

10 Rec. 33.00  
41 Bl  
42 Sw  
43 Int  
Tot 33.00

RETURN TO:

84204987

This instrument prepared by:  
GARY A. WHITLOCK  
Attorney at Law  
GREENE & MASTRY, P.A.  
P.O. Box 3542  
St. Petersburg, Florida 33731

5851 PAGE 1709  
FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS,  
RESTRICTIONS AND EASEMENTS FOR PLACIDO BAYOU  
40 33.00  
TOTAL 33.00 CM

WHEREAS, LLOYD E. WILLIAMS, JR., J.K. FINANCIAL CORPORATION, a Florida corporation, and ROBERT P. CRISP, are doing business as PLACIDO BAYOU JOINT VENTURE, a Florida joint venture (collectively the "Developer") and have signed and executed a Master Declaration of Covenants, Restrictions, and Easements for Placido Bayou (the "Master Declaration"), which Master Declaration was recorded on September 26, 1984 in Official Record Book 5848, beginning at page 1477, Public Records of Pinellas County, Florida.

WHEREAS, PLACIDO BAYOU COMMUNITY ASSOCIATION, INC., a Florida corporation (the "Association") joined in said Master Declaration.

WHEREAS, the Developer and the Association deem it necessary to make certain modifications to the Master Declaration.

NOW, THEREFORE in consideration of the above, the parties make the following changes:

1. Paragraph (c) of Section 5 of Article II of the Master Declaration is amended so it shall hereafter read as follows:

(c) The rights and privileges of Developer as herein set forth in this Section are in addition to and in no way limit any other rights or privileges of Developer under any Master Document. Said provisions, like other provisions of this Master Declaration that grant or reserve rights to and for Developer, may not be suspended, superseded or modified in any manner without the written consent of Developer. These rights of use and for the transaction of business as forth herein, like other rights reserved by Developer in the Master Documents may be assigned in writing by Developer in whole or in part.

2. Subparagraph (iii) of Paragraph (b) of Section 4 of Article IV of the Master Declaration is amended so it shall hereafter read as follows:

(iii) the right of the Community Association to dedicate or transfer all or any part of the Community Properties to any public agency, authority, utility or private concern for such purposes and subject to such conditions as may be agreed upon by the membership and by Developer for so long as it owns any portion of the Real Property; provided that no such dedication or transfer, nor any determination as to the purposes therefor or as to the conditions thereof, shall be effective unless an instrument is executed by the appropriate officers of the Community Association certifying that such dedication or transfer was approved by the affirmative vote of not less than two-thirds (2/3) of all votes eligible to be cast at a meeting of the membership. Said certificate, together with the written approval of Developer, if required, shall be annexed to any instrument of dedication or transfer affecting the Community Properties, prior to the recording thereof. Such certificate shall be conclusive evidence of authorization by the Community Association. Notwithstanding the foregoing, De-

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veloper shall be empowered to make such dedication or transfer in its sole discretion without the consent of the Community Association or the membership for all or any part of the Community Properties until such time as Developer no longer owns any portion of Placido Bayou; and

3. The Joinder of Mortgage executed by HOME FEDERAL BANK OF FLORIDA, F.S.B. on September 24, 1984, and recorded on September 26, 1984, in Official Record Book 5848, Page 1516, Public Records of Pinellas County, Florida is amended by the substitution of the following Joinder of Mortgage, attached hereto as Exhibit "A" and by this reference incorporated herein.

4. The Joinder of Mortgage executed by ROBERT P. CRISP, individually and as Trustee, on September 11, 1984 and recorded on September 26, 1984, in Official Record Book 5848, Page 1517, Public Records of Pinellas County, Florida is amended by the substitution of the Joinder of Mortgage and Collateral Assignee, attached hereto as Exhibit "B" and by this reference incorporated herein.

All other terms of the Master Declaration and all exhibits thereto shall remain in full force and effect, and unchanged except as amended herein.

IN WITNESS WHEREOF, the parties have executed this amendment this 13 day of October, 1984.

Signed, sealed and delivered in the presence of:

[Signature]  
[Signature]  
As to Lloyd E. Williams, Jr.

[Signature]  
LLOYD E. WILLIAMS, JR., a venture partner in Placido Bayou, a Florida joint venture

J. K. FINANCIAL CORPORATION, a Florida corporation, a venture partner in Placido Bayou Joint Venture, a Florida joint venture

[Signature]  
[Signature]  
As to J.K. Financial Corporation

By: [Signature] President  
Attest: [Signature] Secretary

[Signature]  
[Signature]  
As to Robert P. Crisp

[Signature]  
ROBERT P. CRISP, a venture partner in Placido Bayou Joint Venture, a Florida joint venture

PLACIDO BAYOU COMMUNITY ASSOCIATION, INC., a Florida corporation

[Signature]  
As to Placido Bayou Community Association, Inc.

By: [Signature] Its President  
Attest: [Signature] Its Secretary  
(CORPORATE SEAL)

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me this 29 day of September, 1984, by LLOYD E. WILLIAMS, JR., as a venture partner of PLACIDO BAYOU JOINT VENTURE, a Florida joint venture.

[Signature]  
Notary Public

(SEAL)

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES SEP. 1, 1985  
BONDED THRU JEDCO INSURANCE AGENCY

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me this 12 day of OCTOBER, 1984, by James E. Reswey the President and Dwight D. Brown the Secretary, respectively, of J. K. FINANCIAL CORPORATION, a Florida corporation on behalf of the corporation, as a venture partner of PLACIDO BAYOU JOINT VENTURE, a Florida joint venture.

[Signature]  
Notary Public

(SEAL)

My Commission Expires:

Notary Public, Florida, State at Large  
My Commission Expires Oct. 5, 1985  
Bonded thru Jedco Insurance Agency

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me this 12 day of OCTOBER, 1984, by ROBERT P. CRISP, as a venture partner of PLACIDO BAYOU JOINT VENTURE, a Florida joint venture.

[Signature]  
Notary Public

(SEAL)

My Commission Expires:

Notary Public, Florida, State at Large  
My Commission Expires Oct. 5, 1985  
Bonded thru Jedco Insurance Agency

STATE OF FLORIDA     )  
COUNTY OF PINELLAS    )

The foregoing instrument was acknowledged before me  
this 28 day of September, 1984, by Lloyd E. Williams,  
Ch. and Patricia P. Crisp the  
President and Secretary, respectively, of PLACIDO  
BAYOU COMMUNITY ASSOCIATION, INC., a Florida corporation on  
behalf of the corporation.

Bert R. Struble  
Notary Public

(SEAL)

My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA  
MY COMMISSION EXPIRES: 12/31/85  
19850 BAY GENERAL INC. DALLAS, TX

EXHIBIT "A"

JOINDER OF MORTGAGEE

The Mortgagee, HOME FEDERAL BANK OF FLORIDA, F.S.B., a corporation organized and existing under the laws of the United States of America, as holder and owner of encumbrances of record on the real property which has been made subject herein to certain covenants, restrictions and easements hereby consents to the Master Declaration of Covenants, Restrictions and Easements, and subordinates all of its instruments of security including its mortgage interests to said Master Declaration of Covenants. Said instruments of security are more particularly described as follows:

(1) Mortgage of real and personal property, Loan Agreement, Assignment of Borrower's Interest in Permits, Contract Documents and Developer's Rights and Assignment of Rents, Leases, Contracts, Accounts and Deposits, all dated May 31, 1984, and as modified from time to time. The Mortgage and Assignment of Rents, Leases, Contracts, Accounts and Deposits were recorded in Official Record Book 5773, commencing at Page 1790 and 1815 respectively, of the Public Records of Pinellas County, Florida. The Mortgage was re-recorded on August 14, 1984, in Official Record Book 5823, Page 474 of the Public Records of Pinellas County, Florida.

(2) The Financing Statement as to the Assignment of Borrower's Interest in Permits, Contract Documents and Developer's Rights was recorded June 1, 1984 in Official Record Book 5773 commencing at Page 1652, of the Public Records of Pinellas County, Florida, as corrected by instrument recorded on August 14, 1984, in Official Record Book 5823, Page 501 of the Public Records of Pinellas County, Florida.

(3) The Financing Statement recorded on June 1, 1984, in Official Record Book 5773, Page 1657 in the Public Records of Pinellas County, Florida.

(4) Mortgage of real and personal property and Assignment of Rents, Leases, Contracts, Accounts and Deposits, both dated July 23, 1984, and recorded July 24, 1984, in Official Record Book 5809, commencing at Page 1521 and Page 1539, respectively, of the Public Records of Pinellas County, Florida.

(5) The Financing Statement recorded on July 24, 1984, in Official Record Book 5809, Page 1546, of the Public Records of Pinellas County, Florida.

IN WITNESS WHEREOF, HOME FEDERAL BANK OF FLORIDA, F.S.B., a corporation organized and existing under the laws of the United States of America, has hereunto set its hand and seal on this 28th day of September, 1984.

Signed, sealed and delivered in the presence of:

HOME FEDERAL BANK OF FLORIDA, F.S.B., a corporation organized and existing under the laws of the United States of America

*Dianna Lewis*  
*Notary Public*

By *Robert J. Stanley*  
Its Senior Vice President

(CORPORATE SEAL)

a. 1.5851 m1714

STATE OF FLORIDA     )  
COUNTY OF PINELLAS    )

The foregoing instrument was acknowledged before me  
this 28th day of September, 1984 by Robert L. Heinchen  
the Senior Vice President of HOME  
FEDERAL BANK OF FLORIDA, F.S.B., a corporation organized and  
existing under the laws of the United States of America, on  
behalf of the corporation.

A circular notary seal for the State of Florida, with the word "NOTARY" at the top and "PUBLIC" at the bottom.  
Notary Public

(SEAL)

My Commission Expires:

Notary Public, State of Florida at Large  
My Commission Expires NOV. 8, 1985

## EXHIBIT "B"

JOINDER OF MORTGAGEE AND COLLATERAL ASSIGNEE

The Mortgagee, ROBERT P. CRISP, individually and as Trustee, as a holder and owner of an encumbrance of record of the real property which has been made subject herein to certain covenants, restrictions and easements hereby consents to the Master Declaration of Covenants, Restrictions, and Easements, and subordinates its mortgage interest to said Master Declaration of Covenants, Restrictions and Easements.

Similarly, PARK BANK OF FLORIDA, a Florida corporation, as the collateral assignee of the Mortgagee's interest hereby consents to the Master Declaration of Covenants, Restrictions, and Easements and subordinates its interest to the Master Declaration of Covenants, Restrictions, and Easements.

Said mortgage interest was created by that certain mortgage of real property, dated April 13, 1981, and as modified, corrected and renewed of record from time to time. The Mortgage was recorded in Official Record Book 5175, commencing at Page 184, of the Public Records of Pinellas County, Florida. The Mortgage was collaterally assigned to PARK BANK OF FLORIDA, a Florida corporation, by instruments recorded on June 29, 1982 in Official Record Book 5368, Page 710 and on October 8, 1982 in Official Record Book 5412, Page 1674, re-recorded on October 26, 1982 in Official Record Book 5420, Page 1362 and corrected by instrument recorded on March 15, 1983 in Official Record Book 5490, Page 370 and First Renewal Agreement recorded on December 2, 1983 in Official Record Book 5655, Page 548, as modified by Subordination Agreement recorded on June 1, 1984 in Official Record Book 5773, Page 1780, Mortgage Subordination Agreement recorded on July 17, 1984 in Official Record Book 5805, Page 742 and Subordination Agreement recorded on July 24, 1984 in Official Record Book 5809, Page 1548, all the above being recorded in the Public Records of Pinellas County, Florida.

IN WITNESS WHEREOF, ROBERT P. CRISP, individually and as Trustee, and HAROLD J. WINNER as the SENIOR Vice-President of PARK BANK OF FLORIDA, have hereunto set their hands and seals on this 13 day of OCTOBER, 1984.

Signed, sealed and delivered  
in the presence of:

Linda R. Muller  
Paula L. Loran

Robert P. Crisp  
Robert P. Crisp, Individually  
and as Trustee

PARK BANK OF FLORIDA, a Florida  
corporation

Linda R. Muller  
Laura K. Stewart

By: Harold J. Winner  
Harold J. Winner  
Senior Vice-President

(CORPORATE SEAL)

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me  
this 1<sup>st</sup> day of NOVEMBER, 1984, by ROBERT P. CRISP,  
individually and as Trustee.

Louisa B. Whellum,  
Notary Public

NOTARY  
(SEAL)

My Commission Expires:

Notary Public, Florida, State of Large  
My Commission Expires Oct. 5, 1985  
Bonded thru Jedco Insurance Agency

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me  
this 28th day of September, 1984, by HAROLD J. WINNER,  
the SENIOR Vice-President of PARK BANK OF FLORIDA, a  
Florida corporation, on behalf of the corporation.

Laura K. Stewart  
Notary Public

(SEAL)

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES AUG 15 1985  
BONDED THRU GENERAL INS. UNDERWRITERS