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This document was prepared by:
Bruce I. Wiener, attorney
Gardner, Duggar, Bist & Wiener, P.A.
1300 Thomaswood Drive
Tallahassee, Florida 32312
Matter No.: 01.2575

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RCD: Sep 03 2002 @ 12:33PM

SANTA ROSA COUNTY, FL
Mary M Johnson, Clerk

FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS
for
BERKELEY FOREST

This **FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS** (hereafter "First Amendment") is made this 27th day of August, 2002, by **M & T OF PENSACOLA, LLP**, a Florida limited liability partnership, whose mailing address is P.O. Box 13671, Tallahassee, Florida 32317 (hereafter "Declarant").

STATEMENT OF PRELIMINARY FACTS:

The Declarant has caused a **DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS** (hereafter "the Declaration") to be recorded in Official Records Book 2018, at Page 504 of the Public Records of Santa Rosa County, Florida, with respect to **BERKELEY FOREST**. The Declarant is desirous of amending the Declaration and granting and reserving certain additional easements as provided below.

TERMS:

In consideration of \$10.00 and other good and valuable consideration, and incorporating the above Statement of Preliminary Facts herein, the Declarant does hereby amend the Declaration as follows:

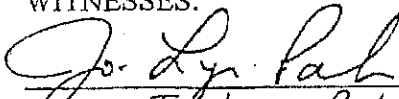
1. The Declaration is supplemented to include the following paragraph in Article Twenty-Nine of the Declaration:

Declarant hereby reserves unto itself and grants and conveys to the Association an easement for stormwater drainage over and across the following: the rear fifteen (15) feet of Lot 4, Block "A", Lots 8 and 9, Block "B", Lot 5, Block "D", and Lots 7, 8, 9, and 10, Block "F" of the Subdivision; the rear ten (10) feet of Lots 4, 5, 6, 11 and 12, Block "F", Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,

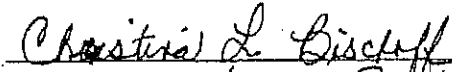
12, 13, 14, 15, 16, 17, 18, 19 and 20 Block "H", and Lots 3, 4, 5, 6 and 7, Block "G" of the Subdivision; and the rear twenty (20) feet of Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, Block "I" and the northwest rear of Lot 10, Block "T" of the Subdivision as more particularly identified on the attached Exhibit "A". The Owner of each Lot encumbered by the stormwater drainage easement described immediately above shall maintain the stormwater drainage easement which encumbers the Owner's Lot to allow offsite stormwater runoff to flow on, over and across said easement in accordance with all applicable permitting requirements of the Subdivision and all applicable ordinances, rules and regulations.

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to be executed as of the day and year first above written.

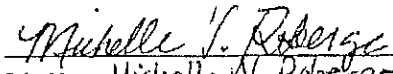
WITNESSES:

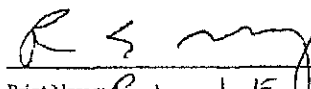

Print Name: Jo-Lyn Palmer

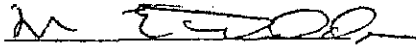
M & T OF PENSACOLA, LLP, a
Florida limited liability partnership


Print Name: Christina L. Bischoff

By: 
Terry C. Nelson, its partner


Print Name: Michelle V. Roberge


Print Name: Richard F. Murphy

By: 
Mitchell E. Weldon, its partner

STATE OF FLORIDA,
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 27 day of August, 2002, by Terry C. Nelson as partner of M & T of Pensacola, LLP, a Florida limited liability partnership, on behalf of the partnership. He is personally known to me; or has produced _____ as identification.

Jo-Lyn Palmer
NOTARY PUBLIC *Jo-Lyn Palmer*
My Commission Expires:

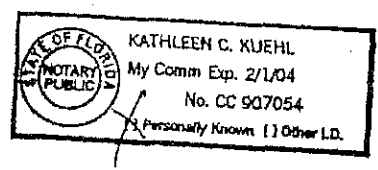


Jo-Lyn Palmer
MY COMMISSION # CC776850 EXPIRES
September 20, 2002
BONDED THROUGH TROY FAIN INSURANCE, INC

STATE OF FLORIDA,
COUNTY OF Santa Rosa

The foregoing instrument was acknowledged before me this 12th day of August, 2002, by Mitchell E. Weldon as partner of M & T of Pensacola, LLP, a Florida limited liability partnership, on behalf of the partnership. He is personally known to me; or has produced _____ as identification.

Kathleen C. Kuehl
NOTARY PUBLIC
My Commission Expires: 02-01-04

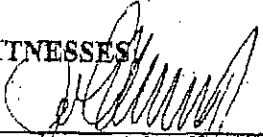


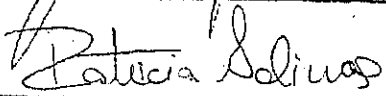
JOINDER

Adams Homes of Northwest Florida, Inc., a Florida corporation, is the owner of certain lots in Berkeley Forest Subdivision and currently has certain lots in said subdivision under contract. For good and valuable consideration, Adams Homes of Northwest Florida, Inc. as the owner of certain lots in Berkeley Forest Subdivision and certain contractual interests to purchase certain lots in said subdivision hereby joins in and consents to the above First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Berkeley Forest Subdivision:


Date: 7-22, 2002

WITNESSES


Print Name: John W. Monroe, Jr.


Print Name: Patricia Goliwas

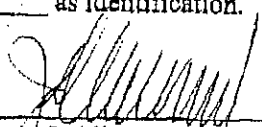
Adams Homes of Northwest Florida, Inc., a Florida corporation

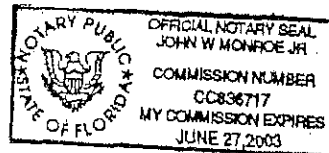
By: 
Print Name: Wayne L. Adams
Its: President

STATE OF FLORIDA,
COUNTY OF ESCAMBIA

The foregoing Joinder was acknowledged before me this 22nd day of July, 2002, by Wayne L. Adams as President of Adams Homes of Northwest Florida, Inc., a Florida corporation, on behalf of the corporation.

- He/She is personally known to me; or
- He/She has produced _____ as identification.


Notary Public
My Commission Expires:



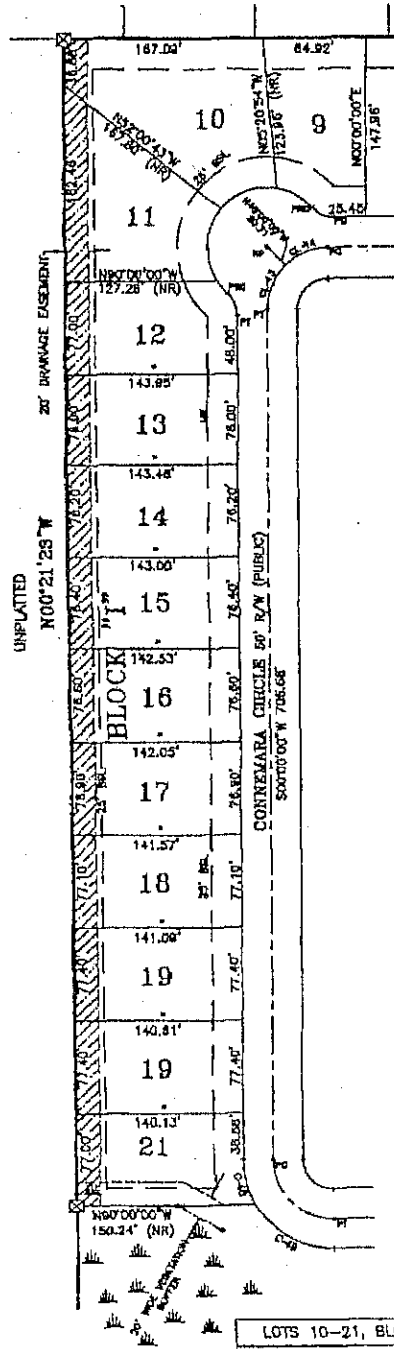


KJM

Surveying, Inc.

Kenneth J. Monie
Professional Surveyor and Mapper
4227 N. Davis Highway, Bldg. A
Pensacola, Fl. 32503
(850) 438-0202 Fax (850) 438-1307

JOB #97-2922A	TYPE: BOUNDARY SKETCH	SHEET 1 OF 4	DATE: 07/16/02
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LOTS 10-21, BLOCK "B", BERKLEY FOREST, PLAT BOOK "H", PAGE 18		
SECTIONS 25 & 26, TOWNSHIP- 2 - SOUTH, RANGE- 28 - WEST		
COUNTY: SANTA ROSA		
DRAWN BY: JSP	DATE: 07/16/02	SCALE: NTS



KJM

Surveying, Inc.

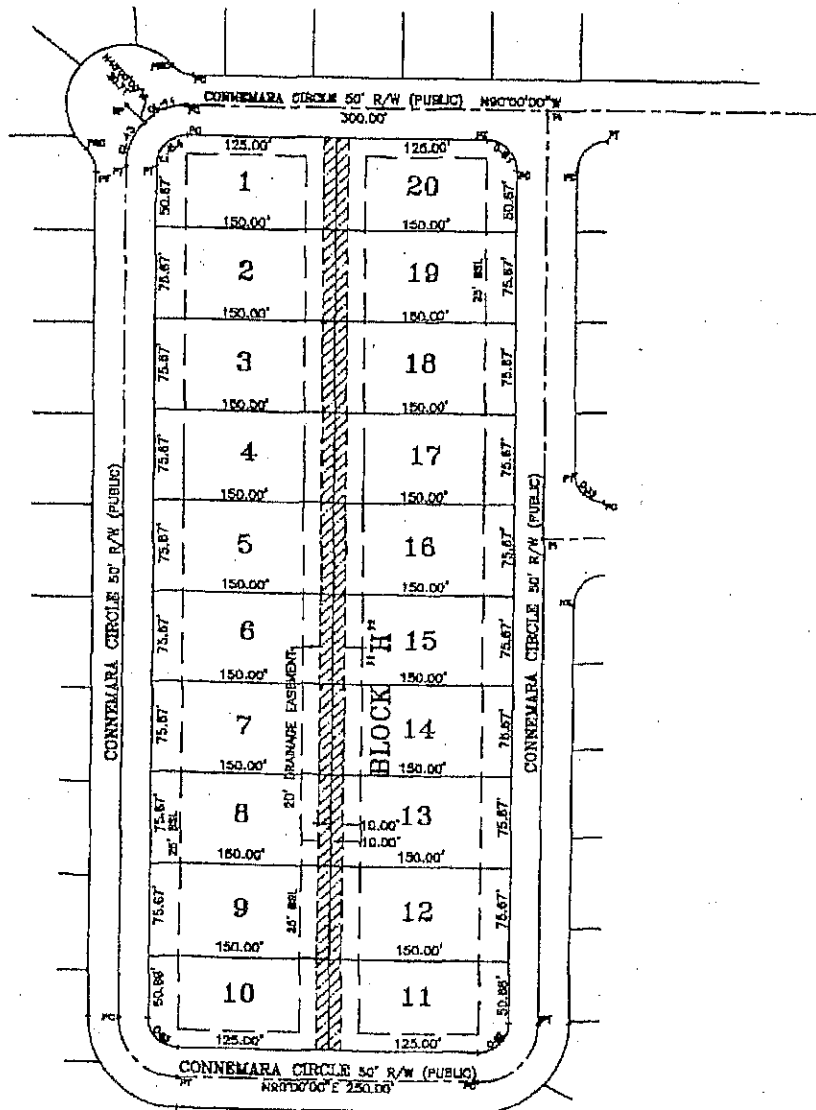
Kenneth J. Manie
Professional Surveyor and Mapper
4227 N. Davis Highway, Bldg. A
Pensacola, Fl. 32503
(850) 438-0202 Fax (850) 438-1307

JOB #97-29228

TYPE: BOUNDARY SKETCH

SHEET 2 OF 4

DATE: 07/16/02



RETENTION
POND
(PUBLIC)

EXHIBIT A
(Page 2 of 4)

LOTS 8-15, BLOCK "H", BERKLEY FOREST, PLAT BOOK "H", PAGE 18		
SECTIONS 25 & 26, TOWNSHIP- 2 - SOUTH, RANGE- 28 - WEST		
COUNTY: SANTA ROSA		
DRAWN BY: JSP	DATE: 07/16/02	SCALE: NTS

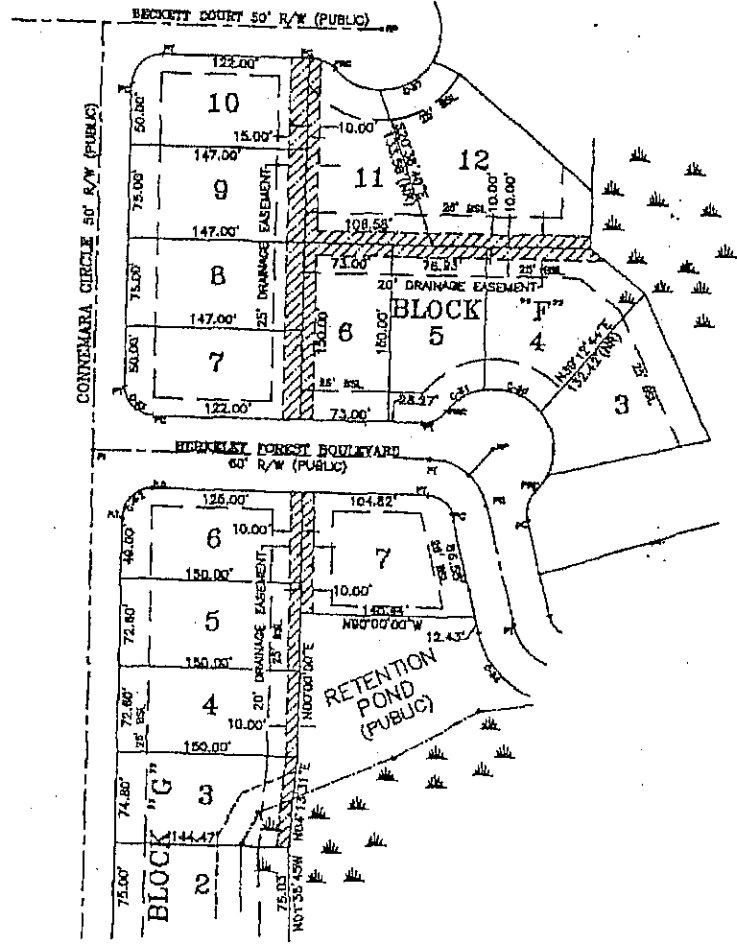


KJM

Surveying, Inc.

Kenneth J. Manie
Professional Surveyor and Mapper
4227 N. Davis Highway, Bldg. A
Pensacola, FL 32503
(850) 438-0202 Fax (850) 438-1307

JOB #7-2922C	TYPE: BOUNDARY SKETCH	SHEET 3 OF 4	DATE 07/18/02
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LOTS 4-12, BLOCK "F" AND 3-7, BLOCK "G"		
BERKLEY FOREST, PLAT BOOK "H", PAGE 18		
SECTIONS 25 & 28, TOWNSHIP- 2 - SOUTH, RANGE- 28 - WEST		
COUNTY: SANTA ROSA		
DRAWN BY: JSP	DATE: 07/18/02	SCALE: NTS

EXHIBIT * A *
(Page 3 of 4)



KJM
Surveying, Inc.

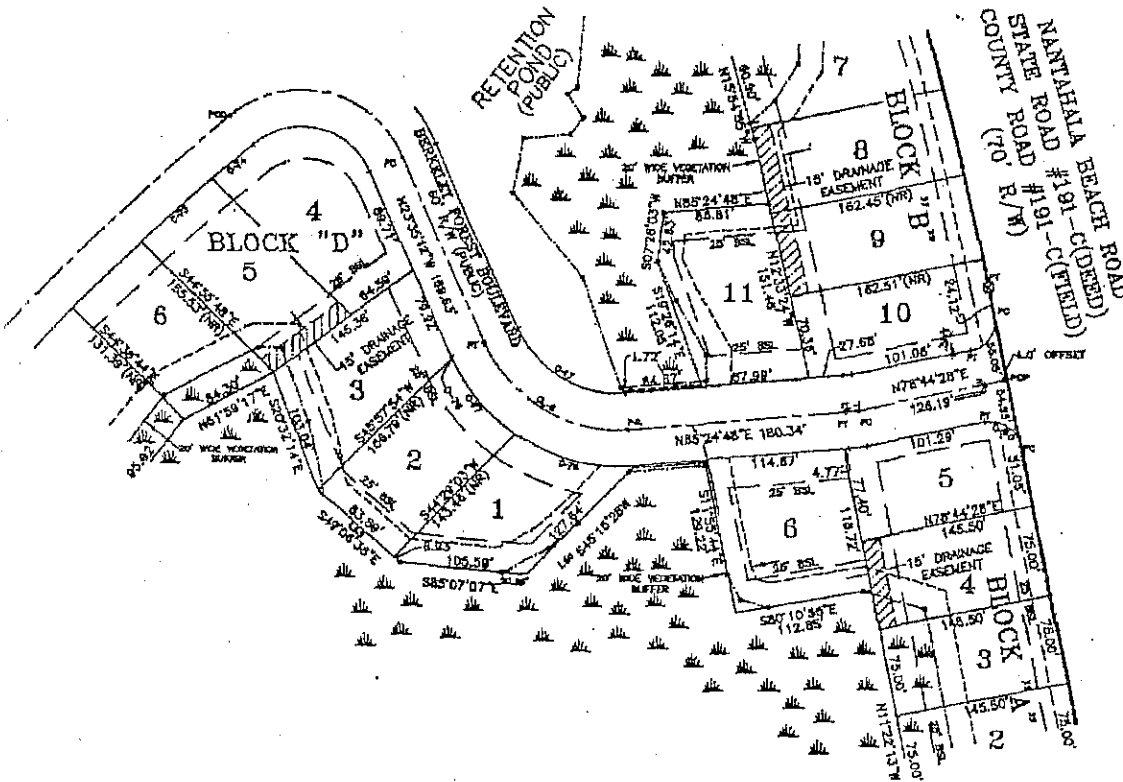
Kenneth J. Monte
Professional Surveyor and Mapper
4227 N. Davis Highway, Bldg. A
Panama City, FL 32503
(850) 438-0202 Fax (850) 438-1307

JOB #27-28220

TYPE: BOUNDARY SKETCH

SHEET 4 OF 4

DATE: 07/16/02



LOT 4, BLOCK "A", LOT 9, BLOCK "B" AND LOT 3, BLOCK "D"		
BERKLEY FOREST, PLAT BOOK "H", PAGE 18		
SECTIONS 26 & 28, TOWNSHIP- 2 - SOUTH, RANGE- 28 - WEST		
COUNTY: SANTA ROSA		
DRAWN BY: JSP	DATE: 07/16/02	SCALE: NTS

EXHIBIT A
(Page 4 of 4)