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SECOND AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR VILLAGE AT PALM COAST

(All references to recording information herein are to the Public Records of Flagler County, Florida unless otherwise indicated)

This Second Amendment to the Declaration of Covenants and Restrictions made on the date hereinafter set forth by Longview Village Development Company, a Kansas corporation ("Declarant")

WITNESSETH:

WHEREAS, the Company desires to amend the Declaration of Covenants and Restrictions as recorded in Official Records Book 781, Pages 1905 through 1966 (the "Declaration"); and

WHEREAS, Article XI, Section 7 of the Declaration provides that the Company may amend the Declaration so long as it holds title to any Lot affected by the Declaration; and

WHEREAS, the Company still holds title to Lots affected by the terms of the Declaration; and

WHEREAS, the Company wishes to amend the Declaration to provide minimum rear yard setback requirements for pools and screened structures on Lots 44 to 63, adjacent to Custer Waterway;

WHEREAS, the Company desires to put all transferees, mortgagees and lienors on notice of such amendment.

NOW THEREFORE, the following amendment to the Declaration is hereby adopted, and each transferee, mortgagee or lienor of any property within the VILLAGE AT PALM COAST SUBDIVISION (including any future phases thereof submitted to the Declaration) and their respective heirs, successors and assigns, shall be bound by and subject to such amendment, to wit:

Article IX, Section 32 is hereby amended to read as follows:

Waterfront Setbacks. All Dwelling Units constructed on Lots 44 through 63 (adjacent to the Custer Waterway) shall maintain a minimum rear yard setback of ten (10) feet between the waterward edge of the seawall and any screened enclosure or pool.

BT Cobb Cole + Bell
P.O. Box 2491
Daytona Beach, FL 32115-2491

IN WITNESS WHEREOF, the Company has hereunto set its hand and seal this 20th day of June, 2002.

Witnesses:

LONGVIEW VILLAGE DEVELOPMENT COMPANY, a Kansas corporation

Loralee Swan
LORALEE SWAN
(Name Printed or Typed)

By: W. F. McCroy, Jr. Pres.
William F. McCroy, Jr.
President

Deborah D. LaCrob
Deborah D. LaCrob
(Name Printed or Typed)

(Corporate seal)

STATE OF FLORIDA
COUNTY OF FLAGLER Volusia

The foregoing instrument was acknowledged before me this 20th day of June, 2002, by William F. McCroy, Jr., as President of Longview Village ~~Development~~ Company, a Kansas corporation, on behalf of the company. He is personally known to me or has produced _____ as identification.

NOTARY PUBLIC:



Deborah D. LaCrob
MY COMMISSION # 00099477 EXPIRES
April 8, 2006
BONDED THIRD TROY FARM INSURANCE, INC.

Sign: Deborah D. LaCrob
Print: _____

State of Florida At Large
(Seal)

My Commission Expires:

Title/Rank: _____
Commission Number: _____