



PREPARED BY AND I CFN 2001244902 11-08-2001 12:11 pm  
 Pineda Partners, L.L.C. OR Book/Page: 4458 / 0098  
 1688 W. Hibiscus Blvd.  
 Melbourne, FL 32901

**Scott Ellis**

Clerk Of Courts, Brevard County

#Pgs: 2 #Names: 2  
 Trust: 1.50 Rec: 9.00 Serv: 0.00  
 Debt: 0.00 Excise: 0.00  
 Mtg: 0.00 Int Tax: 0.00

SECOND AMENDMENT TO SUPPLEMENTAL DECLARATION OF  
 COVENANTS, CONDITIONS, AND RESTRICTIONS FOR  
 THE PRESERVE AT GRAND HAVEN

THIS SECOND AMENDMENT TO SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PRESERVE AT GRAND HAVEN, (hereinafter referred to as the "Amendment") dated as the 6 day of November 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 The Preserve at Grand Haven) as recorded in Official Records Book 4313, Page 2827, 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.

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

1. The following language shall be added to the end of sub-section (a), Section 2. Construction Plan Review, of ARTICLE I, ARCHITECTURAL AND AESTHETIC REQUIREMENTS:

The Committee may charge an administrative fee in the amount of \$25.00, payable to the Association, for the review and/or processing of plans, specifications, and inspection of the proposed improvements. Said fee shall be

paid to the Association at the time submission of the application for addition, change or alteration is made.

- 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 6 day of November, 2001.

Signed, sealed and delivered in the presence of:

Bonnie L. Kennedy  
Witness

Bonnie L. Kennedy  
Print Witness Name

Judith A. DeVault  
Witness

Judith A. DeVault  
Print Witness Name

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

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

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

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 6 day of November, 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:

