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AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS OF TREETOP TERRACE

THIS AMENDMENT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS OF TREETOP TERRACE (the "Declaration") is made by the undersigned, who consist of the owners of not less than two-thirds (2/3) of the following described real property:

The East 1/2 of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 20, Township 1 North, Range 30 West, Escambia County, Florida.

WITNESSETH:

WHEREAS, the Declaration was made on August 20, 2001, and recorded in Official Records Book 4757, Page 1084 of the public records of Escambia County, Florida, and was amended in a document recorded in Official Records Book 4789 at Page 459 of the public records of Escambia County, Florida;

WHEREAS, the undersigned desires to amend the Declaration, and being the holder of not less than two-thirds (2/3) of the votes of the Lot Owners, is legally entitled to do so pursuant to Article III, Section 3 of the Declaration.

NOW THEREFORE, the undersigned amend the Declaration as follows:

1. Article III, Section 5 of the Declaration shall be amend to read as follows:

No structures shall be erected, altered, placed or permitted to remain on any Lot other than a single family dwelling, with attached or detached garage and one outbuilding, which shall harmonize with the dwelling and shall be built in accordance with these restrictions, and all used for residential purposes or for purposes incidental to residential use. The garage shall not be smaller that a two-car garage. No residence shall be erected with the area of the main structure as measured at the outside foundation, exclusive of open porches, carports and garages, having less than 1200 square feet. Any multi story structure shall have a ground floor area of the main

structure of not less than 900 square feet. All buildings shall be erected on Lots in conformity with building setback requirements as provided by governmental ordinance. In addition, no building shall be located nearer than twenty (20) feet to any front or rear lot line or to any side street line. Side building setbacks of ten percent (10%) of the Lot's width measured at the front building setback lines, or fifteen (15) feet, whichever is less, shall be observed.

Dated this 16th day of August, 2002.

Signed, sealed and delivered in the presence of:

Braden K. Ball, Jr.
Braden K. Ball, Jr.

J.C. Johnson

Monica S. Cone

Monica S. Cone

STATE OF FLORIDA

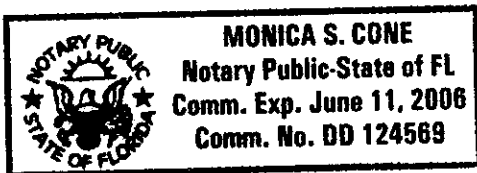
COUNTY OF ESCAMBIA

Acknowledged this 16th day of August, 2002, by J.C. Johnson, who produced

FLDL # J525-423-42 ¹⁸⁷⁻⁰ as identification.

Monica S. Cone

Notary Public: Monica S. Cone



RCD Aug 20, 2002 11:58 am
Escambia County, Florida

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2002-997568

Prepared by and return to:
Braden K. Ball, Jr. of
Shell, Fleming, Davis & Menge
226 Palafox Place, 9th floor
Pensacola, Florida 32501
SFD&M File #Z42-25770