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RECORDED IN THE PUBLIC  
RECORDS OF LEON COUNTY, FLA.

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THIS INSTRUMENT PREPARED BY:

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Tallahassee, FL 32312  
(904) 385-0070

AMENDMENT TO

OR1473PC0338

DECLARATION OF RESTRICTIVE COVENANTS  
OF SUMMERBROOKE, PHASE I, A RECORDED  
SUBDIVISION IN LEON COUNTY, FLORIDA.

THIS AMENDMENT is made and entered into this 7<sup>th</sup> day of December, 1990, by SUMMERBROOKE, a Florida general partnership consisting of FRED G. SHELPER; FRED G. SHELPER, JR.; and PEAVY & SON CONSTRUCTION CO., INC., a Florida corporation, the "Declarant" as that term is defined in the Declaration of Restrictive Covenants of SUMMERBROOKE, PHASE I, a recorded subdivision in Leon County, Florida, dated June 13, 1989, and recorded June 23, 1989, in Official Records Book 1381, Page 1251 of the Public Records of Leon County, Florida (hereinafter referred to as the "Restrictive Covenants").

## W I T N E S S E T H :

Pursuant to Article X of the Restrictive Covenants entitled "Amendments", Declarant has retained the right to amend the Restrictive Covenants. The purpose of this Amendment is to assure the continual maintenance of the lakes and other facilities within Summerbrooke Subdivision that have been permitted by the Northwest Florida Water Management District.

NOW, THEREFORE, the Restrictive Covenants are hereby amended as follow:

1. Article II entitled "Summerbrooke Property Owners Association, Inc." shall be modified to add Section 4. as follows:

Section 4. Facilities Permitted by Northwest Florida Management District. In addition to the responsibilities of the Association as provided for in this Article and in other Articles of these Restrictive Covenants, the Association will be the legal entity responsible for operations and maintenance of the facilities within the subdivision that have been or will be permitted by the Northwest Florida Water Management District and to comply with any and all provisions of the permits that may be existing from time to time. The Association shall further have the authority in its discretion to utilize any or all of the monies collected through assessments of members of the Association for the maintenance of the facilities permitted by the Northwest Florida Water Management District.

2. All other covenants and provisions of the Restrictive Covenants not modified by this document shall remain in full force and effect.

MADE AND ENTERED INTO on the day and year first above written by SUMMERBROOKE, a Florida general partnership consisting of FRED G. SHELFER; FRED G. SHELFER, JR.; and PEAVY & SON CONSTRUCTION CO., INC., a Florida corporation.

WITNESSES:

SUMMERBROOKE, a Florida General Partnership

Loren D. Jampine  
Harry L. Sheehan  
Mauro A. Adams  
James O. Shelfer

By: Fred G. Shelfer  
 FRED G. SHELFER,  
 Partner

By: Fred G. Shelfer, Jr.  
 FRED G. SHELFER, JR.,  
 Partner

PEAVY & SON CONSTRUCTION CO.,  
 INC., Partner

Richard D. Mason  
James O. Shelfer

By: M. D. Peavy, III  
 M. D. PEAVY, III,  
 President

STATE OF FLORIDA,  
 COUNTY OF LEON.

The foregoing instrument was acknowledged before me by FRED G. SHELFER on this 20 day of December, 1990.

Loren D. Jampine  
 NOTARY PUBLIC  
 My Commission Expires: 10/10/92

STATE OF FLORIDA,  
 COUNTY OF LEON.

The foregoing instrument was acknowledged before me by FRED G. SHELFER, JR. on this 4th day of December, 1990.

Mauro A. Adams  
 NOTARY PUBLIC  
 My Commission Expires: 10/10/92

STATE OF FLORIDA,  
 COUNTY OF LEON.

The foregoing instrument was acknowledged before me by M. D. PEAVY, III as President of PEAVY & SON CONSTRUCTION CO., INC. on this 7th day of Dec., 1990.

Gloria A. Peavy  
 NOTARY PUBLIC  
 My Commission Expires: 10/25/92