



Sandy Crawford

Clerk Of Courts, Brevard County

PREPARED BY AND RETURN TO:
Magnolia Lakes Development Co., Inc.
1688 W. Hibiscus Blvd.
Melbourne, FL 32901

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OR Book/Page: 3791 / 1656

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Mtg: 0.00 nt Tax: 0.00

SECOND AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
MAGNOLIA LAKES

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR MAGNOLIA LAKES, (hereinafter referred to as the "Second Amendment") dated as the 9 day of FEB., 1998, by MAGNOLIA LAKES DEVELOPMENT CO., INC. a Florida Corporation, hereinafter referred to as "Declarant" or as "Developer".

WITNESSETH:

WHEREAS, The Developer platted certain property into Magnolia Lakes Subdivision as described in Plat Book 43, Page(s) 60 and 61, Public Records of Brevard County, Florida; and

WHEREAS, all such platted property was made subject to that certain Declaration of Covenants and Restrictions for Magnolia Lakes and recorded in Official Records Book 3743, Page 092 to 0113, Public Records of Brevard County, Florida (hereinafter referred to as the "Declaration"); and

WHEREAS, pursuant to Article VIII, Section 2 of the Declaration, so long as Declarant owns one or more lots within the Subdivision, the Declarant may, in its sole discretion and without any notice to or vote by other Lot Owners, change, modify or amend any provision of this Declaration in whole or in part by executing a written instrument making such changes and having the same duly recorded in the Public Records of Brevard County, Florida.

NOW THEREFORE, in consideration of the premises, the Declarant does hereby amend the Declaration as follows:

Article VI, Section 3. Violation and Enforcement of Restriction and Covenants of the Declaration shall be amended to read in the first sentence of subparagraph (a):

The Association and each Lot Owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has caused these presents to be executed in its name by its duly authorized officer, as of the 9 day of FEBRUARY, 1998.

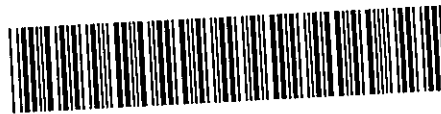
Signed, sealed and delivered
in the presence of:

Elizabeth E. Kennedy
Witness Elizabeth E. Kennedy

Kathleen J. Howell
Witness KATHLEEN J. HOWELL

MAGNOLIA LAKES DEVELOPMENT COMPANY, INC.

BY: [Signature]
ARTHUR F. EVANS, III, PRESIDENT



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STATE OF FLORIDA
COUNTY OF BREVARD

I HEREBY CERTIFY that on this day, before me an officer duly authorized in the State and in the County aforesaid to take acknowledgments, personally appeared ARTHUR F. EVANS, III, as President of MAGNOLIA LAKES DEVELOPMENT COMPANY, INC., a Florida Corporation, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same. The said person was not under oath.

WITNESS my hand and official seal this 9 day of FEBRUARY, 1998.

Ann N Meyer

Notary

My Commission Expires

