

738399

RECORDED IN THE PUBLIC RECORDS
OF LEON COUNTY, FLA.
ON JULY 16, 1985FIRST AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF
BLAIRSTONE FOREST (UNIT THREE), AN UNRECORDED PLAT

THIS INDENTURE, dated this 16 day of July, 1985, by Mad
Day Design and Construction Company, Inc. a Florida Corporation,
hereinafter referred to as the "Declarant".

OCT 30 1985

WITNESSETH;

THAT WHEREAS, by Declaration of Restrictive Covenants of Blairstone Forest (Unit Three), recorded in Leon County Official Record Book # 1126, beginning on Page 624, the Declarant imposed restrictive covenants upon the property described in Exhibit "A", attached hereto and made a part hereof, and hereinafter referred to as "The Property", and

WHEREAS, the concept of designation of "Open Space Areas" by lot as described in Article I, section 4 and in Article V, Section 3, Paragraph E is ambiguous both as to both the specific area of the individual lot that is to remain as "Open Space" as well as to the method to be used in making this determination, and

WHEREAS, the map attached to the aforementioned covenants and restrictions delineates arbitrary lines of proposed "Open Space Easements" on each each lot that were drawn for the purpose of example only and not intended to be absolute or definitive as to the exact locations of these "Open Spaces" on individual lots, and

WHEREAS the Declarant, along with the other persons and corporations who have an interest in the property and whose signatures are placed at the end of this Indenture wish to amend Article I, Section 4 to read: "'Open Space Easements' shall mean those areas of individual lots that are designated as 'Open Spaces', as more particularly described in Article V, Section 3, Paragraph E", and to amend Article V, Section 3, Paragraph E to read:

"Before a structure shall be commenced, the Owner shall submit to the Architectural Control Committee the proposed site plan, a copy of which shall also be submitted to the City of Tallahassee Building Department and the Leon County Planning Department. Within or upon this site plan shall be located the lot corners and dimensions, proposed homesite and appurtenant structures and a proposed 'Open Space Area'. The Owner shall not build or cause to be built any structure that will impede either water flow or water absorption in this designated 'Open Space Area'. Upon final survey of the completed home, the survey shall indicate the final definition of the homesite, any other improvements to the individual lot, and that area of the individual lot that shall be designated and shall remain as 'Open Space Area'", and

WHEREAS a scrivnor's error resulted in several blank spaces where the page number "26" should have been inserted, the Declarant wishes to amend all such blank spaces to instead read "page 26".

NOW, THEREFORE, in consideration of the foregoing, the Declarant does hereby amend the Declaration of Restrictive Covenants dated August 8, 1984 by substituting the aforementioned amendments as well as an amended map that deletes those arbitrary designations of proposed "Open Space Easements" on individual lots only, and which is attached hereto as Exhibit "B".

IN WITNESS WHEREOF, the Declarant has set its hand and affixed its seal the day and date first written above.

Mad Dog Design and Construction Company, Inc.

By: Charles B. Mitchell, III
Charles B. Mitchell, III
Its President

OR1182PC 760

STATE OF FLORIDA COUNTY OF LEON

Before me personally appeared Charles B. Mitchell, III to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gilman Notary Public State of Florida
Notary Public, State of Florida
My Commission Expires Dec. 14, 1986.

My Commission expires: Dec. 14, 1986

WE, the undersigned, being owners and/ or mortgagees of record of Blairstone Forest Unit III do hereby consent to the above First Amendment to Declaration of Restrictive Covenants of Blairstone Forest (Unit Three), an unrecorded plat.

Capital City Second National Bank
Tom Barron, Its President

Tom Barron

STATE OF FLORIDA - COUNTY OF LEON
Before me personally appeared Tom Barron to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 17th day of July, 1985.

Patricia J. Sharman Notary Public - State of Florida
Notary Public, State of Florida
My Commission expires: Commission Expires April 21, 1987
Bonded Title Corp. Inc.

Charles B. Mitchell, Jr.
STATE OF FLORIDA - COUNTY OF LEON

CBM/Jr

Before me personally appeared Charles B. Mitchell, Jr. to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gilman Notary Public - State of Florida
Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986

David Defina
for Cripple Creek Const. Co., Inc.
STATE OF FLORIDA - COUNTY OF LEON

David Defina

Before me personally appeared David Defina to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gilman Notary Public - State of Florida
Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986

Kellogg W. Hunt

Kellogg W. Hunt
STATE OF FLORIDA - COUNTY OF LEON

Before me personally appeared Kellogg W. Hunt to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 11th day of July, 1985.

Cecile C. Gellman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Tann Hunt
STATE OF FLORIDA - COUNTY OF LEON

Before me personally appeared Tann Hunt to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that she executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 17th day of July, 1985.

Cecile Gellman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Burke E. Lane
STATE OF FLORIDA - COUNTY OF LEON

Burke E. Lane

Before me personally appeared Burke E. Lane to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gellman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Mary L. Lane
STATE OF FLORIDA - COUNTY OF LEON

Mary L. Lane

Before me personally appeared Mary L. Lane to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that she executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gellman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

James A. Downing
STATE OF FLORIDA - COUNTY OF LEON

James A. Downing

Before me personally appeared James A. Downing to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gellman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

OR118216 762

Debra Downing
STATE OF FLORIDA - COUNTY OF LEON

Before me personally appeared Debra Downing to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that she executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gilman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Bill Shults
STATE OF FLORIDA - COUNTY OF LEON

Bill Shults

Before me personally appeared Bill Shults to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 20th day of July, 1985.

Cecile Gilman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Richard Jernigan
STATE OF FLORIDA - COUNTY OF LEON

Richard Jernigan

Before me personally appeared Richard Jernigan to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gilman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Melanie Jernigan
STATE OF FLORIDA - COUNTY OF LEON

Melanie Jernigan

Before me personally appeared Melanie Jernigan to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that she executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gilman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Richard Roberts
STATE OF FLORIDA - COUNTY OF LEON

Richard Roberts

Before me personally appeared Richard Roberts to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 17th day of July, 1985.

Cecile Gilman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Blairstone Forest Community Assn.
by Charles B. Mitchell, III, its President
STATE OF FLORIDA - COUNTY OF LEON

Charles B. Mitchell, III, President

Before me personally appeared Charles B. Mitchell, III to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gillman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Charles B. Mitchell, III
STATE OF FLORIDA - COUNTY OF LEON

Charles B. Mitchell, III

Before me personally appeared Charles B. Mitchell, III to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16th day of July, 1985.

Cecile Gillman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Fred Sanfilipo
STATE OF FLORIDA - COUNTY OF LEON

Fred R. Sanfilipo

Before me personally appeared Fred Sanfilipo to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 19th day of July, 1985.

Cecile Gillman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

Carol Sanfilipo
STATE OF FLORIDA - COUNTY OF LEON

Carol Sanfilipo

Before me personally appeared Carol Sanfilipo to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that she executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 19th day of July, 1985.

Cecile Gillman Notary Public - State of Florida

Notary Public, State of Florida at Large.
My Commission expires: My Commission Expires Dec. 14, 1986.

This document prepared by Charles B. Mitchell, III, 1713 Mahan Drive, Tallahassee, Florida 32317.

STOCKTON, WHATLEY, DAVIN & COMPANY

James A. Thames
James A. Thames
 JAMES THAMES, VICE PRESIDENT

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF LEON

Before me personally appeared JAMES THAMES as Vice President of STOCKTON, WHATLEY, DAVIN & COMPANY, to me well known and known to me to be the person described in and who executed the foregoing instrument and acknowledged to and before me that he executed the said instrument for the purposes therein expressed.

Witness my hand and official seal, this 30 day of October, 1985.

Carol Penrose
Carol Penrose
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 1-30-88

(SEAL)

ROBERT JO GLICK

Robert J. Glick
Robert J. Glick

STATE OF FLORIDA
COUNTY OF LEON

Before me personally appeared ROBERT JO GLICK to me well known and known to me to be the person described in and who executed the foregoing instrument and acknowledged to and before me that she executed the said instrument for the purposes therein expressed.

Witness my hand and official seal this 10th day of September, 1985.

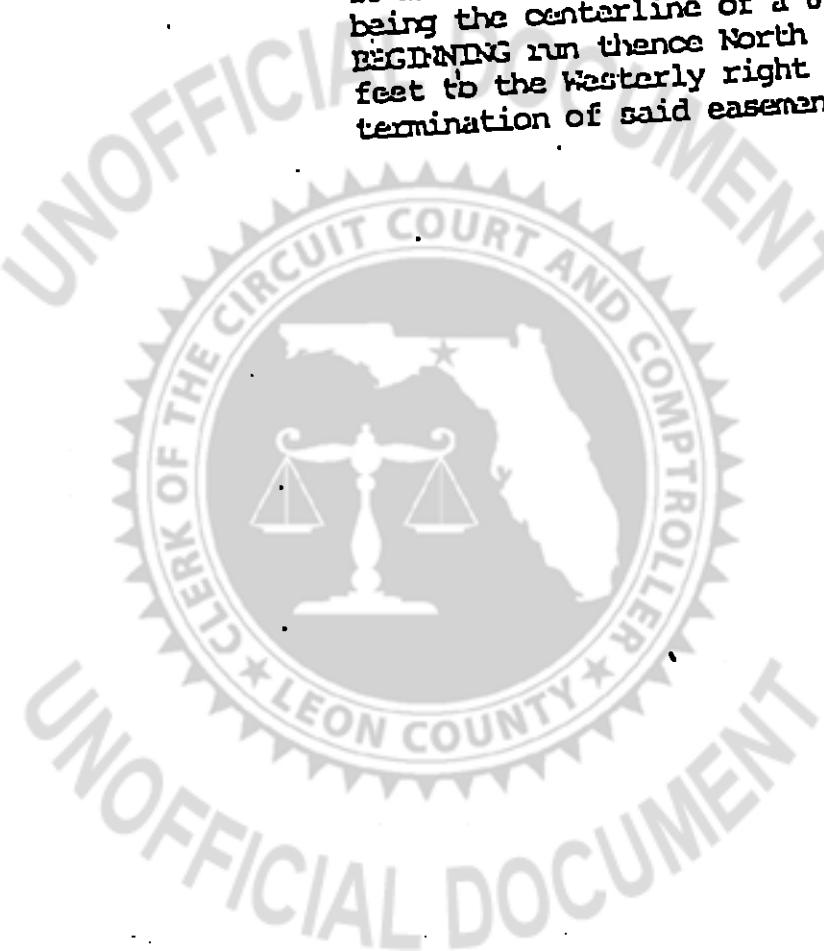
Carol Penrose
Carol Penrose
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 1-30-88

Commence at the Southwest corner of the Northeast Quarter of Section 8, Township 1 South, Range 1 East, Leon County, Florida, and run thence South 89 degrees 57 minutes 59 seconds West 820.91 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue South 89 degrees 57 minutes 59 seconds West 1069.89 feet to a point on the East boundary of LEHIGH, UNIT NO. 4, a subdivision as per map or plat thereof as recorded in Plat Book 4, Page 62, of the Public Records of Leon County, thence run along said East boundary as follows: North 4 degrees 04 minutes East 107.10 feet, thence North 3 degrees 36 minutes 30 seconds East 76.88 feet to the Southeast corner of Lot 37, Block "E" LEHIGH, UNIT NO. 5, a subdivision as per map or plat thereof as recorded in Plat Book 5, Page 29 of the Public Records of Leon County, Florida, thence along said LEHIGH, UNIT NO. 5 as follows: North 3 degrees 36 minutes 30 seconds East 309.9 feet, thence North 15 degrees 02 minutes 30 seconds West 451.15 feet, thence North 3 degrees 02 minutes 30 seconds West 388.70 feet to a point on the Southern boundary of Indian Head Acres a subdivision as per map or plat thereof as recorded in Plat Book 3, Page 166 of the Public Records of Leon County, thence along said Southern boundary run North 89 degrees 55 minutes 15 seconds East 1937.91 feet, thence South 00 degrees 23 minutes 28 seconds East 628.40 feet, thence South 00 degrees 21 minutes 46 seconds East 229.92 feet, thence South 89 degrees, 57 minutes 59 seconds West 380.41 feet, thence South 43 degrees 32 minutes 53 seconds West 635.14 feet to the POINT OF BEGINNING, containing 51.67 acres, more or less.

The above described property being subject to a 30 foot sanitary sewer easement along the Northern boundary as recorded in Official Records Book 460, Page 376-377. Also subject to a 35 foot drainage easement along the western boundary as recorded in Deed Book 232, Page 332, of the Public Records of Leon County, Florida.

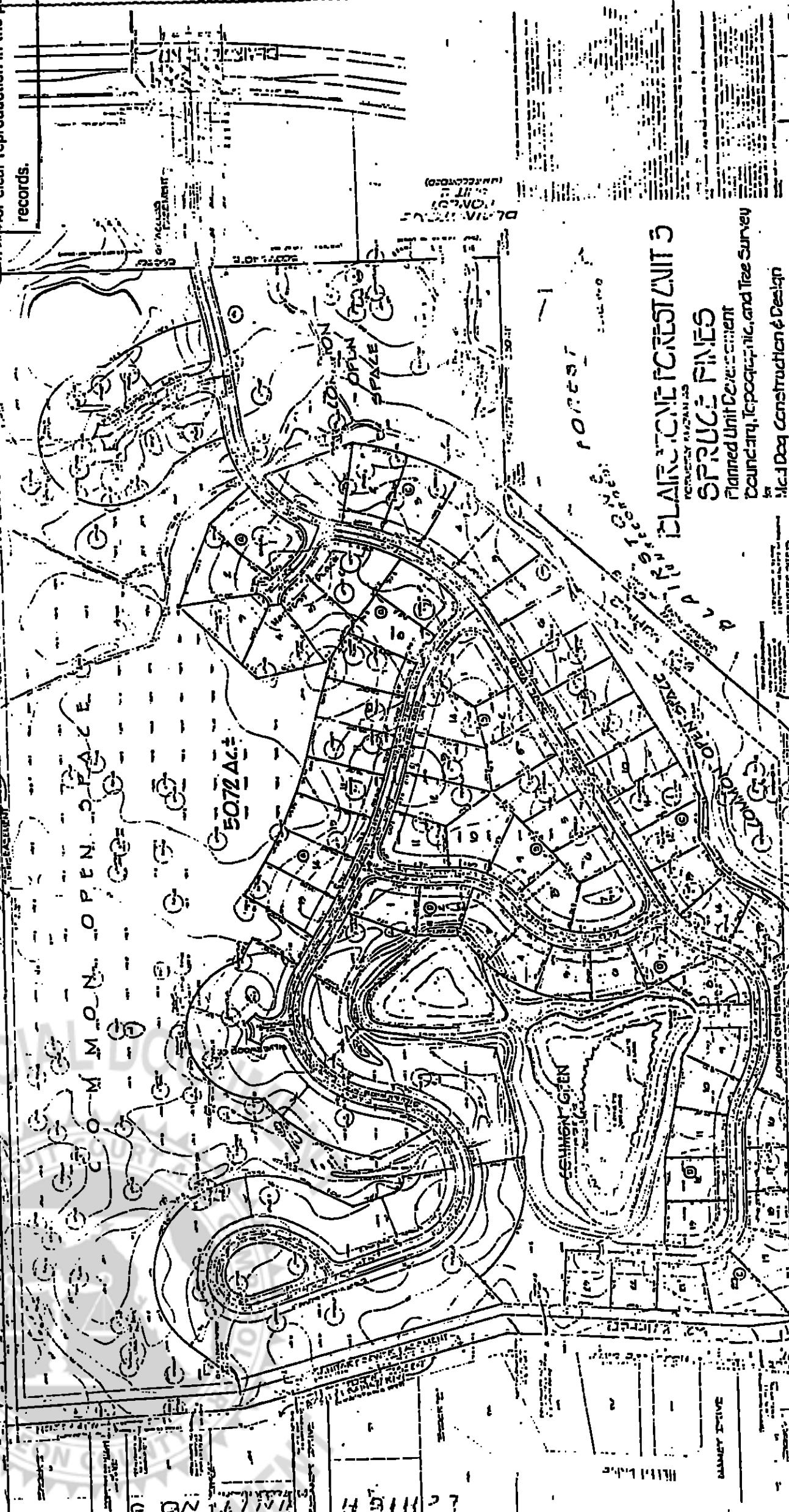
ROADWAY EASEMENT: Commence at the Southwest corner of the Northeast Quarter of Section 8, Township 1 South, Range 1 East, Leon County, Florida and run thence South 89 degrees 57 minutes 59 seconds West 820.91 feet, thence run North 43 degrees 32 minutes 53 seconds East 635.14 feet, thence run North 89 degrees 57 minutes 59 seconds East 380.41 feet, thence run North 00 degrees 21 minutes 46 seconds West 229.92 feet, thence run North 00 degrees 23 minutes 28 seconds West 268.40 feet to the POINT OF BEGINNING, said point being the centerline of a 60.0 foot roadway easement. From said POINT OF BEGINNING run thence North 89 degrees 55 minutes 15 seconds East 276.98 feet to the westerly right of way boundary of Blairstone Road and the termination of said easement.

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PLAT OF THE
SPRUCE PINES
Planned Unit Development
Boundary, Topographic, and Tree Survey

Prepared by
Etkold Land & Assoc., Inc.
Planned Unit Development
Boundary, Topographic, and Tree Survey
McDowell Construction & Design

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