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KAREN E. RUSHING  
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This Instrument Prepared By:  
Margaret S. Frook, Esquire  
BOONE, BOONE, BOONE, KODA & FROOK  
P.O. Box 1596  
Venice, Florida 34284



**FOURTH 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, and Third Amendment recorded in Official Records Instrument # 2002092839, 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 Fourth 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 9 shall be amended to read as follows:

9. SETBACK REQUIREMENTS: Owner shall not erect or maintain any structure within two hundred fifty (250) feet of the center line of any public road, or within two hundred fifty (250) feet from front and rear lot lines, or within fifty (50) feet of any side lot line of any interior Lot line of any Parcel. As long as the Developer owns any Lot which it intends to offer for sale, the Developer shall be entitled to grant exceptions and variances to these setbacks with respect to any Lot or Parcel the topography of which renders compliance with these setbacks unreasonable. After the Developer no longer owns any Lots in the Subdivision, the right to grant exceptions and variances shall pass to the Association. Owner shall apply for an exception or variance in writing. The application must be accompanied by plans and specifications regarding the proposed structure. Any exception or variance granted shall be executed with the formalities of a deed and recorded in the public records of Sarasota County, Florida.

IN WITNESS WHEREOF, the Association has set its hand and seal this 30 day of January, 2004.

Witnesses: William D. Brown, Jr. MYAKKA RIVER TRAILS  
SIGN William D. Brown, Jr. IMPROVEMENT ASSOCIATION, INC.,  
PRINT William D. Brown, Jr. a Florida not-for-profit corporation

SIGN Stanley E. Thomas By Stanley E. Thomas  
PRINT Charlotte A. Weddington Stanley E. Thomas, as President

STATE OF GEORGIA  
COUNTY OF COBB

I HEREBY CERTIFY that the foregoing Amendment was acknowledged before me this 30 day of January, 2004, 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 Lila M. Echols  
PRINT LILA M. ECHOLS

(SEAL)

My Commission Expires: 4/11/05

