

FILE # 200038269
RCD: Oct 03 2000 @ 12:11PM

Mary M Johnson, Clerk Of Courts,
SANTA ROSA COUNTY

Prepared By and Return To:
John W, Monroe, Jr of
Emmanuel, Sheppard and Condon
30 South Spring Street
Pensacola, Florida 32501
850/433-6581

**AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
SHADOW LAKES, UNIT NO. 1,
A SUBDIVISION, TO ADD
SHADOW LAKES, UNIT NO. 2**

THIS AMENDMENT made this 23RD day of August, 2000, by
the **MITCHELL COMPANY, INC.**, an Alabama corporation, hereinafter
collectively referred to as "Declarant".

WITNESSETH

WHEREAS, Declarant executed a Declaration of Covenants, Conditions
and Restrictions for Shadow Lakes, Unit No. 1 ("Declaration") and recorded
same in Official records Book 1581 at Page 1288 of the public records of Santa
Rosa County, Florida; and

WHEREAS, the Declaration contemplated additional units; and

WHEREAS, Declarant now desires to amend the Declaration to add
Shadow Lakes, Unit No. 2, which is owned by Declarant and the legal
description for which is as set forth on Exhibit "A", incorporated herein by
reference.

NOW, THEREFORE, Declarant hereby declares that all of the Property
described in Exhibit "A" shall be held, sold and conveyed subject to the
easements, restrictions, covenants and conditions set forth in the Declaration
and as amended by this Amendment, all of which are for the purpose of
protecting the value and desirability of said Property and which shall run with the
Property and be binding on all parties having any right, title or interest in the
Property described in the attached Exhibit "A", or any part thereof, and on all

persons deraigning title through the Declarant, their respective heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

ARTICLE I
DEFINITIONS

- 1) Terms contained in this Amendment shall have same meaning as set forth in the Declaration unless specified otherwise in this Amendment.
- 2) "Amendment" shall mean this instrument entitled Amendment to the Declaration of Covenants, Conditions and Restrictions for Shadow Lakes, Unit No. 1 to add Shadow Lakes, Unit No. 2.
- 3) "Properties" or "Property" shall now include the property described on the attached Exhibit "A".
- 4) The definition of "Common Areas" shall be expanded to include any sign easements shown on the Plat.
- 5) The term "Plat" shall now include the plat of Shadow Lakes, Unit 2, recorded in the public records of Santa Rosa County.
- 6) "Type 1 Lots" shall mean and refer to Lots 61 through 98, both inclusive, and Lots 117 and 118, all in Block A, as reflected on the plat of Shadow Lakes, Unit No. 2.
- 7) "Type 2 Lots" shall mean and refer to Lots 8 through 21, both inclusive, Block C, as reflected on the Plat of Shadow Lakes Unit, No. 2.

ARTICLE II
PROPERTY RIGHTS

In addition to the provision for Property Rights set forth in the Declaration, the following shall apply to Shadow Lakes, Unit No. 2.

Section 1. Common Area Easements. Every Owner of every Lot shall have a right and easement of enjoyment in and to the Common Areas which shall be appurtenant to and shall pass with title to every Lot (even if not referenced in the document of conveyance) for the following purposes:

- (a) Displaying and maintaining a sign identifying the subdivision

on any sign easement shown on Plat.

(b) Such other rights and easements as the Association may determine to be suitable for the use and enjoyment of the Owners.

ARTICLE III
MEMBERSHIP AND VOTING RIGHTS

It is the intention of the Declarant by this Amendment to annex the property described on the attached Exhibit "A" as Shadow Lakes, Unit No. 2 and bring same under the jurisdiction of the Association as contemplated by provisions of Article VIII, Section 6 of the Declaration.

ARTICLE IV
COVENANT FOR SUBDIVISION MAINTENANCE ASSESSMENTS

The provisions of Article IV, Covenant for Maintenance and Assessments contained in the Declaration shall apply to all Lots in Shadow Lakes, Unit No. 2.

ARTICLE V
ARCHITECTURAL CONTROL

The provisions of Article V, Architectural Control, contained in the Declaration shall apply to all Lots in Shadow Lakes, Unit No. 2. However, the Architectural Control Committee shall now be composed of Jeffrey A. Michael, John Franz and Alley McInnis.

ARTICLE VI
**BUILDING SETBACK LINES, CONSTRUCTION RESTRICTIONS
AND CONSTRUCTION REQUIREMENTS**

All of the provisions of Article VI, Building Setback Lines, Construction Restrictions and Construction Requirements shall apply, as appropriate, to the Lots in Shadow Lakes, Unit No.2 subject to the following amendments:

Type 1 Lot: No one-story dwelling shall be erected on any Type 1 Lot having a living area (such defined as being heated and cooled) of less than 750 square feet.

Type 2 Lots: No one-story dwelling shall be erected on any Type 2 Lot

having a living area (such defined as being heated and cooled) of less than 900 square feet.

**ARTICLE VII
GENERAL RESTRICTIONS**

The provisions of Article VII, General restrictions, contained in the Declaration shall apply, as appropriate, to all Lots in the Shadow Lakes, Unit No. 2.

**ARTICLE VIII
GENERAL PROVISIONS**

The provisions of Article VIII, General Provisions contained in the Declaration, shall apply to all Lots in Shadow Lakes, Unit No. 2.

IN WITNESS WHEREOF, the Declarant has executed this Amendment to the Declaration of Covenants, Conditions and Restrictions for Shadow Lakes, Unit No. 1 Subdivision to Add Shadow Lakes, Unit No. 2, this 23rd day of August, 2000.

Signed, sealed and delivered in the presence of:

[Signature]
Print Name: Regina C. O'Brien
[Signature]
Print Name: Linda A. Smarr

DECLARANT:

THE MITCHELL COMPANY, INC.
An Alabama Corporation

BY: [Signature]
Jeffrey Michael, It's Senior Vice President

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 23 day of August, 2000, by JEFFREY MICHAEL, Senior Vice-President of THE MITCHELL COMPANY, INC., an Alabama corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification.

[Signature]
NOTARY PUBLIC
My Commission Expires: _____

(SEAL)

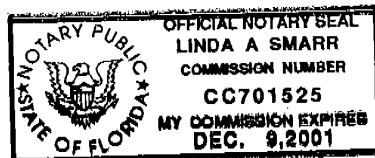


EXHIBIT "A"

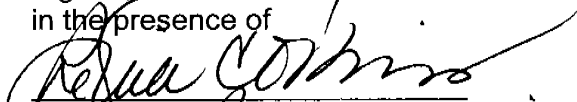
LAND DESCRIPTION:


BEGIN AT THE SOUTHEAST CORNER OF SHADOW LAKES ~ UNIT 1 AS RECORDED IN PLAT BOOK "G" AT PAGE 29 OF THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA; THENCE GO SOUTH 89 DEGREES 09 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SHADOW LAKES ~ UNIT 1, A DISTANCE OF 50.00 FEET; THENCE GO SOUTH 75 DEGREES 06 MINUTES 50 SECONDS WEST, ALONG SAID SOUTH LINE FOR 164.92 FEET; THENCE GO SOUTH 89 DEGREES 09 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE FOR 200.00 FEET; THENCE GO SOUTH 76 DEGREES 14 MINUTES 05 SECONDS WEST FOR 105.17 FEET, TO THE WESTERLY RIGHT-OF-WAY LINE OF SHADOW LAKES DRIVE (60' R/W); THENCE GO NORTH 17 DEGREES 01 MINUTES 20 SECONDS WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 17.03 FEET, TO THE SOUTHEAST CORNER OF LOT 7, BLOCK "C" OF SAID SHADOW LAKES ~ UNIT 1; THENCE GO SOUTH 89 DEGREES 29 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 140.00 FEET; THENCE GO SOUTH 19 DEGREES 10 MINUTES 07 SECONDS EAST FOR 379.96 FEET; THENCE GO SOUTH 00 DEGREES 05 MINUTES 00 SECONDS WEST FOR 120.81 FEET; THENCE GO SOUTH 22 DEGREES 54 MINUTES 48 SECONDS WEST A DISTANCE OF 132.02 FEET; THENCE GO SOUTH 14 DEGREES 52 MINUTES 38 SECONDS WEST FOR 122.02 FEET; THENCE GO SOUTH 03 DEGREES 27 MINUTES 02 SECONDS WEST FOR 119.30 FEET; THENCE GO NORTH 89 DEGREES 29 MINUTES 00 SECONDS EAST A DISTANCE OF 101.35 FEET, TO A POINT ON A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 530.00 FEET; THENCE GO SOUTHERLY ALONG SAID CURVE (CHORD = 21.36'; CHORD BEARING = SOUTH 03 DEGREES 05 MINUTES 17 SECONDS EAST, DELTA = 02 DEGREES 18 MINUTES 35 SECONDS) AN ARC DISTANCE OF 21.36 FEET; THENCE GO NORTH 89 DEGREES 09 MINUTES 00 SECONDS EAST FOR 162.82 FEET; THENCE GO NORTH 00 DEGREES 51 MINUTES 00 SECONDS WEST A DISTANCE OF 298.00 FEET; THENCE GO NORTH 89 DEGREES 09 MINUTES 00 SECONDS EAST FOR 370.00 FEET, TO A POINT ON THE WEST LINE OF EAST BAY HEIGHTS AS RECORDED IN PLAT BOOK "B" AT PAGE 149, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE GO NORTH 00 DEGREES 51 MINUTES 00 SECONDS WEST, ALONG SAID WEST LINE A DISTANCE OF 609.00 FEET TO THE POINT OF BEGINNING. ABOVE DESCRIBED PARCEL IS SITUATED IN SECTIONS 18 AND 19, TOWNSHIP 2 SOUTH, RANGE 27 WEST, SANTA ROSA COUNTY, FLORIDA, AND CONTAINS 9.28 ACRES MORE OR LESS.

JOINDER BY MORTGAGEE

BRITTON STAMPS, the holder of a Mortgage encumbering the Property joins in this Amendment to Declaration of Covenants, Conditions and Restrictions for Shadow Lake, Phase I, a Subdivision to Add Shadow Lake, Phase II to set forth it's agreement that its rights as Mortgagee are subject to the provision of this Amendment except that any liens created by this Amendment shall be subordinate to the liens of the Mortgage.

Signed, sealed and delivered
in the presence of


Print Name Regina C. O'Brien


Print Name Linda A. SMARR


BRITTON STAMPS

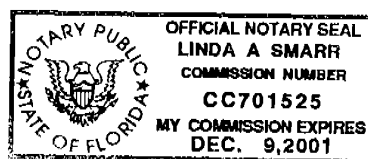
STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 1 day of September, 2000, by BRITTON STAMPS, who is personally known to me or produced as identification.


NOTARY PUBLIC
My Commission Expires: _____

This instrument prepared by:
John W. Monroe, Jr., of
EMMANUEL, SHEPPARD & CONDON
30 South Spring Street
Post Office Drawer 1271
Pensacola, Florida 32596
File No.. m530-80614

(SEAL)



* OFFICIAL RECORDS * 7 of 7
BK 1854 PG 123

JOINDER BY MORTGAGEE

Colonial Bank joins in the execution of these covenants.

Signed, sealed and delivered in the presence of:

COLONIAL BANK

Lisa Williams
Print Name:

BY: [Signature]
Print Name: _____
It's _____ President

Janice Z. [Signature]
Print Name:

STATE OF Alabama
COUNTY OF Mobile

The foregoing instrument was acknowledged before me this 25 day of August, 2000, by Edward H. O'Byrne III as _____ President of COLONIAL BANK, on behalf of the corporation, who personally appeared before me and who is personally known to me or produced _____ as identification.

Brenda Davis Perreux
NOTARY PUBLIC

My Commission Expires: 12/4/00

(SEAL)

