

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

HC

CFN 2002303126 11-27-2002 03:15 pm
OR Book/Page: 4750 / 1327

SIXTH AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR GRAND HAVEN

THIS SIXTH AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GRAND HAVEN, (hereinafter referred to as the "Amendment") dated as the 26th day of November, 2002, 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; and as Grand Haven Phase Two according to the Plat thereof as recorded in Plat Book 47, Pages 29-32, inclusive; and as Grand Haven Phase Three according to the Plat thereof as recorded in Plat Book 47, Pages 33-34; and as Grand Haven Phase Four as recorded in Plat Book 47, Pages 65-69, inclusive; and as Grand Haven, Phase Five, as recorded in Plat Book 47, Pages 82-85, inclusive; and as Grand Haven Phase Six, as recorded in Plat Book 48, Pages 36-39, inclusive, all of the 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, pursuant to Article X, Section 10.5 – Amendment, of the Master Declaration, the Declaration 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; and

NOW THEREFORE, in consideration of the premises, the Developer does hereby amend the Master Declaration as follows:

1. ARTICLE I, - DEFINITIONS, Section 1.25. "Wetland Conservation Easement Area" is amended to add the following property:

Tract "H", less and except a 14' wide pedestrian walkway easement meandering through and across the South 50' of Tract "H", as shown on the Plat of Grand Haven, Phase Two, as recorded in Plat Book 47, Pages 29-32, inclusive; Tract "E" as shown on the Plat of Grand Haven, Phase Three, as recorded in Plat Book 47, Pages 33-34; Tract "D", less and except a 14' wide pedestrian walkway easement meandering through and across the

Scott Ellis
Clerk of Courts, Brevard County
#Pgs: 2
Trust: 1.50
Rec: 9.00
Mtg: 0.00
Serv: 0.00
Excise: 0.00
Int Tax: 0.00

South 50' of said Tract "D", as shown on the Plat of Grand Haven Phase Four, as recorded in Plat Book 47, Pages 65-69, inclusive; Tract "F" as shown on the Plat of Grand Haven Phase Five, as recorded in Plat Book 47, Pages 82-85, inclusive; and Tract "C" as shown on the Plat of Grand Haven Phase Six, as recorded in Plat Book 48, Pages 36-39, inclusive, all of the Public Records of Brevard County, Florida.

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 day and year first above written.

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



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STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 26th day of November, 2002, 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:

