

3. Second Amendment to Declaration of Covenants,
Conditions, and Restrictions of Cordova Square, A Planned
Unit Development – dated May 5, 1984

11-1909 REC 648

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF CORDOVA SQUARE, A PLANNED UNIT DEVELOPMENT

STATE OF FLORIDA
COUNTY OF ESCAMBIA

P E C I T A L S

A Declaration of Covenants, Conditions, and Restrictions of Cordova Square, A Planned Unit Development, according to the plat thereof recorded in Plat Book 12, at Page 17, of the Public Records of Escambia County, Florida dated December 2, 1983, was recorded in Official Records Book 1851, at Pages 416-478, of the Public Records of Escambia County, Florida on December 10, 1983, said Declaration having been executed by CONNELL-CROWLEY INVESTMENT CORPORATION, SUN BANKVEST FLORIDA, N.A., HENRY C. BAARS, JR., THEO D. BAARS, JR., and ERNESTINE BAARS CONNELL, they then being all of the parties in interest with respect to the real property described as the "Properties" in said Declaration. On January 25, 1984, the same parties executed a First Amendment to said Declaration, the same being recorded in Official Records Book 1867, at Pages 718-741, of the Public Records of Escambia County, Florida. The same parties, they now being the owners and mortgagees of not less than seventy (70%) percent of the lots in Cordova Square, now desire to execute this Second Amendment to said Declaration.

NOW, THEREFORE, in consideration of the premises and other good and valuable considerations, the undersigned parties do hereby amend the Declaration of Covenants referred to above as follows:

1 The third sentence of Section 4, ARTICLE IV, of the original Declaration, entitled "Maximum Assessments," said sentence beginning with the words "Notwithstanding anything in this Declaration..." and ending with the words "...per lot for retail businesses" is hereby amended to read as follows:

The maximum special assessment for promotion through December 31, 1984, shall not exceed Two Hundred Fifty and No/100 (\$250.00) Dollars per year per lot for unimproved lots Three Hundred and No/100 (\$300.00) Dollars per year per lot for professional offices, Five Hundred and No/100 (\$500.00) Dollars per year per lot for businesses rendering a service, One Thousand and No/100 (\$1,000.00) Dollars per year per lot for retail businesses, provided, however, that the maximum assessment limitations provided for in this sentence shall in all events be subject to the multiple promotional fee assessments set forth in ARTICLE IV, Section 1, of the Declaration, as amended in the First Amendment recorded in Official Records Book 1868, at Pages 738-741, of the Public Records of Escambia County, Florida.

2. The fifth sentence of ARTICLE IV, Section 4, entitled "Maximum Assessments," said sentence beginning with the words "When a lot's..." and ending with the words "...square footage is used" is hereby deleted in its entirety.

3 The seventh sentence of ARTICLE IV, Section 4, of the original Declaration, entitled "Maximum Assessments," said sentence beginning with the words "As use classifications change, the..." and ending with the words "...through December 31 of that year" is hereby amended to read as follows:

As business use classifications change or as business uses are added, the new classification rate(s) shall be paid on the date such new venture shall open for business and such new rate shall be prorated from the first of the month following the month in which such new venture shall open for business through December 31 of that year, with due credit or allowance for any prior special assessment promotional rate paid for the period beginning with the date on which such new venture shall open for business through December 31 of that year.

Except as modified herein, the terms and provisions of the original Declaration of Covenants, Conditions, and Restrictions of Cordova Square, A Planned Unit Development, as amended in the First Amendment to said Declaration, shall remain in full force and effect.

(Page 1 of 2 Pages)

IN WITNESS WHEREOF, the undersigned have executed these presents and signed their names on the 14th day of April, 1984

Witnesses

[Signature]
[Signature]

CONNELL-CRONLEY
INVESTMENT CORPORATION

By: [Signature]
John Burns Connell, President
Attest: [Signature]
James D. Cronley, Secretary

(CORPORATE SEAL)

SUN BANK/VEST FLORIDA, N.A.

By: [Signature]
E. Harbis Reynolds,
Executive Vice President
Attest: [Signature]
Cathy A. Brasch, Cashier

(CORPORATE SEAL)

[Signature]
HENRY G. BAARS, JR., Trustee
[Signature]
THEO D. BAARS, JR., Trustee
[Signature]
ERNESTINE BAARS CONNELL

20016

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me on the 14th day of April, 1984, by JOHN BAARS CONNELL and JAMES D. CRONLEY, as President and Secretary, respectively, of CONNELL-CRONLEY INVESTMENT CORPORATION, a Florida corporation, on behalf of the corporation

My Commission Expires [Signature]
Notary Public, State of Florida

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me on the 14th day of April, 1984, by E HARPIS REYNOLDS and CATHY A. BRASCH, as Executive Vice President and Cashier, respectively, of SUN BANK/VEST FLORIDA, N.A., a Florida banking corporation, on behalf of the corporation

My Commission Expires [Signature]
Notary Public, State of Florida

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me on the 14th day of April, 1984, by HENRY G. BAARS, JR., THEO D BAARS, JR., and ERNESTINE BAARS CONNELL, as Trustees

My Commission Expires [Signature]
Notary Public, State of Florida

This instrument was prepared by
Sam A Viviano, Esquire
Levin, Warfield, Middlebrooks,
Mable, Thomas, Hayes & Mitchell, P.A.
276 South Palafox Street
Pensacola, Florida 32501

(Page 2 of 1 Pages)