

2188/1579

2188 1579

5000

AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS
CHEROKEE TRAILS SUBDIVISION, UNIT 1
VOLUSIA COUNTY, FLORIDA AND NOTICE OF PROVISIONS
OF CHEROKEE TRAILS HOMEOWNERS ASSOCIATION, INC.

THIS AMENDMENT, made this 6th day of August,
1980, by EDWIN W. PECK, INC., a Florida Corporation, with its
principal place of business at 3510 S. Atlantic Avenue, Daytona
Beach Shores, Volusia County, Florida, hereinafter sometimes
referred to as the Developer.

W I T N E S S E T H:

WHEREAS, the Developer has previously caused a Declaration
of Covenants and Restrictions for Cherokee Trails Subdivision,
Phase I, Volusia County, Florida, and Notice of Provisions of
Cherokee Trails Homeowners Association, Inc., placed on record in
Official Records Book 2043, pages 1790 through 1815, of the Public
Records of Volusia County, Florida; and

WHEREAS, pursuant thereto the Developer reserved the right
to amend, modify and rescind such parts of the restrictions as it,
in its sole discretion deems necessary or desirable so long as it
is (a) the sole owner of the property to which these restrictions
apply, or in the alternative (b) such amendment or modification
does not substantially change the character, nature or general
scheme of the development of Cherokee Trails Subdivision; and

WHEREAS, the Developer in its sole discretion deems it
necessary or desirable to amend the Declaration of Covenants and
Restrictions of Cherokee Trails Subdivision, Phase I, Volusia
County, Florida, and Notice of Provisions of Cherokee Trails Homeowners
Association, Inc., as hereinbelow set forth; and

WHEREAS, such amendment or modification as hereinbelow set
forth will not substantially change the character, nature or general
scheme of development of Cherokee Trails Subdivision, Phase I

AUG 7 10 37 AM '80

062612

21881580

BOOK PAGE

NOW THEREFORE, the Developer hereby amends The Declaration of Covenants and Restrictions of Cherokee Trails Subdivision, Phase I, Volusia County, Florida and Notice of Provisions of Cherokee Trails Homeowners Association, Inc.. as follows:

1. The schedule of legal description which is attached as Exhibit A is hereby amended to include Cherokee Trails Subdivision, Phase II, Volusia County, Florida, as per the plat thereof found in Map Book 37, at page 19, public records of Volusia County, Florida.

IN WITNESS WHEREOF, the Developer has hereunto set its hand and seal on the day and year first above written.

WITNESSES

[Signature]
[Signature]

EDWIN W. PECK, INC.

By: *[Signature]* (SEAL)

Edwin W. Peck

Attest: _____

STATE OF FLORIDA)
)
COUNTY OF VOLUSIA)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared EDWIN W. PECK, known to me to be the President of EDWIN W. PECK, INC., and that he acknowledged executing the within document in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corpoyation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 6 day of August, 1980.

[Signature]
Notary Public

My Commission Expires _____

