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KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
KOBBERG Receipt#063021

Return / This Instrument Prepared By.
Stephen K. Boone, Esquire 056
BOONE, BOONE, BOONE, HINES & KODA, P.A
P.O. Box 1596
Venice, Florida 34284



**SECOND AMENDMENT TO
DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS
OF MYAKKA RIVER TRAILS**

WHEREAS, certain property described in the Declaration defined below has been developed in Sarasota County and is subject to the terms, provisions, covenants, conditions, and restrictions of that certain Declaration of Easements, Covenants and Restrictions of Myakka River Trails (the "Declaration") recorded in Official Records Book 2923, Page 1110, et seq., and re-recorded in Official Records Book 2928, Page 1768, et seq., and amended by First Amendment recorded in Official Records Book 3009, Page 2718, all of the public records of Sarasota County, Florida, and

WHEREAS, TAYLOR RANCH, INC , a Florida corporation (the "Developer") is the developer of the property subject to the Declaration; and

WHEREAS, MYAKKA RIVER TRAILS IMPROVEMENT ASSOCIATION, INC., a Florida not-for-profit corporation (the "Association"), is the entity with the authority to enforce the Declaration; and

WHEREAS, amendment of the Declaration by the Board of Directors of the Association is permitted pursuant to Paragraph 23 of the Declaration,

WHEREAS, this Second Amendment to the Declaration was submitted to the Board of Directors of the Association and adopted at a duly noticed meeting at which all of the Directors were present and voting throughout;

NOW, THEREFORE, the Association amends the Declaration, as follows

The property situated in Sarasota County, Florida, and more particularly described on Exhibits "A", "B", "C", and "D" attached hereto and incorporated herein, shall be added to and hereby become a part of the Subdivision, and be subject to the covenants, easements, and restrictions contained in the Declaration, as amended, and the owners of said property shall be members of the Association

Paragraph 8 shall be deleted in its entirety, and replaced with the following:

8.

EASEMENTS:

- (A) Bridle Path Easement A perpetual, non-exclusive easement of the first fifty (50) feet off River Road is reserved for the use of members of the Association as a bridle path or trail. No fences may be erected on this bridle path or trail easement. The Association shall indemnify and hold each affected Lot Owner harmless for any injury, damages or liability incurred due to the use of the bridle path.
- (B) Lot Line Easements An easement eight (8) feet in width along the rear Lot line, ten (10) feet along the side Lot lines, and ten (10) feet along the front Lot line of each Lot is reserved for Developer, its successors and assigns, for the installation and maintenance of utilities and drainage facilities. Owner may fence in the easement area of individual lot lines, but may not place fill in the easement. For purposes of this Declaration, for Lots with river frontage, the front of the Lot shall face the river. For all other Lots, the front of the Lot shall face River Road.
- (C) Ingress and Egress Easements: Twenty foot (20.00') easements shall be reserved for ingress and egress on the following lots abutting River Road for the benefit of the following lots abutting the Myakka River, all as shown on the unrecorded plat of Myakka River Trails, as per map or plat thereof recorded in Miscellaneous Plat Book 1, Page 6, public records of Sarasota County, Florida:
 - (1) The southerly 20.00 feet of Lot 13 for the benefit of Lot 42.
 - (2) The northerly 20.00 feet of Lot 22 for the benefit of Lot 45.
 - (3) The southerly 20.00 feet of Lot 23 for the benefit of Lot 46.
 - (4) The northerly 20.00 feet of Lot 35 for the benefit of Lot 55.
 - (5) The southerly 20.00 feet of Lot 36 for the benefit of Lot 56.
 - (6) The northerly 20.00 feet of Lot 37 for the benefit of Lot 57.
 - (7) The southerly 20.00 feet of Lot 38 for the benefit of Lot 58.

Paragraph 19(A) shall be deleted in its entirety, and replaced with the following:

- 19. COMMON ACCESS DRIVEWAYS (A) The common access driveways in the Subdivision, as more particularly described in the various Common Access Driveway Easements recorded in the public records of Sarasota County, Florida, shall be the property of the individual Lot Owner(s) upon whose property it is located. There shall be perpetual easements over the common access driveways

and over that much of the Lots or Parcels between the common access driveway and adjacent Lots or Parcels for the purpose of ingress and egress to the various Lots in the Subdivision. An eight foot (8') easement along each side of the common access driveways over the same lands more particularly described in various easements given to FPL and recorded in the public records of Sarasota County, Florida, shall be reserved for the Developer and any utility authorized by Developer for construction, operation, and maintenance of underground utilities. The Association shall indemnify and hold each affected Lot Owner harmless for any injury, damages or liability incurred due to the use of the common access driveways. The maintenance of the common access driveways and mowing of the right-of-way shall be done by the Association. The Association shall assess each Lot Owner a pro-rata share of the maintenance costs

IN WITNESS WHEREOF, the Association has set its hand and seal this 22nd day of June, 2001.

Witnesses:

MYAKKA RIVER TRAILS
IMPROVEMENT ASSOCIATION, INC.,
a Florida not-for-profit corporation

Sign Margaret S Frook
Print MARGARET S. FROOK

Sign Karen J Wolfe
Print KAREN J. WOLFE

By Thomas H Taylor, Jr.
Thomas H Taylor, Jr. as President

STATE OF FLORIDA
COUNTY OF SARASOTA

I HEREBY CERTIFY that the foregoing Amendment was acknowledged before me this 22nd day of June, 2001, by Thomas H. Taylor, Jr., as President of MYAKKA RIVER TRAILS IMPROVEMENT ASSOCIATION, INC., on behalf of said corporation. He is personally known to me.



Margaret S. Frook
Commission # CC 998731
Expires Feb. 16, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

NOTARY PUBLIC

Sign Margaret S Frook
Print MARGARET S. FROOK

(SEAL)
My Commission Expires

EXHIBIT "A"

The North 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 21, Township 39 South,
Range 20 East, Sarasota County, Florida.

DESCRIPTION:

A parcel of land lying in of Section 28, Township 39 South, Range 20 East, Sarasota County, Florida, described as follows:

Commence at the center of Section 28, Township 39 South, Range 20 East, Sarasota County, Florida (DNR Certified Corner Record # 4519); thence S.69°21'30"E., along the South line of the Northeast Quarter of said Section 28, a distance of 72.57 feet; thence N.53°12'13"E., along a line perpendicular to the easterly right of way line of West River Road (State Road No. 777), as recorded in Road Plat Book 2, Pages 44 - 44L, of the Public Records of Sarasota County, Florida, a distance of 680.08 feet to the POINT OF BEGINNING; thence N.36°47'47"W., parallel with said easterly right of way line of West River Road, a distance of 600.00 feet; thence N.53°12'13"E., perpendicular to said easterly right of way line of West River Road, a distance of 1052.33 feet to the Mean High Water Line of the Myakka River; thence S.50°26'34"E., along said Mean High Water Line, a distance of 617.43 feet to a point on a line lying N.53°12'13"E. from the Point of Beginning; thence S.53°12'13"W., along said line, same being perpendicular to said easterly right of way line of West River Road, a distance of 1198.00 feet to the POINT OF BEGINNING.

Parcel contains 16.50 acres, more or less.

EXHIBIT 6

EXHIBIT C

A parcel of land lying in Section 28, Township 39 South, Range 20 East, Sarasota County, Florida, described as follows:

Commence at the Southeast corner of Section 28, Township 39 South, Range 20 East, Sarasota County, Florida; thence N 89 46'36"W, along the South line of Section 28, Township 39 South, Range 20 East, a distance of 1030.00 feet, to a point on the center line of West River Road (State Road No. 777 - F.D.O.T. Right of Way Map Section 17502-2902); thence N 36 47'47"W, along said center line of West River Road, a distance of 2843.58 feet; thence N 51 34'59"E, perpendicular to said center line of West River Road, a distance 1107.04 feet to the Point of Beginning; thence S 36 47'47"E, parallel with said center line of West River Road, a distance of 378.68 feet; thence N 53 12'13"E, perpendicular to said center line of West River Road, a distance of 1127 feet to the Mean High Water line of the Myakka River; thence along said Mean High Water Line of Myakka River the next three courses: N 30 09'02"W, a distance of 139.80 feet; thence N 53 41'55"W, a distance of 328.70 feet; thence N 50 26'34"W, a distance of 150.90 feet; thence leaving said Mean High Water line of the Myakka River, S 53 12'13"W, perpendicular to said center line of West River Road, a distance of 1012.60 feet; thence S 36 47'47"W, parallel with said center line of West River Road, a distance of 221.32 feet to the Point of Beginning.

Containing 15.002 acres, more or less.

EXHIBIT D

A parcel of land lying in Section 27, Township 39 South, Range 20 East, Sarasota County, Florida, described as follows:

Commence at the southwest corner Section 27, Township 39 South, Range 20 East, Sarasota County, Florida; thence N.89°46'36"W., along the south line of Section 28, Township 39 South, Range 20 East, a distance of 1030.00 feet, to a point on the centerline of West River Road (State Road No. 777-F.D.O.T. Right of Way Map Section 17502-2902); thence N.36°47'47"W., along said centerline of West River Road, a distance of 381.95 feet; thence N.72°51'17"E., a distance of 1623.90 feet, to the Point of Beginning; thence S.36°47'47"E., being parallel with said centerline of West River Road, a distance of 521.47 feet; thence N.53°12'13"E., being perpendicular to said West River Road, a distance of 1236.82 feet, to the Mean High Water line of the Myakka River; thence N.83°30'26"W., along said Mean High Water line, a distance of 63.59 feet; thence continue along said Mean High Water line, N.71°45'24"W., a distance of 199.30 feet; thence continue along said Mean High Water line, N.34°42'03"W., a distance of 178.61 feet; thence continue along said Mean High Water line, N.17°18'07"W., a distance of 129.04 feet; thence continue along said Mean High Water line, N.43°49'47"W., a distance of 93.63 feet; thence leaving said Mean High Water line, S.53°12'13"W., a distance of 628.28 feet, to a point on the Mean High Water line of said Myakka River; thence S.00°09'28"E., along said Mean High Water line, a distance of 64.18 feet; thence continue along said Mean High Water line, S.23°50'57"E., a distance of 56.37 feet; thence continue along said Mean High Water line, S.00°07'07"E., a distance of 77.32 feet; thence continue along said Mean High Water line, S.14°51'07"E., a distance of 109.34 feet; thence continue along said Mean High Water line, S.34°18'27"W., a distance of 87.55 feet; thence continue along said Mean High Water line N.06°47'43"W., a distance of 249.14 feet; thence continue along said Mean High Water line, N.15°37'43"W., a distance of 88.42 feet; thence leaving said Mean High Water line, S.53°12'13"W., a distance of 421.88 feet; thence S.36°47'47"E., being parallel with said centerline of West River Road, a distance of 78.53 feet to the Point of Beginning.