

SECOND AMENDMENT

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INDEX

TO

DECLARATION OF RESTRICTIVE COVENANTS,
EASEMENTS AND PARTY WALL AGREEMENT

APPROVED IN THE PUBLIC
 RECORDS DEPT.
 NOV 24 1987
 CLERK OF CIRCUIT COURT
 H. PALMER PROCTOR

854827

THIS FIRST AMENDMENT, made on this 23rd day of November, 1987, by R. FRANK DONALDSON and A. B. HOPKINS, JR., referred to herein as "the Declarants",

W I T N E S S E T H :

WHEREAS, the Declarants did impose upon an unrecorded subdivision in Leon County, Florida, known as "FOREST COMMONS" certain covenants, restrictions and easements as set forth in the Declaration of Restrictive Covenants, Easements and Party Wall Agreement dated March 30, 1987, and recorded in Official Records Book 1254 at Page 1175, Public Records of Leon County, Florida (referred to herein as "the Declaration"); and

WHEREAS, the Declaration was amended by the Declarants by a First Amendment dated June 5, 1987, recorded in Official Records Book 1265 at Page 1236, Public Records of Leon County, Florida, and the Declarants wish to further amend the Declaration in the particulars hereinafter specified.

NOW, THEREFORE, the Declarants do by this instrument amend the Declaration as follows:

Provision numbered 9 of the Declaration is amended to read as follows:

"9. Purpose of Assessments. The assessments levied by the Association shall be used exclusively to promote and maintain the recreation, health, safety, and welfare of the members of the Association, and in particular, for the improvement and maintenance in a first class condition and in a good state of repair of the common areas, roadways, roadway lighting, and easement areas of the property, and such other areas which are maintained by the Association, whether owned by the Association or by the homeowner. The

aforesaid roadways located within Forest Commons Subdivision are private roadways which are or will be owned by the Forest Commons Homeowners Association, Inc., which Association shall have the sole and absolute responsibility for the maintenance and repair of such private roadways. Located beneath the roadways within the subdivision are certain conduits or lines for utilities services, including water, sewer and electricity. The City of Tallahassee will not have any responsibility or liability for maintenance or repair of the roadways located within Forest Commons, except, however, the City of Tallahassee shall be responsible for repairing any damage caused to the roadways in Forest Commons as a result of or in connection with any installations and/or repairs undertaken by the City of Tallahassee upon the aforesaid utilities lines or conduits.

EXCEPT as specifically modified by this instrument the aforesaid Declaration remains in full force and effect in accordance with its original terms and provisions.

DONE AND EXECUTED at Tallahassee, Leon County, Florida, the day and year first above written.

Witnesses:

Christina Mann
Terrie B Murphy

R. FRANK DONALDSON

Christina Mann
Terrie B Murphy

A. B. HOPKINS, JR.

"Declarants"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing Second Amendment to Declaration of Restrictive Covenants, Easements and Party Wall Agreement was acknowledged before me on this 23rd day of November, 1987, by R. FRANK DONALDSON.



Terrie B Murphy
NOTARY PUBLIC, State of Florida
at Large.

My Commission Expires: 9-30-90

2 Notary Public, State of Florida
My Commission Expires Sept. 30, 1990

STATE OF FLORIDA
COUNTY OF LEON

The foregoing Second Amendment to Declaration of Restrictive
Covenants, Easements and Party Wall Agreement was acknowledged
before me on this 23rd day of November, 1987, by A. B. HOPKINS,
JR.



Verlie B. Hopkins
NOTARY PUBLIC, State of Florida
at Large.

My Commission Expires: 9-30-90

Notary Public, State of Florida
My Commission Expires Sept. 30, 1990
Bounded Town Tax Com - Leon Co., Fla.



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