

*1 Attachment*  
This Document Prepared by:  
William I. Livingston  
1 Corporate Drive, Suite 3A  
Palm Coast, FL 32137-4715

Inst No: 97023971 Date: 12/22/1997  
SYD CROSBY, FLAGLER County  
By: *M. Stevens* D.C. Time: 15:33:1

SUPPLEMENTAL DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
FLAGLER FORD, INC. AT CYPRESS POINT

OFF  
REC 0601 PAGE 0569

Reserved for Recording Information

This Supplemental Declaration is made  
this 19 day of Dec., 1997, by Palm  
Coast Holdings, Inc., a Florida Corporation  
hereinafter called the "Declarant."

WHEREAS, the Declarant is the owner of certain lands in Flagler  
County, Florida, more particularly described in attached Exhibit A  
(hereinafter referred to as the "Property"); and

WHEREAS, it is the Declarant's intention that the Property be made  
a part of the Cypress Point development being developed by Declarant and  
the Property be subject to the Declaration of Covenants, Conditions and  
Restrictions for Cypress Point, as recorded in Official Records Book 523  
at Pages 113 through 158 of the Public Records of Flagler County,  
Florida.

NOW, THEREFORE, the Declarant declares that the Property is held  
and shall be sold by it subject to the Declaration of Covenants,  
Conditions and Restrictions for Cypress Point, as recorded in Official  
Records Book 523 at Pages 113 through 158 of the Public Records of  
Flagler County, Florida (the "Master Declaration"); that the Property is  
Annexed Property as defined in the Master Declaration; and that the  
following supplemental covenants shall also run with the Property (in  
addition to the covenants, conditions and restrictions of the Master  
Declaration) for the same duration and to the same extent as the  
covenants, conditions and restrictions of the Master Declaration.

ARTICLE I

USE OF PROPERTY

Section 1.1 Permitted Use. The property may be used for new car  
dealerships, service center and body repair and any other purpose that  
may, from time to time, be permitted under the zoning and Land  
Development Regulations of Flagler County, Florida.

Section 1.2 Prohibited Activities and Uses. No activity of any  
kind that is of a noxious, offensive or dangerous nature shall be  
carried on in any part of the Property nor shall anything be done  
thereon which may be or become an annoyance or nuisance to the  
neighborhood by reason of, but not limited to, emission of dust, odor,  
gas, smoke, fumes or noise.

Section 1.3 Temporary Structures Prohibited. Except for a  
reasonable period during the actual development and construction of the  
improvements and appurtenant facilities, not to exceed twelve (12)  
months, no trailer, tent, shack, or other structure shall be erected on  
or used on the land, except with the express written permission of the  
Declarant, and in no event shall such structure(s) be used as living  
quarters.

ARTICLE II

SITE DEVELOPMENT STANDARDS

Section 2.1 Height Limitations. No structures built on the  
Property shall exceed Four (4) stories in height, or be in excess of  
Forty Five (45') feet in height from the crown of the nearest improved  
road.

Section 2.2 Signage.

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(a) Each property may have one main entry identification sign facing the primary road frontage. The sign area shall conform to Section 7.03.01 of The Flagler County Land Development Code. Identification signs shall not exceed ten feet (10') in height (as measured from crown of roadway to top of sign). Special consideration for sign placement is necessary to avoid a traffic visibility or hazard problem. The minimum property line setback is ten feet (10'). All setbacks shall meet or exceed County standards.

(b) A second free standing identification sign may be permitted in accordance with County standards for multiple frontage properties.

ARTICLE III

PROPERTY OWNER'S ASSOCIATION

Section 3.1 Master Association. In order to effectively and efficiently provide for the administration, operation, management and maintenance of the common areas within Cypress Point, the Declarant has formed the Cypress Point Owners Association, Inc., a Florida corporation not-for-profit (the "Master Association"). The Master Association shall administer, operate, manage and maintain the common areas subject thereto and, pursuant to the Master Declaration and this Supplemental Declaration and perform all acts and duties necessary and incident to such duties.

Section 3.2 Parcel Designation. For purposes of the Master Declaration, the Property described in Exhibit A to this Supplemental Declaration is designated as a Parcel.

Section 3.3 Enforcement by Master Association. In order for the Master Association to administer, operate, manage and maintain the common areas within Cypress Point, the Master Association shall have full power and authority to enforce all the provisions of this Supplemental Declaration to the same extent as the Master Declaration.

Section 3.4 Construction and Interpretation. This Supplemental Declaration shall be construed in conjunction with and governed by the terms of the Master Declaration. Unless otherwise defined, terms used in this Supplemental Declaration shall have the same meaning as the same term in the Master Declaration. In the event of a conflict between the requirements of this Supplemental Declaration and the requirements of the Master Declaration, the Master Declaration shall prevail, except that uses permitted by Article I and Site Development Standards imposed by Article II of this Supplemental Declaration shall prevail over any conflicting provisions of the Master Declaration.

IN WITNESS WHEREOF, Palm Coast Holdings, Inc., a Florida corporation, has caused this Supplemental Declaration to be signed in its name by its proper officers and its corporate seal to be affixed thereto, attested by its Secretary this 19 day of Dec., 1997.

Palm Coast Holdings, Inc.

Donald Lutz  
Mary & MacAdams

By: William I. Livingston  
William I. Livingston, President  
Attest: Eileen Linehan  
Eileen Linehan, Secretary

STATE OF FLORIDA )  
COUNTY OF FLAGLER )

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The foregoing instrument was acknowledged before me on December 19,  
1997, by William I. Livingston and Eileen Linehan, the President and  
Secretary, of Palm Coast Holdings, Inc., a Florida corporation, on  
behalf of the corporation. They are known to me and did not take an  
oath.



MYRA L. MCADAMS  
My Commission CC500478  
Expires Jun. 10, 2000

Myra L. McAdams  
Notary Public

Myra L. McAdams

Print Name

My Commission Expires:

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A PORTION OF TRACT "G" PER THE SUBDIVISION PLAT OF SOUTHWEST QUADRANT PHASE II AS RECORDED IN MAP BOOK 30 AT PAGES 36-41 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE AFORESAID TRACT "G", SAID POINT ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF PALM COAST PARKWAY - EASTBOUND (104' R/W); THENCE S19°12'42"E ALONG THE EAST LINE OF THE AFORESAID TRACT "G" A DISTANCE OF 934.20 FEET; THENCE DEPARTING THE AFORESAID EAST LINE OF TRACT "G" RUN N69°22'46"W, A DISTANCE OF 683.58 FEET TO A POINT; THENCE N25°26'43"W A DISTANCE OF 436.40 FEET TO THE NORTH LINE OF THE AFORESAID TRACT "G" AND THE AFORESAID SOUTH RIGHT OF WAY LINE OF PALM COAST PARKWAY - EASTBOUND THENCE N64°33'17"E ALONG THE AFORESAID NORTH LINE OF TRACT "G" AND THE AFORESAID SOUTH RIGHT OF WAY LINE OF PALM COAST PARKWAY - EASTBOUND A DISTANCE OF 575.73 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 8.51 ACRES.

EXHIBIT A