

MODIFICATION TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF FOREST GREEN

OR1395P1616

That certain Declaration of Covenants, Conditions and Restrictions of Forest Green Subdivision, same being recorded in Official Records Book 1083, Page 311, et seq., and modified in Official Records Book 1089, Page 1752, Public Records of Leon County, Florida, are hereby amended as follows:

That part of Exhibit D attached to the Declaration of Covenants and Restrictions as described in OR Book 1083, Page 398 (drainage easement on north end of property), as referred to in Article V, Section 2 (easement for drainage and utilities) is hereby amended to read as follows:

See Exhibit A attached hereto and made a part hereof.

By this amendment to the Declaration of Covenants and Restrictions, the Forest Green Homeowners Association and the owners thereof abandon that portion of the easement previously described in Exhibit "D" which is not contained in the legal description attached hereto. No person shall prevent the normal flow of water over the property described in Exhibit A.

In all other respects, the Declaration of Covenants, Conditions and Restrictions is reaffirmed.

In witness whereof, the parties hereto have set their hands and seals.

Approved:

Angelita Rude, Treasurer, Sept 17, 1989

RECEIVED  
RECORDED  
CLERK OF THE CIRCUIT COURT  
SEP 18 1989  
3 55 PM '89

RECEIVED  
RECORDED  
CLERK OF THE CIRCUIT COURT  
SEP 18 1989  
3 55 PM '89

Appointed by the Board of Directors, Chairman, Architectural Control, 8/17/89  
Florence H. Fuchs, President, 9/17/89

Billie F. Thiel

WITNESS: acknowledged before me this 17<sup>th</sup> day of Sept 1989

Wita W. Roberts, Notary

My Commission Expires June 3, 1993

Notary Public, State of Florida

My Commission Expires June 3, 1993

Bonded True Copy Seal Assurance Seal

STATE OF FLORIDA, COUNTY OF LEON

State of Florida  
County of León

13951617

This foregoing instrument was acknowledged before me this 17<sup>th</sup> day of September  
1989 by:

Wyndham Riotte, Treasurer

Vicki S. Russell, Vice President

Martin H. Schneiderman, Chairman Architectural Committee

Lawrence H. Fuchs, President

*Susan F. Kline*

Notary Public

Notary Public, State of Florida  
My Commission Expires Feb. 18, 1992



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In all other respects, the Declaration of Covenants, Conditions and Restrictions is reaffirmed.

In witness whereof, the parties hereto have set their hands and seals.

Approved:

*Susan F. Thiel, Secretary* 9-18-89



WITNESS:

day of September 1989

STATE OF FLORIDA, COUNTY OF LEON

*Rita W. Roberts* acknowledged before me this 18<sup>th</sup>

*Rita W. Roberts* Notary  
Notary Public, State of Florida  
My Commission Expires June 5, 1993  
Balded Thru Troy Fain - Insurance Inc.

EXHIBIT A

Commence at a concrete monument marking the Northwest Corner of Section 33, Township 1 North, Range 1 East, Leon County, Florida (said concrete monument being located 21.26 feet South and 61.76 feet East of the Southeast Corner of Lot 7, Block "B" of Glenwood Estates as recorded in Plat Book 2, Page 11 of the Public Records of Leon County, Florida) (and run North  $00^{\circ} 21' 0''$  East 21.29 feet to a concrete monument, thence North  $89^{\circ} 58' 27''$  East 150.61 feet, thence continue North  $89^{\circ} 58' 27''$  East 365.81 feet to the POINT OF BEGINNING, from said POINT OF BEGINNING continue to run North  $89^{\circ} 58' 27''$  East 150.38 feet to a concrete monument, thence South  $00^{\circ} 06' 06''$  West 437.26 feet to a concrete monument, thence North  $89^{\circ} 29' 35''$  West 20.00 feet, thence North  $00^{\circ} 06' 06''$  East 178 feet, thence North  $34^{\circ} 19' 39''$  West 74.28 feet, thence South  $53^{\circ} 45' 15''$  West 96.37 feet to a point lying on a curve concave to the Southwesterly, thence from a tangent bearing North  $24^{\circ} 42' 32''$  West run Northwesterly along said curve with a radius of 50.00 feet, through a central angle of  $23^{\circ} 04' 26''$ , for an arc distance of 20.14 feet, thence North  $53^{\circ} 45' 15''$  East 97.04 feet, thence North  $34^{\circ} 19' 39''$  West 29.52 feet, thence North  $55^{\circ} 08' 43''$  West 108.06 feet, thence North  $22^{\circ} 46' 47''$  East 70.51 feet, thence South  $89^{\circ} 58' 27''$  West 21 feet, more or less, to the lot lying and dividing lots number 10 and 11 of Forest Green Subdivision as described in Exhibit "B" attached to the Declaration of Covenants and Restrictions recorded in Official Records Book 1083, Page 311, et seq., Public Records of Leon County, Florida, and thence run North  $36^{\circ} 34' 34''$  East along said lot line between Lots 10 and 11 a distance of  $39^{\circ}$ , more or less, to the POINT OF BEGINNING.

A complete survey has not been performed to verify the accuracy of this property description, and it is the intent of the parties to abandon that 30 foot easement over lots 8, 9, and 10, Forest Green Subdivision.



ARTICLE V  
EASEMENTS

Section 1. Easement for Utilities, Ingress and Egress. The Declarant hereby reserves, excepts, imposes and creates a non-exclusive, perpetual easement to and on behalf of the Declarant, the Association, the Owners, their grantees, heirs and successors in interest for utilities, ingress and egress over, under and across the property described in Exhibit "C" attached hereto and by reference made a part hereof. This easement shall be maintained by the Association. Within this easement, no structure, planting or other material which may interfere with the use and purpose of the easement shall be placed or permitted to remain.

Section 2. Easement for Drainage and Utilities. The Declarant hereby reserves, excepts, imposes and creates a non-exclusive, perpetual easement to and on behalf of the Declarant, the Association, the Owners, their grantees, heirs and successors in interest for drainage and utility purposes over, under and across the property described in Exhibit "D" attached hereto and by reference made a part hereof. The easement created hereby shall include, but not be limited to, the right of all Owners to cause or allow surface and storm water to be discharged onto and be held in the easement area. This easement shall be maintained by the Association. Within this easement, no structure, planting or other material which may interfere with the use and purpose of the easement shall be permitted to remain.

## ARTICLE VI

## ARCHITECTURAL CONTROL

No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of