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2002 JUN 07 03:07 PM
KAREN E. RUSHING
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SARASOTA COUNTY, FLORIDA
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This Instrument Prepared By. ✓
Margaret S Froom, Esquire o.s.c.
BOONE, BOONE, BOONE, HINES & KODA, P A
P O Box 1596
Venice, Florida 34284



THIRD 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, and Second Amendment recorded in Official Records Instrument #2001096414, 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 Third 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.

Paragraph 23 shall be amended to read as follows.

23 AMENDMENTS TO COVENANTS AND RESTRICTIONS. These Covenants and Restrictions may be modified at any time by the Board of Directors of the Association. Any amendment which would affect the surface water management system, as defined in Paragraph 26 below, including the water management portions of the common areas, must have the prior approval of the Southwest Florida Water Management District

A new Paragraph 26 shall be added to read as follows:

26 SURFACE WATER MANAGEMENT SYSTEM. The surface water management system facilities shall include, but are not limited to, all inlets, ditches, swales, culverts, water control structures, retention and detention areas, ponds, lakes, floodplain compensation areas, wetlands and any associated buffer areas, and wetland mitigation areas. It is the responsibility of the Association to operate and maintain the surface water management system, and funds needed to maintain it will be assessed as part of the overall Association assessments pursuant to Paragraph 2 hereof.

A new Paragraph 27 shall be added to read as follows:

27 TERM. The covenants and restrictions of this Declaration shall run with and bind the Subdivision, and shall inure to the benefit of and shall be enforceable by the Association or any Owner subject to this Declaration, their respective legal representatives, heirs, successors, and assigns, for a term of thirty (30) years from the date this Declaration was recorded, after which time they shall be automatically extended for successive periods of ten (10) years, unless an instrument in writing, signed by a majority of the then Owners and Mortgagees holding Mortgages on a majority of the Parcels, has been recorded within the year preceding the beginning of each successive period of ten (10) years, agreeing to change said covenants and restrictions, in whole or in part, or to terminate the same, in which case this Declaration shall be modified or terminated as specified therein. In the event of a permanent dissolution of the Association, the Owner shall immediately thereupon hold title to the common areas as tenants in common and shall collectively provide for the continued maintenance and upkeep thereof.

IN WITNESS WHEREOF, the Association has set its hand and seal this 29 day of May, 2002

Witnesses

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

Sign Brett M. Lesley
Print Brett M Lesley

Sign G Lamar Maddox
Print G Lamar Maddox

By [Signature]
Stanley E. Thomas, as President

I HEREBY CERTIFY that the foregoing Amendment was acknowledged before me this 29 day of May, 2002, by Stanley E. Thomas, as President of MYAKKA RIVER TRAILS IMPROVEMENT ASSOCIATION, INC., on behalf of said corporation. He is personally known to me.

NOTARY PUBLIC

Sign *William Echols*
Print WILLIAM ECHOLS

(SEAL)

My Commission Expires:

