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AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS

THIS AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS made this 17<sup>th</sup> day of November, 1999, by ITT COMMUNITY DEVELOPMENT CORPORATION, a Delaware corporation, hereinafter referred to as the "Company".

Reserved for Recording Information

WHEREAS, the Company originally caused to be filed and recorded at Official Records Book 213, Pages 671, et seq. of the Public Records of Flagler County, Florida, a Declaration of Restrictive Covenants and Easements (the "First Declaration") setting forth certain covenants and general development requirements as covenants running with the land for the land described in the First Declaration and Exhibit A, attached to this Amendment (the "Property"); and

WHEREAS, a subsequent owner of the Property caused to be filed and recorded at Official Records Book 649, Pages 761, et seq. of the Public Records of Flagler County, Florida, a Supplemental Declaration for Northlake Corporate Center (the "Second Declaration") which provided that the Property was subject to the Declaration of Covenants, Conditions and Restrictions for Northlake Corporate Center as recorded at Official Records Book 539, Page 792 et seq. of the Public Records of Flagler County, Florida (the "Northlake Declaration"); and

WHEREAS, the First Declaration provides for and specifically reserves the right to the Company to amend the Declaration; and

WHEREAS, the Company now desires to amend the First Declaration by rescinding the First Declaration in its entirety and declaring that the real property described in Exhibit A to this Amendment (being the same real property as described in the First Declaration) shall be subject to the terms of the Second Declaration and the Northlake Declaration

NOW, THEREFORE, the Company hereby amends the First Declaration with respect to the real property described in Exhibit A attached to the this Amendment, being the same land as all of the real property described in Exhibit A to the First Declaration, and declares:

(1) The property described in Exhibit A shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, reservations and liens of the Second Declaration and the Northlake Declaration, as defined above.

(2) The land described in Exhibit A to this Amendment is hereby released from the terms of the Declaration of Restrictive Covenants and Easements recorded at Official Records Book 213, Pages 671 et seq. of the Public Records of Flagler County, Florida (the First Declaration) and the land described in Exhibit A to this Amendment shall no longer be subject to the terms and conditions of the First Declaration.

A PARCEL OF LAND LYING IN A PORTION OF RESERVED PARCEL "A", SECTION 17, AT PALM COAST AS RECORDED IN MAP BOOK 7, PAGE 13, OF THE PUBLIC RECORDS AND GOVERNMENT SECTION 13, TOWNSHIP 11 SOUTH, RANGE 30 EAST OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

From a POINT OF REFERENCE being the Northeast corner of said Section 13; Thence South  $85^{\circ} 31' 30''$  West 644.36 feet along the Northerly boundary line of Section 13; Thence departing said Northerly boundary line South  $04^{\circ} 28' 30''$  East 486.62 feet to the POINT OF BEGINNING of this description; Thence South  $00^{\circ} 51' 33''$  East 200.00 feet to a POINT on the limited access right-of-way of I-95; Thence South  $89^{\circ} 08' 27''$  West 210.00 feet along said limited access right-of-way to a POINT on the Easterly right-of-way of Boulder Rock Drive (104' R/W) being a POINT ON A CURVE; Thence Northwesterly 204.13 feet along a curve to the left having a radius of 690.82 feet, a central angle of  $16^{\circ} 55' 49''$ , a chord of 203.39 feet and a chord bearing North  $11^{\circ} 19' 50''$  West to a POINT; Thence departing said curve on a non-radial line North  $89^{\circ} 08' 27''$  East 246.97 feet to the POINT OF BEGINNING of this description.

Exhibit A