

This Instrument prepared by:
Joseph P. Jones, Esq.
Broad and Cassel
215 S. Monroe, Suite 400
Tallahassee, FL 32301
(850) 681-6810

R20010051701
RECORDED IN
PUBLIC RECORDS LEON CNTY FL
BK: R2524 PG: 02131
JUL 11 2001 09:51 AM
BOB INZER, CLERK OF COURTS

**KILLEARN ESTATES SUBDIVISION
CORRECTIVE INSTRUMENT**

STATE OF FLORIDA

COUNTY OF LEON:

July 9th, 2001.

KNOW ALL MEN BY THESE PRESENTS, that this is an instrument intended to correct and hereinafter amend a previously recorded instrument affecting Killearn Estates Subdivision, Units 1 through 54, inclusive, entered into on the date below written, by KILLEARN HOMES ASSOCIATION, INC., a Florida corporation, hereinafter referred to as "Declarant":

WITNESSETH:

WHEREAS, on May 22, 2001 at 10:18 AM, Declarant recorded a Declaration of Amendment to Covenants and Restrictions in the Public Records of Leon County, Florida at Official Record 2502, Page 01138, which contained a scrivener's error, to wit:

"2. This instrument hereby adds or replaces, whichever may be appropriate, the following language to the covenants and restrictions of those Units of Killearn Estates fully described in Paragraph 5, below:"

and;

WHEREAS, Declarant hereby declares a need to correct the scrivener's error in order to clarify and preserve the original intent of the document, and;

WHEREAS, the original recorded Declaration of Amendment to Covenants and Restrictions is attached hereto as Exhibit A for reference purposes only.



NOW, THEREFORE IN CONSIDERATION OF THE AFOREMENTIONED,

Declarant hereby corrects and hereinafter amends the previously recorded Declaration of Amendment to the Covenants and Restrictions in the following manner:

1. Paragraph 2 of the originally recorded Declaration of Amendment to the Covenants and Restrictions shall be corrected and hereinafter amended to reflect the following:

"This instrument hereby adds or replaces, whichever may be appropriate, the following language to the covenants and restrictions of those Units of Killearn Estates fully described in Paragraph 3, below:"

IN WITNESS WHEREOF, KILLEARN HOMES ASSOCIATION, INC. has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto who are duly authorized, the day and year first above written.

KILLEARN HOMES ASSOCIATION, INC.

By: Roger J. Osborne
Its: President Roger J. Osborne

(Corporate Seal)

Attest:

By: Arthur G. Wimer Jr.
Its: SECRETARY Arthur G. Wimer Jr.
STATE OF FLORIDA)

COUNTY OF LEON)

The foregoing instrument was acknowledged before me this 9th day of JULY, 2001 by ROGER J. OSBORNE, as PRESIDENT of the Killearn Homes Association, Inc., a Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ as identification.

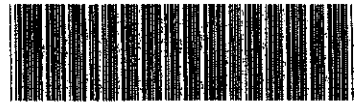
Laurie Riggs
NOTARY PUBLIC

My Commission Expires:



This Instrument prepared by:

Joseph P. Jones,*Esq.
Broad and Cassel
215 S. Monroe, Suite 400
Tallahassee, FL 32301
(850) 681-6810



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JUL 11 2001 09:51 AM
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**KILLEARN ESTATES SUBDIVISION
DECLARATION OF AMENDMENT TO COVENANTS AND RESTRICTIONS**

STATE OF FLORIDA

COUNTY OF LEON: may 18, 2001.

KNOW ALL MEN BY THESE PRESENTS, that this is a Declaration of Amendment to the Covenants and Restrictions for the Killearn Estates Subdivision, Units 1 through 54, inclusive, entered into on the date above written, by KILLEARN HOMES ASSOCIATION, INC., a Florida corporation, hereinafter referred to as "Declarant:"

WITNESSETH:

WHEREAS, Declarant is the Assignee of Developer Killearn Properties, Inc.'s right to amend the covenants and restriction applicable to Killearn Estates Subdivision for the purpose of "curing any ambiguity in or inconsistency between the provisions contained herein ..."

WHEREAS, said Assignment is recorded in the Public Records for Leon County, Florida, at Official Record 2151, Page 918;

WHEREAS, there has been confusion and ambiguity amongst the Membership regarding where boats, trailers, other vehicles, campers, or cars shall be properly parked on the respective Member's property and Declarant hereby declares the need to amend the covenants

Exhibit "A"

1

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and restrictions, in accord with its assigned right to do so, to cure any inconsistencies or ambiguities in this regard.

NOW, THEREFORE IN CONSIDERATION OF THE AFOREMENTIONED,

Declarant hereby amends the covenants and restrictions pertaining to those Units of the Killearn Estates Subdivision fully described below as follows:

1. This instrument hereby deletes any reference to the following language:

“Boats, trailers, campers or other vehicles shall be parked or stored within the garage or placed behind the residence; however, in no event shall the vehicles be visible from the street which runs in front of the property”;

found in:

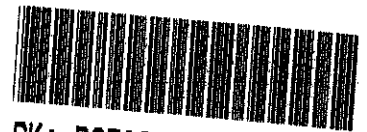
<u>Unit</u>	<u>Article</u>
10	IX
11	IX
12	IX
15	IX
17	IX
27	IX
31	IX
37	IX
38	IX
39	X
40	IX
41	X

and;

“Except in areas zoned for multi-family use, boats, trailers, campers, or other vehicles shall be parked or stored within the

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BK: R2524 PG: 02134
JUL 11 2001 09:51 AM
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garage or placed behind the residence; however, in no event shall the vehicles be visible from the street which runs in front of the property”;

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BK: R2524 PG: 02135
JUL 11 2001 09:51 AM
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found in:

<u>Unit</u>	<u>Article #</u>
14	IX
16	IX
18	IX
19	IX
20	IX
21	IX
22	IX
23	IX
25	IX
26	IX
28	IX
29	IX
30	IX
32	IX
33	IX
35	IX
36	IX
51	IX
53	IX
54	IX

and;

“Nothing, other than automobiles shall be parked in the driveway. Boats, trailers, and campers shall be parked or stored within the garage or placed behind the residence, and in no event shall the vehicles be visible from the street which runs in from of the property”;

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found in:

<u>Unit</u>	<u>Article #</u>
50	XXX

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BK: R2524 PG: 02136
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2. This instrument hereby adds or replaces, whichever may be appropriate, the following language to the covenants and restrictions of those Units of Killearn Estates fully described in Paragraph 5, below:

"Except for areas zoned for multi-family use (which areas are subject to separate rules, covenants and restrictions), no boat, trailer, camper or vehicle other than those vehicles utilized for personal transportation purposes which are operable, registered and/or licensed for operation on the public roads, shall be parked where visible from the street which runs in front of the residence (in the case of residences located on corner lots, the side or abutting street is applicable in addition to the street directly in front of the residence) for more than two consecutive days during any thirty day period or as otherwise expressly authorized by Killearn Homes Association, Inc..

In no event shall any boat, trailer, camper, or other vehicle, including but not limited to, those vehicles utilized for personal transportation purposes which are operable, registered and/or licensed for operation on the public roads, be parked on the grass or lawn area where visible from the street which runs in front of the residence (in the case of residences located on corner lots, the side or abutting street is applicable in addition to the street directly in front of the residence) overnight without the express written authorization of Killearn Homes Association, Inc..





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Any boat, trailer, camper, or other vehicle, including those vehicles utilized for personal transportation purposes which are operable, registered and/or licensed for operation on the public roads, that are to be stored on the Member's property must be stored either in the garage or behind the residence so as to not be visible from the street which runs in front of the property (in the case of residences located on corner lots, the side or abutting street is applicable in addition to the street directly in front of the residence).

3. The appropriate record data of the affected Covenants and Restrictions is as follows:
 In the Leon County, Florida, Public Records:

<u>Unit</u>	<u>O.R. Book</u>	<u>Page No.</u>
1	1897	254
	193	485
	264	383
2	212	496
	264	383
3	242	361
	264	383
4	232	218
	264	383
5	347	351
6	242	383
	264	383
	269	270
7	297	45
8	387	10
9	347	351
	394	184
10	403	130
11	451	295
12	451	312
14	530	492
15	465	230



UNOFFICIAL DOCUMENT

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R20010051701
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BK: R2524 PG: 02138
JUL 11 2001 09:51 AM
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BK: R2502 PG: 01143

16	550	719
	592	244
	700	606
17	493	233
18	847	545
19	903	1542
20	855	505
21	932	1763
22	982	36
	984	453
23	748	528
	906	298
	1075	1841
24	1505	2070
25	1420	1431
26	1025	1288
27	1284	1677
28	747	276
	780	767
	1146	485
	1360	1025
	1373	771
29	993	427
30	968	2353
31	1237	1079
32	993	22
33	1094	22
34	1073	2393
35	993	427
36	1157	1203
37	1458	0181
38	1469	0019
39	1571	2086
40	1520	2025
41	1788	2373
50	403	113
51	1161	1280
53	848	221
54	745	491



4. All owners and prospective purchasers of the several units of Killearn Estates Subdivision in Leon County, Florida, hereby and thereby take notice of this reported change in the Covenants and Restrictions of the Killearn Estates Subdivision.

5. Except as amended herein, all other covenants and restrictions remain in full force and effect.

IN WITNESS WHEREOF, KILLEARN HOMES ASSOCIATION, INC. has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto who are duly authorized, the day and year first above written.



KILLEARN HOMES ASSOCIATION, INC.

By:

Its:

(Corporate Seal)

Attest:

By:

Its:

STATE OF FLORIDA)

COUNTY OF LEON)

The foregoing instrument was acknowledged before me this 18 day of MAY, 2001 by ROGER OSBORNE, as PRESIDENT of the Killearn Homes Association, Inc., a Florida Corporation, on behalf of the corporation. He/She is personally know to me or has produced _____ as identification.

Laurie Rigg
NOTARY PUBLIC

My Commission Expires:

