

PREPARED BY AND RETURN TO:  
Pineda Partners, L.L.C.  
1688 W. Hibiscus Blvd.  
Melbourne, FL 32901

  
CFN:2001210233 10-01-2001 03:00 pm  
OR Book/Page: 4430 / 2055

#Pgs: 2  
Trust: 1.50  
Deed: 0.00  
Mfg: 0.00  
#Names: 2  
Rec: 9.00  
Excise: 0.00  
Int Tax: 0.00  
Serv: 0.00

Scott Ellis  
Clerk Of Courts, Brevard County

**SECOND AMENDMENT TO SUPPLEMENTAL DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR  
HERITAGE LAKES AT GRAND HAVEN**

**THIS SECOND AMENDMENT TO SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HERITAGE LAKES AT GRAND HAVEN**, (hereinafter referred to as the "Amendment") dated as the 24 day of Sept., 2001, by **PINEDA PARTNERS, L.L.C., a Florida Limited Liability Company**, hereinafter referred to as "Developer".

**WITNESSETH:**

**WHEREAS**, The Developer originally platted the property (the "Property") as Grand Haven Phase One according to the Plat thereof as recorded in Plat Book 46, Pages 55 through 67, inclusive, Public Records of Brevard County, Florida, and which Property is subject to the Master Declaration of Covenants, Conditions and Restrictions for Grand Haven as recorded in Official Records Book 4312, Page 3183, of the Public Records of Brevard County, Florida, and all amendments thereto, (the "Master Declaration"); and subject to the Articles of Incorporation filed with the Secretary of State, State of Florida on March 19, 2001, and recorded in Official Records Book 4312, Page 3216, Public Records of Brevard County, Florida; and subject to the By-Laws as recorded in Official Records book 4312, Page 3228, Public Records of Brevard County, Florida; and

**WHEREAS**, the Developer recorded that certain Supplemental Declaration of Covenants, Conditions and Restrictions (For Heritage Lakes at Grand Haven) as recorded in Official Records Book 4313, Page 2837, Public Records of Brevard County, Florida, as subsequently amended by First Amendment recorded in Official Records Book 4376, Page 2819, Public Records of Brevard County, Florida; and

**WHEREAS**, pursuant to Article X, Section 10.5 – Amendment, of the Master Declaration, the Declaration and Supplemental Declarations may be amended, changed or added to at any time and from time to time upon the execution and recordation of any instrument executed by the Developer, for so long as there is a Class B Member of the Association, or alternatively, by approval at a meeting of Owners holding not less than two-thirds (2/3) of the votes of the membership of the Association, provided that so long as the Developer is the Owner of any Lot affected by the Declaration, the Developer's consent must be obtained if such amendment, in the sole opinion of the Developer, affects its interest.

**WHEREAS**, pursuant to Section 10.24, Future Development within the Project, of the First Amendment for Master Declaration of Covenants, Conditions and Restrictions for Grand Haven, the Developer reserved the right to add other property to the Subdivision.

**NOW THEREFORE**, in consideration of the premises, the Developer does hereby amend the above-referenced Supplemental Declaration as follows

1. The Declarant is the owner of the following described property in the County of Brevard, State of Florida, which is more particularly described in Exhibit "B" hereof and which is platted as

**GRAND HAVEN PHASE THREE  
a Subdivision Lying in  
Section 26, Township 26 South, Range 36 East  
Brevard County, Florida**

consisting of Lots 37-BB through 74-BB, Block BB, Grand Haven Phase Three, according to the Plat thereof as recorded in Plat Book 47, Page(s) 33 + 34, Public Records of Brevard County, Florida, which Property the Declarant hereby adds to the Subdivision, and which Property is hereby subject to the Declaration.

2. All other terms and conditions of the Declaration shall remain unchanged and in full force and effect.

**IN WITNESS WHEREOF**, the undersigned, being the Developer herein, has caused these presents to be executed in its name by its duly authorized officer, as of the 24 day of September, 2001.

**Signed, sealed and delivered  
in the presence of:**

**PINEDA PARTNERS, L.L.C.,  
a Florida Limited Liability Company**

Bonnie L. Kennedy  
Witness

By: BIG HAT, L.L.C.,  
a Florida Limited Liability Company  
its managing member

Bonnie L. Kennedy  
Print Witness Name

Elizabeth E. Kennedy  
Witness

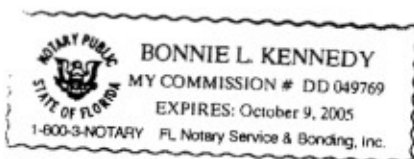
By: [Signature]  
Arthur F. Evans, III, Member

Elizabeth E. Kennedy  
Print Witness Name

**STATE OF FLORIDA  
COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 24 day of Sept, 2001, by **ARTHUR F. EVANS, III** as a Member of **BIG HAT, L.L.C.**, a Florida Limited Liability Company, as **managing member of PINEDA PARTNERS, L.L.C.**, a Florida Limited Liability Company, on behalf of the company. He is personally known to me, and did not take an oath.

Bonnie L. Kennedy  
Notary Public, State of Florida at Large  
My commission expires:



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