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 OR Book/Page: 4029 / 3523

Sandy Crawford

Clerk Of Courts, Brevard County

#Pgs: 2	#Names: 2	
Trust: 1.50	Rec: 9.00	Serv: 0.00
Deed: 0.00		Excise: 0.00
Mtg: 0.00		Int Tax: 0.00

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

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

THIS SIXTH AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR MAGNOLIA LAKES, (hereinafter referred to as the "Amendment") dated as the 10 day of June 1999, 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; and into Magnolia Lakes Phase 2A and Phase 2B, as recorded in Plat Book 44, Page(s) 41-42 and Plat Book 44, Page(s) 43-44, all of the 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 92; as amended by those certain Amendment to Declaration of Covenants and Restrictions as recorded in Official Records Book 3759, Page 1093; Official Record Book 3791, Page 1656; Official Records Book 3873, Page 3854; Official Records Book 3931, Page 2878, and Official Records Book 4009, Page 3561, all of the 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:

1. Article II, Section 5. is hereby amended to add the following subsection:

(g) Pursuant to City of Melbourne Ordinance 96-76, 2d, a landscaped buffer consisting of two (2) wax myrtles on each side of one (1) palm tree and a minimum of a two (2') foot berm will be created as the homes on Lots 18, 19 and 20, Phase 2B, are built along the western property line. Each individual homeowner will maintain the plants on their respective Lot.

2. All other terms and conditions of the Declaration shall remain unchanged and in full force and effect.

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 10 day of June, 1999.

Signed, sealed and delivered in the presence of:

MAGNOLIA LAKES DEVELOPMENT COMPANY, INC., a Florida corporation

Bonnie L. Kennedy
Witness
Bonnie L. Kennedy
Print Witness Name

By: [Signature]
ARTHUR F. EVANS, III, President

[Signature]
Witness
ANN N MEYER
Print Witness Name



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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 10 day of June, 1999.

Bonnie L. Kennedy
Notary
Bonnie L. Kennedy
Print Notary Name
My Commission Expires

