


PREPARED BY AND RETURN TO: ← 4c
Magnolia Lakes Development Co., Inc.
1688 W. Hibiscus Blvd.
Melbourne, FL 32901


CFN:2000012217 01-31-2000 11:22 am
OR Book/Page: 4115 / 1592

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

THIS SEVENTH AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR MAGNOLIA LAKES, (hereinafter referred to as the "Amendment") dated as the 31ST day of JANUARY, ~~1999~~²⁰⁰⁰, 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; Official Records Book 4009, Page 3561; and Official Records Book 4029, Page 3523, 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; and

WHEREAS, pursuant to Article VIII, Section 5, of the Declaration, Declarant reserves to itself the sole and absolute right to determine the timing, method of ownership, and manner of development of any and all phases of the Subdivision, and the addition of other property to the Subdivision...

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

1. The Declarant is the owner of the following described property in the County of Brevard, State of Florida, which is more particularly described in Exhibit "A" hereof and which is platted as:

**MAGNOLIA LAKES PHASE 3
Section 23, Township 27 South, Range 38 East
City of Melbourne, Brevard County, Florida**

Sandy Crawford
Clerk Of Courts, Brevard County

#Pgs: 3	#Names: 2	
Trust: 2.00	Rec: 13.00	Serv: 0.00
Deed: 0.00		Excise: 0.00
Mtg: 0.00		Int Tax: 0.00

according to the Plat thereof as recorded in Plat Book 45, Page 39, Public Records of Brevard County, Florida, which Property the Declarant hereby adds to the Subdivision, and which Property is hereby subject to the Declaration.

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 22 day of October, 1999.

Signed, sealed and delivered in the presence of:

MAGNOLIA LAKES DEVELOPMENT COMPANY, INC., a Florida corporation

Elizabeth E. Kennedy
Witness

By: [Signature]
Timothy C. Jelus, Vice President

ELIZABETH E. KENNEDY
Print Witness Name

Bonnie L. Kennedy
Witness

Bonnie L. Kennedy
Print Witness Name

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 **TIMOTHY C. JELUS**, as Vice 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 22 day of October, 1999.

Bonnie L. Kennedy
Notary

Bonnie L. Kennedy
Print Notary Name

My Commission Expires



CFN:2000012217
OR Book/Page: 4115 / 1593

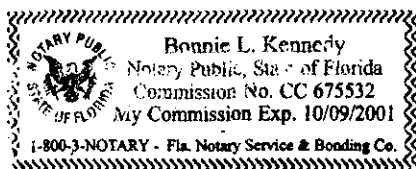


EXHIBIT A



CFN:2000012217

OR Book/Page: 4115 / 1594

DESCRIPTION: (BY SURVEYOR)

A SUBDIVISION BEING A PORTION OF TRACT G, MAGNOLIA LAKES PHASE ONE AS RECORDED IN PLAT BOOK 43, PAGES 60-61 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND LYING IN SECTION 23, TOWNSHIP 27 SOUTH, RANGE 36 EAST OF SAID BREVARD COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 23 AND RUN S 01°12'11"W ALONG THE WEST LINE OF THE SAID NORTHEAST 1/4 A DISTANCE OF 117.02 FEET TO THE SOUTH LINE OF A 50 FOOT DRAINAGE EASEMENT RECORDED IN O.R.B. 1254, PAGE 0478 ALSO BEING THE POINT-OF-BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE S 89°47'34"E ALONG SAID SOUTH EASEMENT LINE A DISTANCE OF 894.63 FEET; THENCE S 00°12'26"W A DISTANCE OF 155.00 FEET; THENCE S 89°47'34" E A DISTANCE OF 10.00 FEET; THENCE S 00°12'26"W A DISTANCE OF 270.00 FEET; THENCE S 89°47'34"E A DISTANCE OF 16.17 FEET; THENCE S 00°12'26"W A DISTANCE OF 110.00 FEET; THENCE N 89°47'34"W A DISTANCE OF 147.74 FEET; THENCE S 00°12'26"W A DISTANCE OF 543.55 FEET; THENCE S 68°16'20"W A DISTANCE OF 109.35 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 125.00 FEET AND CENTRAL ANGLE OF 21°20'23"; THENCE FROM A TANGENT BEARING OF N 21°07'57"W RUN NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 46.56 FEET; THENCE N 89°47'34"W A DISTANCE OF 50.00 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 175.00 FEET AND A CENTRAL ANGLE OF 04°44'55"; THENCE FROM A TANGENT BEARING OF S 00°12'26"W RUN SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 14.50 FEET; THENCE S 58°33'59"W A DISTANCE OF 129.91 FEET; THENCE N 00°12'26"E A DISTANCE OF 517.04 FEET; THENCE N 09°15'42"W A DISTANCE OF 157.65 FEET; THENCE N 00°12'26"E A DISTANCE OF 204.00 FEET; THENCE S 89°47'34"E A DISTANCE OF 110.00 FEET; THENCE N 00°12'26" E A DISTANCE OF 15.00 FEET; THENCE N 89°47'34"W A DISTANCE OF 325.00 FEET; THENCE S 20°30'17"W A DISTANCE OF 65.63 FEET; THENCE S 01°12'11"W A DISTANCE OF 850.00 FEET; THENCE N 88°47'49" W A DISTANCE OF 160.00 FEET; THENCE S 01°12'11"W A DISTANCE OF 27.23 FEET; THENCE N 88°47'49"W A DISTANCE OF 110.00 FEET TO A POINT ON THE EAST LINE OF CYPRESS BEND AS RECORDED IN PLAT BOOK 35, PAGE 64 OF THE SAID PUBLIC RECORDS OF BREVARD COUNTY; THENCE N 01°12'11"E A DISTANCE OF 1048.71 FEET TO A POINT ON THE NORTHEAST CORNER OF SAID CYPRESS BEND AND THE SOUTHERLY LINE OF CYPRESS COVE AS RECORDED IN PLAT BOOK 42, PAGE 63 OF THE SAID PUBLIC RECORDS OF BREVARD COUNTY; THENCE N 89°27'35"E A DISTANCE OF 25.01 FEET TO THE SOUTHEAST CORNER OF SAID CYPRESS COVE; THENCE N 01°12'11"E ALONG THE EAST LINE OF SAID CYPRESS COVE A DISTANCE OF 150.10 FEET TO THE POINT-OF-BEGINNING. CONTAINING 17.46 ACRES OF LAND MORE OR LESS.