

This Instrument Prepared By:
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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
MTAYLOR Receipt#578642



2005021451

**SIXTH 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, Second Amendment recorded in Official Records Instrument #2001096414, Third Amendment recorded in Official Records Instrument #2002092839, Fourth Amendment recorded in Official Records Instrument #2004026981, and Fifth Amendment recorded in Official Records Instrument #2004041529, all of the public records of Sarasota County, Florida; 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 Sixth 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 attached pamphlet entitled "Manatees and the Law" (2 pages) is hereby added to the Declaration and fully incorporated herein. This manatee information brochure is required to be distributed to every home Owner in Myakka River Trails pursuant to the terms of the Association's boat ramp permits.

IN WITNESS WHEREOF, the Association has set its hand and seal this 25th day of January, 2005.

Witnesses:

Sign Georgie Ann Fedako
Print GEORGIE ANN FEDAKO

Sign Margaret R. Williamson
Print Margaret R. Williamson

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

By Jeffery A. Moyer
Jeffery A. Moyer, as President

STATE OF FLORIDA
COUNTY OF SARASOTA

I HEREBY CERTIFY that the foregoing Amendment was acknowledged before me this 25th day of January, 2005, by Jeffery A. Moyer, as President of **MYAKKA RIVER TRAILS IMPROVEMENT ASSOCIATION, INC.**, on behalf of said corporation. He is personally known to me or produced FL Drivers License as identification.



Margaret R. Williamson
Commission #DD333815
Expires: Jan 22, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

(SEAL)

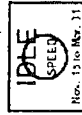
NOTARY PUBLIC

Sign Margaret R. Williamson
Print Margaret R. Williamson

My Commission Expires:

Boating Speed Zones

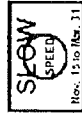
There are a number of cautionary and regulatory speed zones to alert the boater and protect the manatee in their native habitat. These are examples of typical signs found on Florida's waterways:



Idle Speed Zone - Regulated area - a zone in which boats are not permitted to go any faster than necessary to be steered; generally these signs appear near the center of a protected manatee sanctuary.



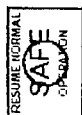
Slow Speed Zone - Regulated Area - a minimum-wake zone where boats must not be on a plane and must be level in the water.



Caution Sign - posted by individuals in areas frequently inhabited by manatees. Requests caution on the part of boaters to avoid disturbing or injuring the animals.



No Entry Zone - a protected zone that prohibits boating, swimming and diving for the protection of manatees.



Safe Operation Zone - a sign indicating that you may resume safe boating speed: visible as you leave a

Manatees and the Law

protected area.

Manatees are protected by the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973 and the Florida Manatee Sanctuary Act of 1978. It is illegal to harass, harm, pursue, hunt, shoot, wound, kill, annoy or molest manatees.

Any one convicted of violating states law faces maximum fines of \$500 and/or imprisonment of up to 60 days. Conviction for violating federal protection laws is punishable by fines up to \$100,000 and/or one year in prison.

To report manatee deaths, injuries, harassment or orphaned manatees call the Florida Fish and Wildlife Conservation Commission Marine Enforcement Unit:
1-888-404-FWCC
1-888-404-3922
On your mobile: *FWC

Visit: <http://www.floridaconservation.org/psm>

The Florida Manatee



Myakka River Trails Boat Ramp Guide for Boating Around Manatees

The Myakka River Trails Boat Ramp was constructed under three permits from the following agencies: Sarasota County Department of Natural Resources, the Florida Department of Environmental Protection, and the Army Corps of Engineers. The distribution of this brochure is a requirement of the issued permits. Stipulations in the permits from each agency will be monitored for the life of the Myakka River Trails Boat Ramp.

How well do you know Manatees?

The West Indian manatee is a large gray-brown aquatic mammal with a seal-like body tapering to a flat, paddle-shaped tail. The upper part of its body has two small forelimbs with three to four nails on each flipper. The head and face are wrinkled and the snout has stiff whiskers.

Adults have been known to reach lengths over 13 feet and weights over 3,000 pounds. Calves are three to four feet long and begin their lives at 60 to 70 pounds.

Manatees are herbivores and spend most of their time feeding and resting. They graze along grass beds in rivers, coastal areas and at the water's surface. Manatees have been known to hold their breath for as long as 20 minutes, but they usually surface about every 5 minutes to breathe.

Their minimum population is estimated to be 3,000 to 3,500 and continues to be threatened in several ways. One way to reduce manatee deaths is to perform observant and conscientious recreational boating. As a boater in the Myakka River Basin you are encouraged to follow the manatee awareness guidelines in this brochure.



Advice for Boaters in the Myakka River Basin

Reduce your chances of harming a manatee by following these simple guidelines:

Wear polarized glasses while operating a boat. Polarized lenses make it much easier to see objects beneath the water's surface and the telltale "swirling" that occurs when a manatee dives. (These swirls look like a large "footprint" on the water's surface or a series of half moon swirls.)

Pole, paddle or use a trolling motor when you are near seagrass beds. Grass beds are prime manatee habitat and nursery beds for game fish and other wildlife. Avoid boating over seagrass beds and shallow areas.

Slow down. Reducing boat speed gives you a greater chance to avoid a manatee when you see one. You will also increase your safety margin with other boats. Post a lookout on the bow, particularly while in areas suitable for manatees.

Observe and follow all manatee speed zones and caution areas. Please review the different speed zones designated for manatee areas in this brochure.

The Myakka River is considered CRITICAL HABITAT for manatees.

The entire Myakka River Basin in Sarasota County is designated as a SLOW speed zone.

Please help our rivers stay clean by keeping litter and pollution out of the waterways.

Specific restrictions regarding the use of the Myakka River Trails Boat Ramp:

- Use of the Myakka River Trails Boat Ramp is restricted to Myakka River Trails residents only.
- Propeller guards that prevent impacts with propellers shall be properly affixed on the propellers of any and all boats using the boat ramp.
- All vessels allowed to launch or land at the boat ramp shall be restricted to those having a draft that exceeds 1.0 foot.
- Bilge water shall not be discharged over the ramp or into the waterway.
- No commercial and/or revenue generating activities are allowed at the boat ramp or dock structures.
- Fish cleaning shall take place in the upland area. No fish remains shall be discarded around the ramp or the waterway.
- All monofilament, glass bottles, and trash must be disposed of in the appropriate containers provided.