Range 37 East, Brevard County, Florida, being more particularly described as follows:

Commence at a point on the South right of way line of Central Boulevard, a 100.00 foot right of way, as described in Official Records Book 3057 at Page 445 of the Public Records of Brevard County, Florida, and the Westerly line of lands described in Official Records Book 3902 at Page 3776 of the Public Records of Brevard County, Florida; Thence run S.37°21'10"E., along the West line of said Official Records Book 3902 at Page 3776 a distance of 696.98 feet; Thence run N.89°27'20"W., a distance of 687.40 feet; Thence run N.00°32'40"E., a distance of 114.24 feet to the point of curvature of a non-tangent curve to the right having a radius of 198.19 feet, thence run Northwesterly along the arc of said curve a distance of 17.19 feet through a central angle of 04°58'09", whose chord bears N.77°51'01"E., to a point of curvature of a non-tangent curve to the left having a radius of 8.88 feet; thence run southwesterly along the arc of said curve a distance of 6.40 feet through a central angle of 41°15'49", whose chord bears S.54°10'37"W., to the Point of Beginning of the following described Parcel; Thence N.66°01'07"W., a distance of 24.44 feet to the point of curvature of a non-tangent curve to the right, having a radius of 6.94 feet, thence Northwesterly along the arc of said curve a distance of 8.00 feet, through a central angle of 66°00'05", whose chord bears N.9°03'38"W., to the point of curvature of a non-tangent curve to the right, having a radius of 96.85 feet, thence run northwesterly along the arc of said curve a distance of 83.42 feet, through a central angle of 49°21'06", to the point of tangency; Thence run N.00°31'45"E., a distance of 63.80 feet to the point of curvature of a circular curve to the right, having a radius of 145.00 feet, thence run northerly along the arc of said curve a distance of 35.26 feet, through a central angle of 13°55'53", whose chord bears N.7°30'37"E., to the point of curvature of a non-tangent curve to the left, having a radius of 32.93 feet; thence run Northwesterly along the arc of said curve a distance of 31.63 feet, through a central angle of 55°01'44", to the point of tangency; Thence run N.89°23'56"W., a distance of 119.66 feet; Thence run S.00°13'48"E., a distance of 205.11 feet; Thence run N.89°46'12"E., a distance of 27.97 feet; Thence run S.27°01'44"E., a distance of 35.93 feet; Thence run East a distance of 102.84 feet to a point of curvature of a circular curve to the left having a radius of 62.00 feet, thence run Northeasterly along the arc of said curve a distance of 69.62 feet through a central angle of 64°20'27", to the point of tangency, Thence run N.34°45'02"E., a distance of 5.52 feet to the Point of Beginning. Said Parcel contains 0.83 acres more or less.

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EXHIBIT "A"

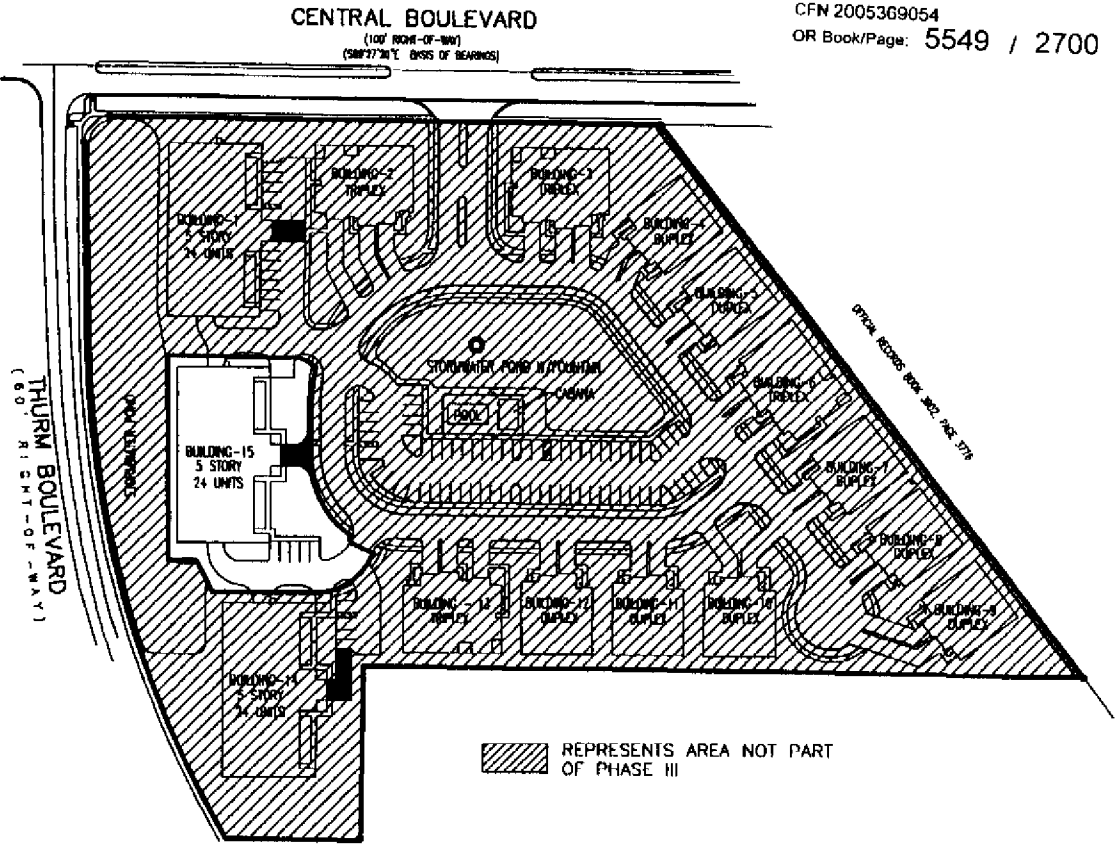
SHEET 3

# BAYSIDE CONDOMINIUMS

## Graphic Plot Plan for Phase III



CFN 2005369054  
OR Book/Page: 5549 / 2700



### SURVEYORS NOTES CONCERNING GRAPHIC PLOT PLAN

1. This is a Phase Development consisting of four phases.
2. All improvements are proposed.
3. This development consists of 15 buildings. There are 8 Duplex building, 4 Triplex buildings and 3 five story buildings. The balance of the improvements consist of parking areas, sidewalks, driveways, a pool and cabana and open spaces.
4. There exists a Non Exclusive easement over and across each phase for Ingress-Egress to the Units.
5. All areas and improvements exclusive of the Units are common elements of the Condominium. Some areas such as the balconies and garage spaces are common elements whose use is limited to the adjacent Unit or as set forth in the Declaration.
6. The Graphic Plot Plan shown was prepared by John R. Campbell, P.L.S. and is based on the proposed improvements as shown on the Engineering Site Plan.
7. The Elevations shown on the Floor Plans are based on N.G.V. Datum of 1929.

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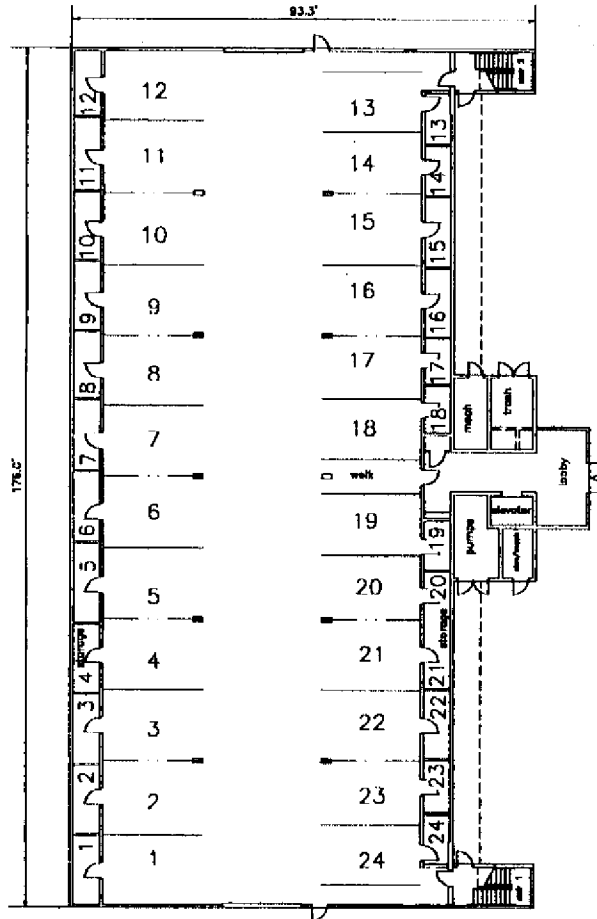
SHEET 4



CFN 2005369054  
 OR Book/Page: 5549 / 2701

# BAYSIDE CONDOMINIUMS

Phase III - Condominium Building "B"  
 Garage Floor Plan  
 742 Bayside Drive



**SURVEYORS NOTES:**

1. All areas within this plan are Common Elements of the Condominium.
2. The parking spaces and storage areas shown are limited common elements whose use is reserved to certain Units as set forth in the Declaration. The minimum parking space is 12.25'x20.0', some spaces are larger. The minimum storage space is 5.33'x9.4', some spaces are larger.
3. The Finish Floor is 9.30'  
The Finish Ceiling is 18.80'.
4. Elevations shown hereon are based on N.G.V. Datum of 1929.



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EXHIBIT "A"

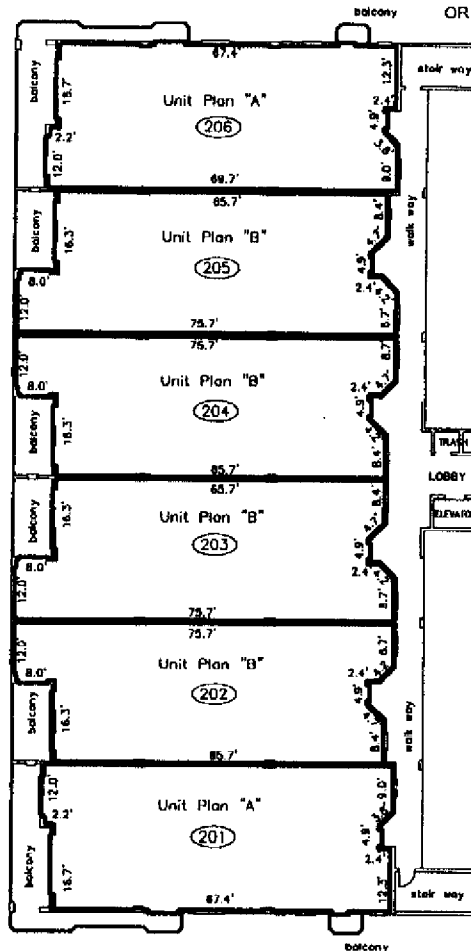
SHEET 5

# BAYSIDE CONDOMINIUMS

Phase III - Condominium Building "B"  
2nd Floor Plan  
742 Bayside Drive



CFN 2005369054  
OR Book/Page: 5549 / 2702



**SURVEYORS NOTES:**

1. ——— indicates the Horizontal Limits.
2. The Finish Floor Elevation is 19.47'.  
The Finish Ceiling Elevation is 27.47'.
3. The Elevations shown hereon are based on N.G.V. Datum of 1929.
4. All areas exclusive of the Units are common elements. Some areas such as the balconies are common elements whose use is limited to the adjacent Unit.
5. (201) indicates Unit number designation.
6. "Unit Plan B" indicates Typical Floor Plan for that Unit. Refer to Sheets 10 thru 19 for floor plans.



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EXHIBIT "A"

SHEET 6



# BAYSIDE CONDOMINIUMS

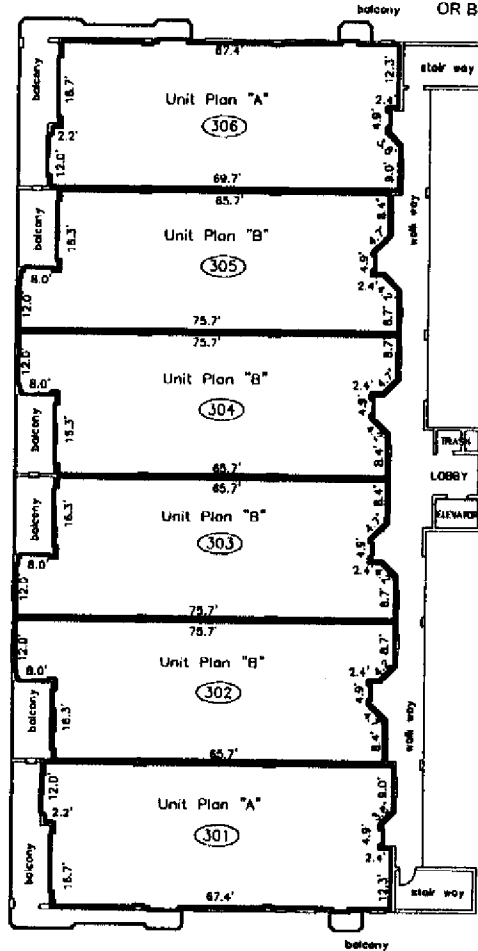
Phase III - Condominium Building "B"

3rd Floor Plan  
742 Bayside Drive



CFN 2005369054

OR Book/Page: 5549 / 2703



**SURVEYORS NOTES:**

1. ——— Indicates the Horizontal Limits.
2. The Finish Floor Elevation is 28.13'.  
The Finish Ceiling Elevation is 36.15'.
3. The Elevations shown hereon are based on N.O.V. Datum of 1929.
4. All areas exclusive of the Units are common elements. Some areas such as the balconies are common elements whose use is limited to the adjacent Unit.
5. (301) Indicates Unit number designation.
6. "Unit Plan B" indicates Typical Floor Plan for that Unit. Refer to Sheets 10 thru 19 for floor plans.



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EXHIBIT "A"

SHEET 7

# BAYSIDE CONDOMINIUMS

Phase III - Condominium Building "B"

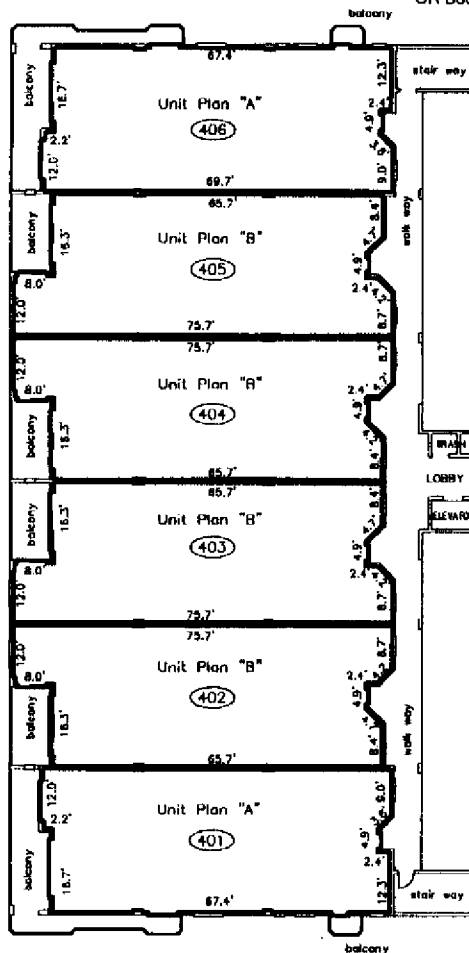
4th Floor Plan

742 Bayside Drive



CFN 2005369054

OR Book/Page: 5549 / 2704



**SURVEYORS NOTES:**

1. ——— Indicates the Horizontal Limits.
2. The Finish Floor Elevation is 38.80'.  
The Finish Ceiling Elevation is 44.80'.
3. The Elevations shown hereon are based on N.G.V. Datum of 1929.
4. All areas exclusive of the Units are common elements. Some areas such as the balconies are common elements whose use is limited to the adjacent Unit.
5. (401) Indicates Unit number designation.
6. "Unit Plan B" indicates Typical Floor Plan for that Unit. Refer to Sheets 10 thru 19 for floor plans.



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**EXHIBIT "A"**

**SHEET 8**

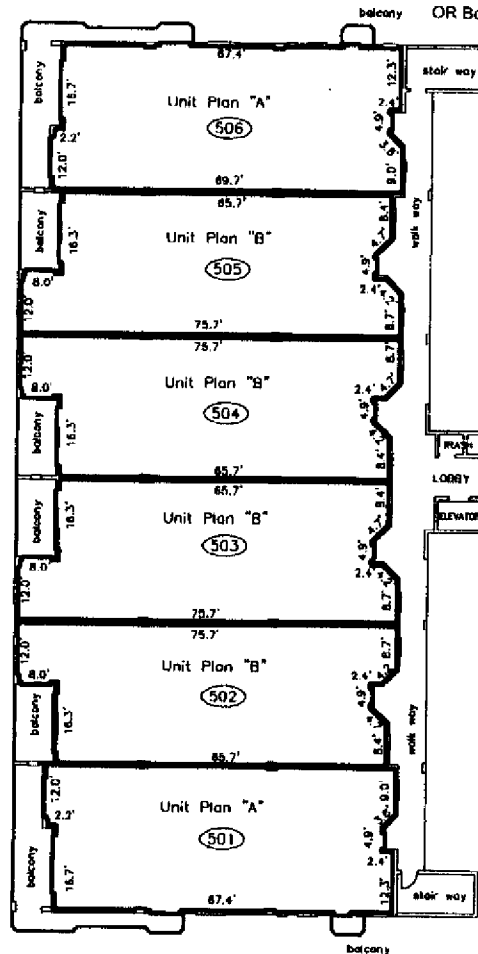
# BAYSIDE CONDOMINIUMS

Phase III - Condominium Building "B"

5th Floor Plan  
742 Bayside Drive



CFN 2005369054  
OR Book/Page. 5549 / 2705



**SURVEYORS NOTES:**

1. ——— Indicates the Horizontal Limits.
2. The Finish Floor Elevation is 45.47'.  
The Finish Ceiling Elevation is 53.47'.
3. The Elevations shown hereon are based on N.G.V. Datum of 1929.
4. All areas exclusive of the Units are common elements. Some areas such as the balconies are common elements whose use is limited to the adjacent Unit.
5. (501) Indicates Unit number designation.
6. "Unit Plan B" indicates Typical Floor Plan for that Unit. Refer to Sheets 10 thru 19 for floor plans.

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EXHIBIT "A"

SHEET 9

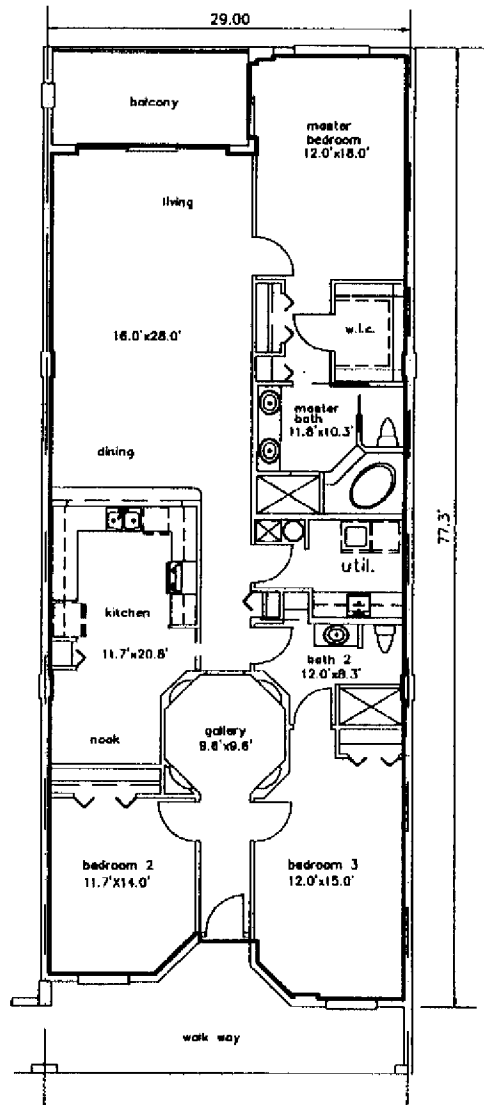


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# BAYSIDE CONDOMINIUMS

## Floor Plan "B" - Units 202, 204, 302, 304, 402, 404, 502 & 504



### SURVEYORS NOTES:

1. This Plan is Typical of some Units within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ———— Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.

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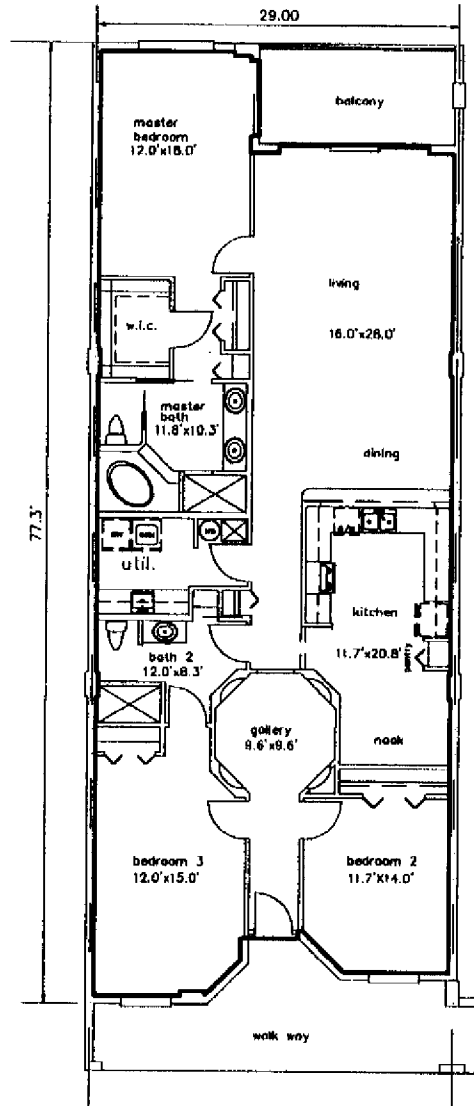
3525 N. COURTENAY PARKWAY - SUITE 1  
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EXHIBIT "A"

SHEET 10

# BAYSIDE CONDOMINIUMS

## Floor Plan "B" - Units 203, 205, 303, 305, 403, 405, 503 & 505



### SURVEYORS NOTES:

1. This Plan is Typical of some Unites within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ——— Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.

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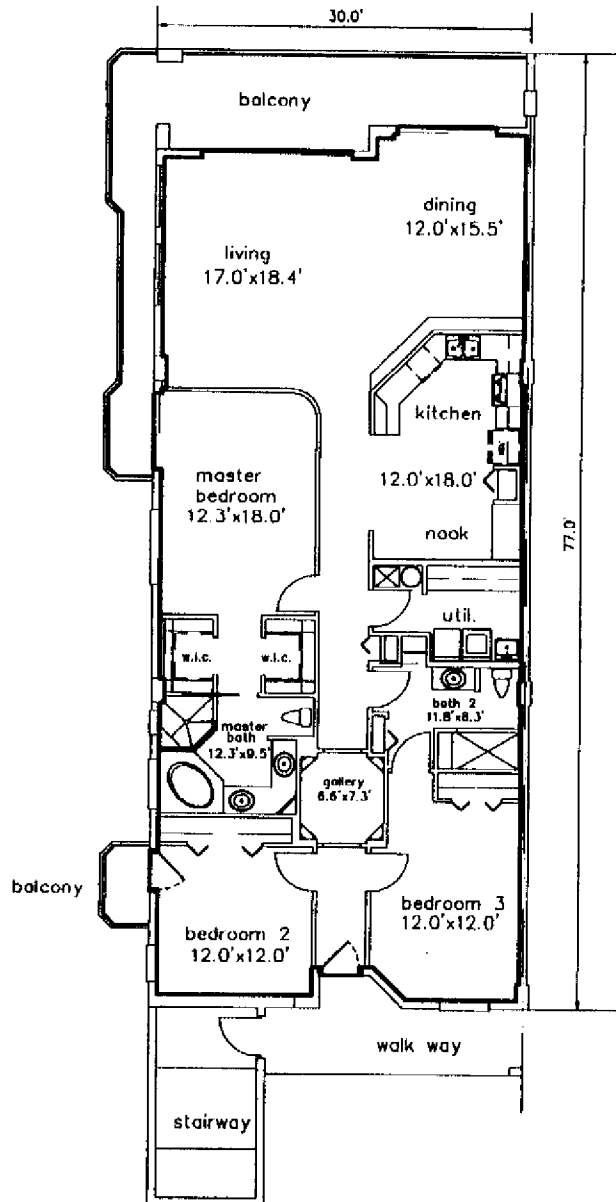
EXHIBIT "A"

SHEET 11



# BAYSIDE CONDOMINIUMS

## Floor Plan "A" - Unit 201



**SURVEYORS NOTES:**

1. This Plan is Typical of some Unites within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ——— Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.

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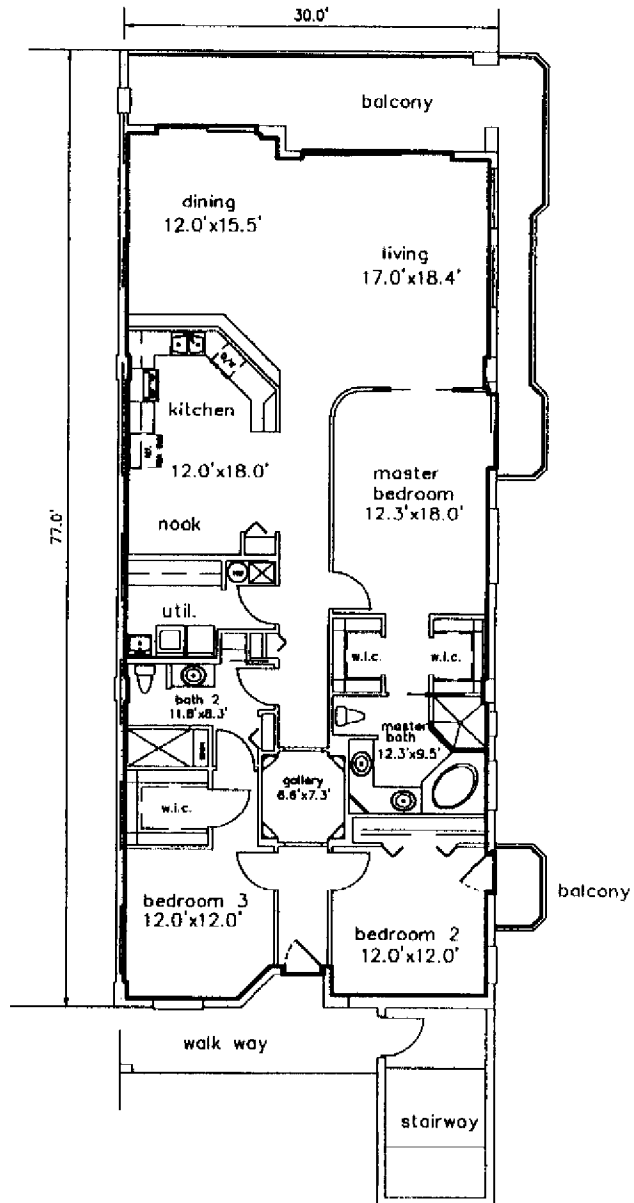
EXHIBIT "A"

SHEET 12



# BAYSIDE CONDOMINIUMS

## Floor Plan "A" - Unit 206



**SURVEYORS NOTES:**

1. This Plan is Typical of some Unites within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ——— Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.

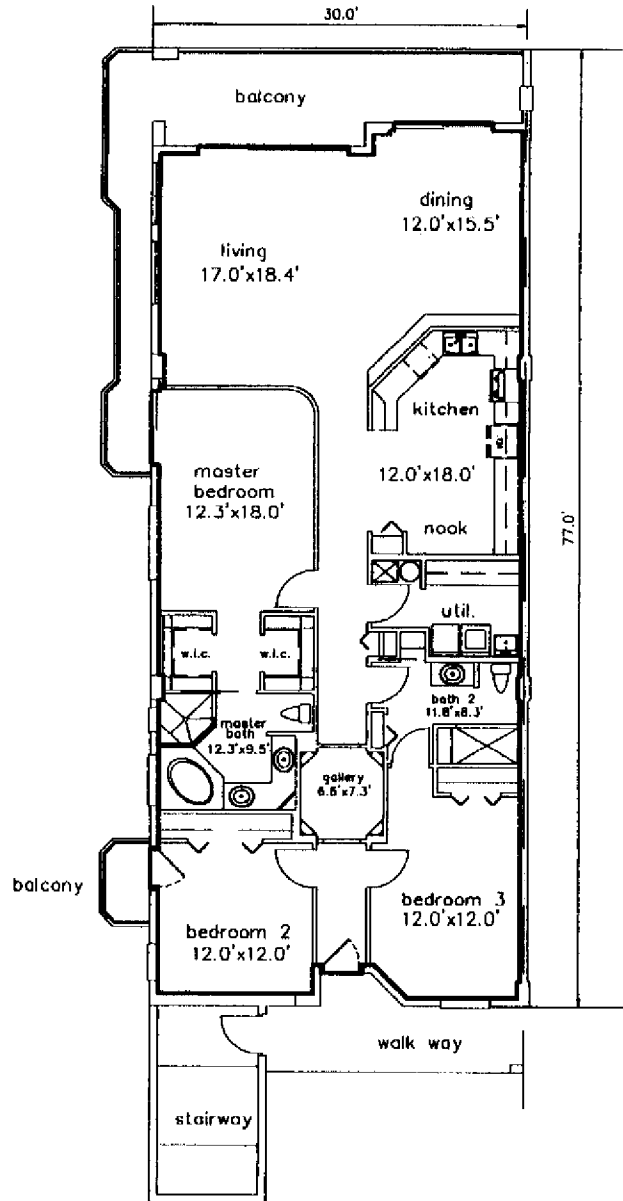


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# BAYSIDE CONDOMINIUMS

## Floor Plan "A" - Unit 301



**SURVEYORS NOTES:**

1. This Plan is Typical of some Unites within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ———— Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.

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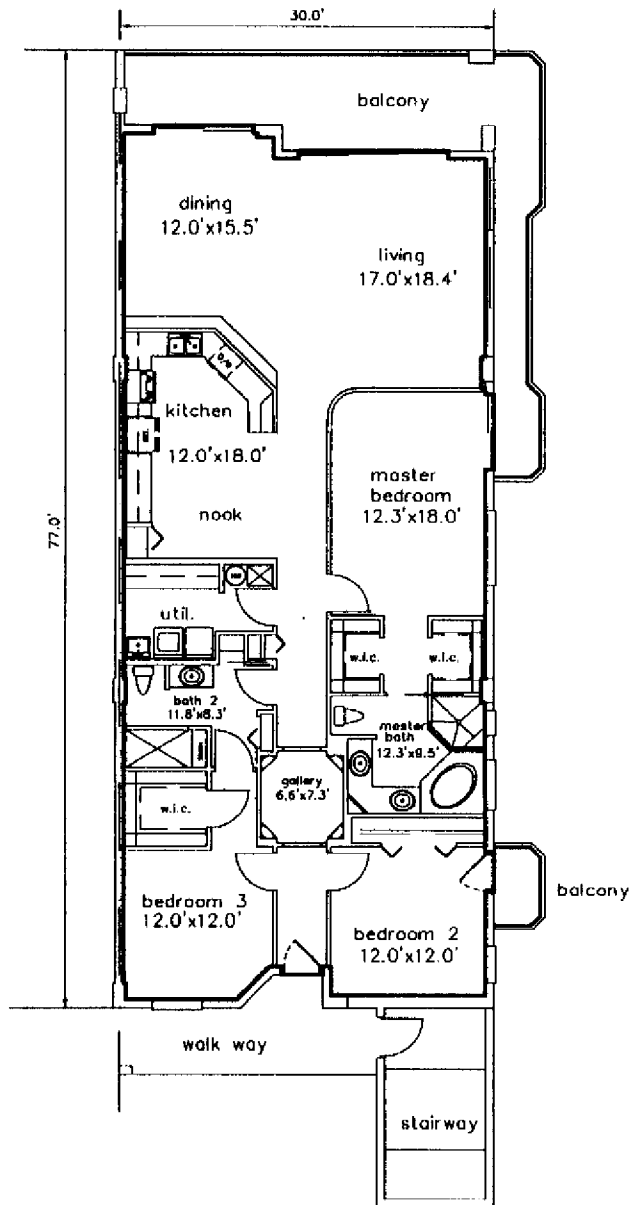
3525 N. COURTENAY PARKWAY - SUITE 1  
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# BAYSIDE CONDOMINIUMS

## Floor Plan "A" - Unit 306



**SURVEYORS NOTES:**

1. This Plan is Typical of some Unites within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ———— Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.

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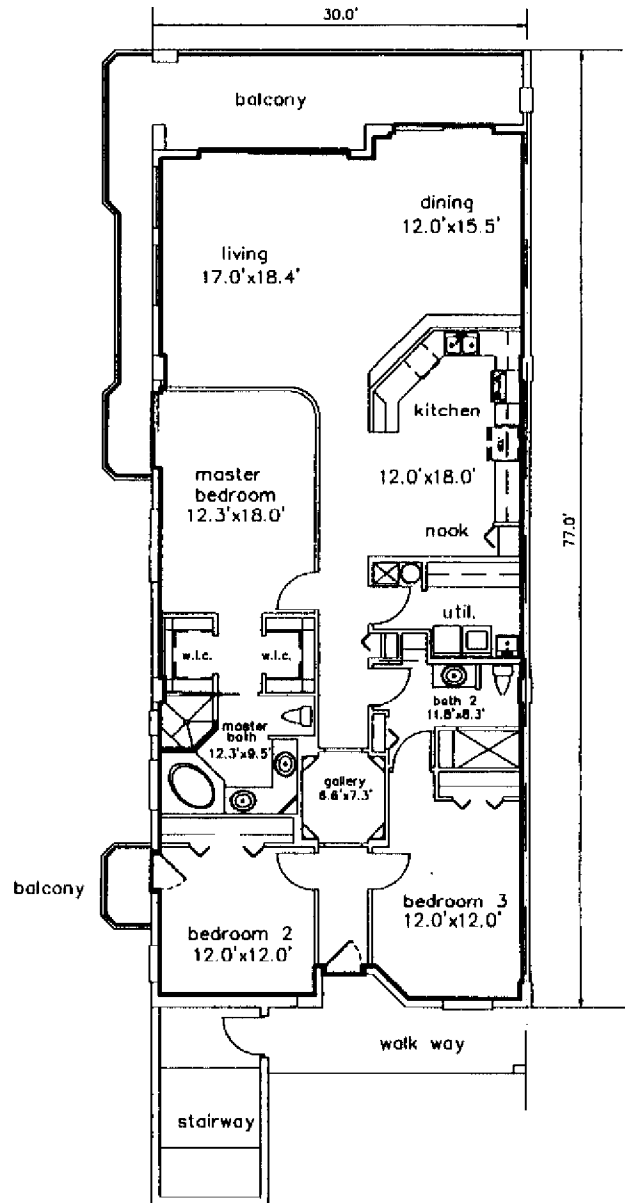
**EXHIBIT "A"**

**SHEET 15**



# BAYSIDE CONDOMINIUMS

## Floor Plan "A" - Unit 401



**SURVEYORS NOTES:**

1. This Plan is Typical of some Unites within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ——— Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.



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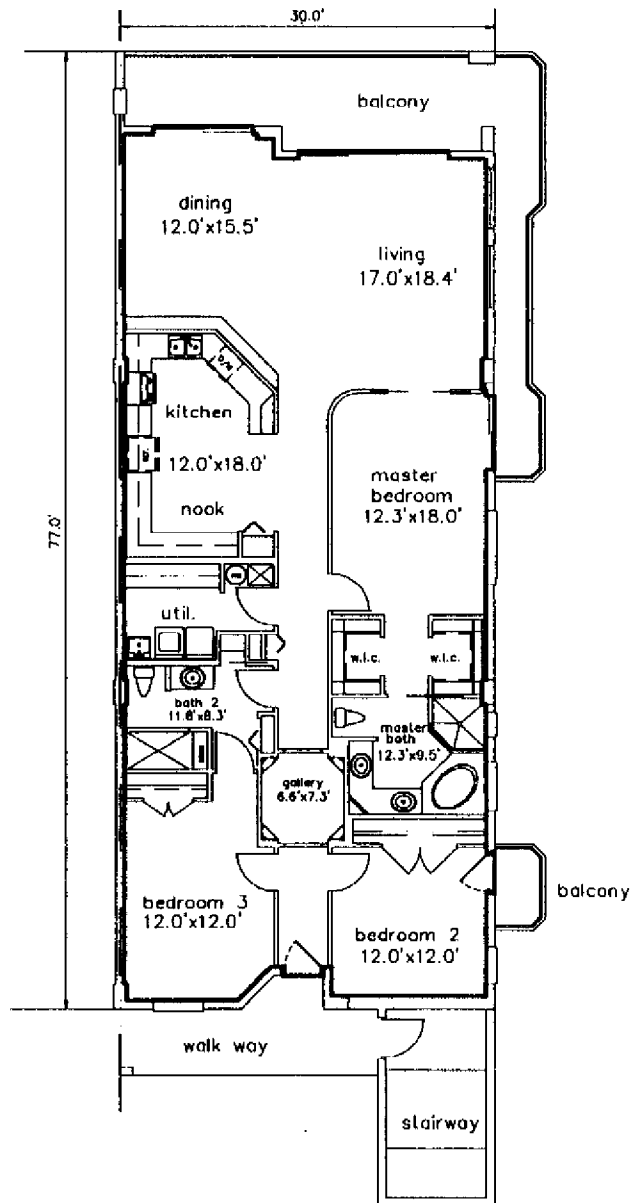


CFN 2005369054

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# BAYSIDE CONDOMINIUMS

## Floor Plan "A" - Unit 406



### SURVEYORS NOTES:

1. This Plan is Typical of some Unites within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ———— Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.

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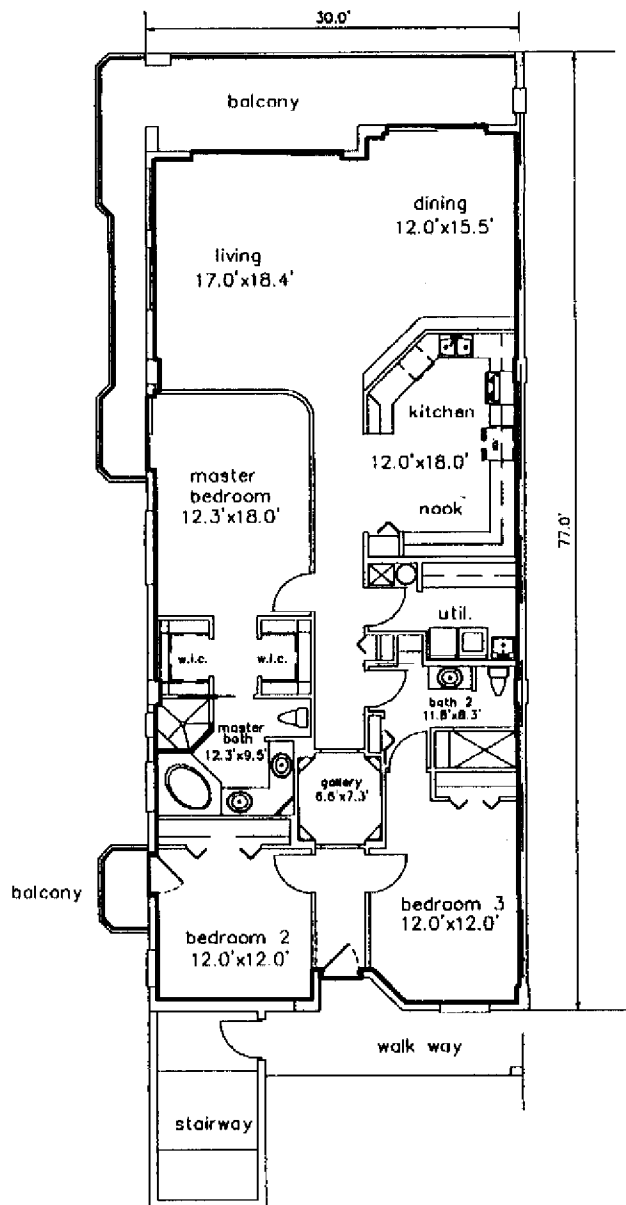
EXHIBIT "A"

SHEET 17



# BAYSIDE CONDOMINIUMS

## Floor Plan "A" - Unit 501



**SURVEYORS NOTES:**

1. This Plan is Typical of some Unites within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ———— Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.

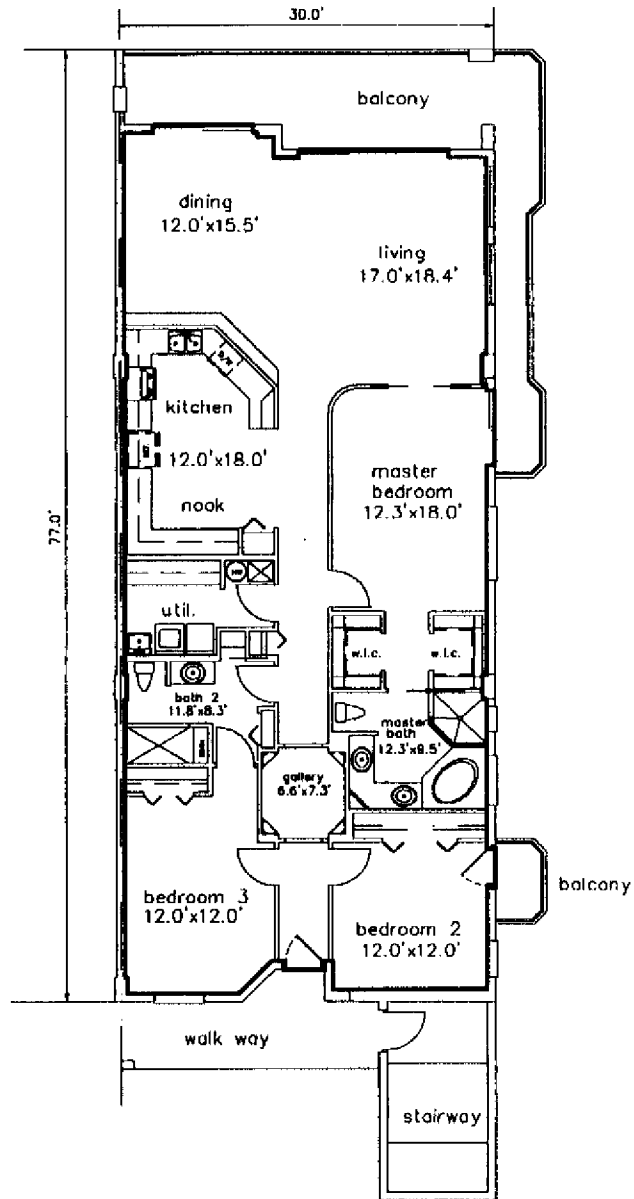


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# BAYSIDE CONDOMINIUMS

## Floor Plan "A" - Unit 406



**SURVEYORS NOTES:**

1. This Plan is Typical of some Units within the Development. Some Units may be reverse or mirror image of the plan shown. Refer to the Building Plan for its location.
2. ————Indicates the Horizontal Limits of the Unit.
3. The Balconies are a Common Element whose use is limited to the adjacent unit.



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