

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
ROYAL SEAESTA, A TOWNHOME DEVELOPMENT**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF ROYAL SEAESTA, A TOWNHOME DEVELOPMENT made this 29 day of December, 2000.

W I T N E S S E T H:

WHEREAS, L.T.R. DEVELOPMENT, INC., a Florida corporation, hereinafter called the "Developer", developed in Walton County, Florida ROYAL SEAESTA PHASE I, a subdivision, which is a townhome residential project consisting of seven (7) townhome lots per plat recorded in Plat Book 14, Page 48 & 48A of the public records of Walton County, Florida; and

WHEREAS, the Developer is developing in Walton County Florida ROYAL SEAESTA, PHASE II, a subdivision which is a townhome residential project consisting of six (6) townhome lots per plat recorded in Plat Book 14, Page 60+ of the public records of Walton County, Florida; and 60A

WHEREAS, ROYAL SEAESTA PHASE II, together with ROYAL SEAESTA PHASE I (and any further additions) are collectively referred to herein as "Royal Seaesta"; and

WHEREAS, the lots included in Royal Seaesta are hereafter referred to as the "Lots"; and

WHEREAS, the Developer wishes to annex the property included in ROYAL SEAESTA, PHASE II, to ROYAL SEAESTA PHASE I, as contemplated in Article II of the COVENANTS, CONDITIONS AND RESTRICTIONS ROYAL SEAESTA PHASE I (hereinafter the "COVENANTS"); and

WHEREAS, the Developer, pursuant to Article XV, Section D, also desires to provide herein for certain amendments to the existing COVENANTS.

NOW, THEREFORE, the Developer declares as follows:

1. The real property described in Exhibit D, attached hereto, shall henceforth be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions easements, charges and liens set forth in the COVENANTS, as further amended hereby.

2. ARTICLE III, Section A, is hereby amended to read as follows:

Section A. Types of Easements. The Property is subject to easements, if any set forth and described in the Plat of ROYAL SEAESTA recorded in Plat Book 14 Page 48 and 48A and Plat of ROYAL SEAESTA, PHASE II recorded in Plat Book 14 Page 60+60A and those certain easements set forth and described hereinafter as follows:

3. ARTICLE III is hereby amended to add the following paragraphs:

(7) Construction Easement. An exclusive easement is hereby reserved for the benefit of the Developer, his agents, employees, successors and assigns, for the purpose of completing construction on any existing Lot, and for new construction on any property annexed hereto pursuant to the provisions of Article II hereof.

(8) Future Easements. Developer reserves the right to impose further restrictions and to grant or dedicate easements and rights of way on any Lot within the Property owned by

the Developer. In addition, Developer hereby expressly reserves the right to grant easements and rights of way over, under and through the land now or later annexed other than the Lots, so long as Developer shall own any portion of the Property. The easements granted by the Developer shall not materially adversely affect any improvements or unreasonably interfere with the enjoyment of the Property.

4. ARTICLE V, Section C(1) is hereby amended to read as follows:

(1) Share of Common Expenses. Each Owner shall be liable for a proportionate share of the Common Expenses according to the budgets for Phase I and Phase II and shall share in the common surplus, such share being the same as the undivided share in the Association appurtenant to his Townhome as set forth in Article XIII hereof and Paragraph 37 of the By-Laws.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed this 29 day of December, 2000.

Signed, Sealed and Delivered in the presence of:

L.T.R. DEVELOPMENT, INC.

Sharon Dinwiddie
SHARON DINWIDDIE
(Print Name)

Jeff R. Linn PRES.
By: Jeff R. Linn
As: President

Reg. L. Cole
Regina L. Cole
(Print Name)

STATE OF FLORIDA
COUNTY OF WALTON

The foregoing instrument was acknowledged before me this 29th day of December, 2000, by Jeff R. Linn, as President of L.T.R. Development, Inc. on behalf of the corporation.

(notary **must** check applicable box)

- is personally known to me.
- produced a current Florida driver's license as identification.
- produced _____ as identification.

(SEAL)



SHARON DINWIDDIE
My Comm Exp. 6/8/2001
No. CC 653483
 Personally Known Other I.D.

Sharon Dinwiddie
SHARON DINWIDDIE
(Print Name)
Notary Public
Serial # _____
My Commission Expires: _____

THIS DOCUMENT PREPARED BY:

BURKE & BLUE, P.A.
Sharon Dinwiddie, Esq.
586 Grand Blvd., Ste 100
Destin, FL 32550

FL 656363 B 2300 P 1806
CO:WALTON ST:FL

EXHIBIT A

Lots 1 through 7, ROYAL SEAESTA PHASE I according to plat recorded at Plat Book 14 Pages 48 & 48A public records of Walton County Florida

together with Lots 1 through 29, ROYAL SEAESTA, PHASE II, according to plat recorded at Plat Book 14 Pages 60-100A, public records of Walton County Florida

EXHIBITS B & C

EXHIBIT B - Articles of Incorporation of Royal Seaesta Owners Association, Inc. recorded in Official Records Book 2282, Page 252, in the Public Records of Walton County, Florida.

EXHIBIT C- By-Laws of Royal Seaesta Owners Association, Inc. recorded in Official Records Book 2282, Page 261, of the Public Records of Walton County, Florida.

NOTE: Exhibits B & C to the Declaration of Covenants and Restriction not being re-recorded with this First Amendment; please refer to above listed recording information.

EXHIBIT D

Lots 8 through 13, ROYAL SEAESTA, PHASE II, according to plat recorded at Plat Book 14 Pages 60+60A, public records of Walton County Florida

FL 656363 B 2300 P 1807
CO:WALTON ST:FL

JOINDER OF MORTGAGE

First National Bank & Trust, a banking corporation, hereinafter called "BANK", the owner and holder of that certain mortgage encumbering the property described on Exhibit A of this Amendment to Declaration of Covenants, Conditions and Restrictions of Royal Seaesta, a Townhome Development (the "Amendment"), which mortgage is the following: Mortgage dated November 30, 1999, and recorded in Official Records Book 2125, Page 116, all in the public records of Walton County, Florida, and BANK agrees that the lien of its mortgage shall hereafter be subject to the Declaration and shall encumber each and every Townhome, including but not limited to, its undivided share of the Common Area.

Signed, sealed and delivered in the presence of:

Sharon Dinwiddie

Mark Thomas Harrison
By: _____
Its: _____

STATE OF FLORIDA
COUNTY OF WALTON

MARK THOMAS HARRISON
Senior Vice President
First National Bank & Trust

The foregoing instrument was acknowledged before me this 29 day of December, 2000, by Mark Harrison, Senior Vice President of First National Bank & Trust, on behalf of the corporation. He/she did take an oath and: (notary **must** check applicable box)

- is personally known to me.
- produced a current Florida driver's license as identification.
- produced _____ as identification.

(SEAL)



SHARON DINWIDDIE
My Comm Exp. 6/8/2001
No. CC 653483
() Personally Known () Other I.D.

Sharon Dinwiddie

(Print Name)
Notary Public
Serial # _____
My Commission Expires: _____

FL 656363 B 2300 P 1808
CO:WALTON ST:FL