

DECLARATION  
OF  
COVENANTS AND RESTRICTIONS

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TALLAHASSEE, FLORIDA

KNOW ALL MEN BY THESE PRESENTS that J.VERN WILLIAMS and MARCIA L. HUMPHRESS, whose principal office is at 1713 Mahan Drive, Tallahassee, FL 32308, do hereby declare as follows:

WHEREAS, they are the developers and owners of certain properties located in Wakulla County, Florida, described more particularly on Exhibit "A" which is attached to and incorporated herein, and

WHEREAS, the above described property is known as SUMMERWOOD, UNIT 2, an unrecorded subdivision, and

WHEREAS, J. Vern Williams and Marcia L. Humphress, as the developers of Summerwood, Unit 2, intend to install roads in order to provide access to the lots in this subdivision, and

WHEREAS, the lots which are to be sold shall provide ownership to the centerline of these roads with retention of an easement in the Summerwood Roadowners Maintenance Association, Inc., a non-profit corporation (the Association), and

WHEREAS, that existing Association presently consists of all property owners in the Summerwood subdivision and that Association shall henceforth be responsible for the maintenance and upkeep of all the roads within Summerwood, Unit 1, and Summerwood, Unit 2, and all property owners in Summerwood, Unit 1, and Summerwood, Unit 2, shall be members of the Association,

NOW, THEREFORE,

J. VERN WILLIAMS and MARCIA L. HUMPHRESS declare that the real property described on the attached Exhibit "A" and such additions thereto as may be made, shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens hereinafter set forth.

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Article I

DUES AND ASSESSMENTS

It is hereby declared that all lots and parcels within Summerwood, Unit 2, and Summerwood, Unit 1, shall annually be assessed and charged an amount necessary in order to operate the Association and to maintain all roadways, shoulders, drainage ditches and all related improvements, whether then existing or to be constructed so as to provide continuous, attractive, comfortable and ready access to each lot. To accomplish this, each property shall be required to belong to the Association. The Association is a Florida corporation and a copy of its Bylaws are attached hereto as Exhibit "B and incorporated herein. The initial meeting of the members (shareholders) of the Association shall be held in January of 1984 at which time Directors shall be elected as provided for in the Bylaws. The initial assessment against all property in Summerwood, Unit 2, based on acreage, shall be made by the Directors in January of 1985 and that assessment shall constitute a lien on all property subject to these restrictions and covenants as of January, 1985. As provided for in the Bylaws of the Corporation, the Directors may provide that the payment of the assessment be made on an annual, or semi-annual basis. Failure to make payment in a timely manner shall result in foreclosure as is provided for in the Bylaws. The Association shall also have the authority to collect all costs, expenses, attorney and other fees relating to the collection of delinquencies, and they shall further have the authority to assess interest for any delinquent account. As is provided for in the Bylaws the members (shareholders) shall elect Directors each year and the Directors in turn shall make an assessment which shall become a lien on the property effective January of each succeeding year. The lien provided for herein shall be subordinate to any lien created by any first mortgage held by a bank, savings and loan association or insurance company on any individual lot or group of lots under one ownership.

Article II

PROHIBITED LAND USE

The keeping of swine, under any circumstances, on the property is strictly prohibited. Commercial stabling or kennelling operations are prohibited whether such operations actually earn a profit or not. No property shall be used for garbage or trash disposal, no inoperative motor vehicle may remain on any property for longer than two weeks and no activity shall be permitted which is of an objectionable nature so as to result in a diminution of the value of the surrounding properties. No commercial activities shall be permitted. There shall be no churches, cemeteries, convalescent or nursing homes on any of the property.

Article III

DURATION

The duration of these restrictions and covenants shall be twenty (20) years from the date on which they were recorded in the public records of Wakulla County, Florida.

Article IV

INSERTIONS IN DEEDS

J. VERN WILLIAMS and MARCIA L. HUMPHRESS, their assigns and successors in interest, hereby agree to inform any prospective purchasers of any of the property of the existence of this Declaration and the covenants and restrictions herein contained; further agree that in every deed conveying a portion of the property shall contain a clause stating essentially the following:

"Subject to the terms and conditions of a Declaration of covenants and restrictions dated \_\_\_\_\_, 1985, recorded in the public records of Wakulla County, Florida, at Official Records Book \_\_\_\_\_, Page \_\_\_\_\_.

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Article V

NATURE OF RESTRICTIONS AND COVENANTS

The restrictions and covenants imposed by this instrument shall run with the land and shall apply equally to all present and future property owners, their heirs and assigns, throughout the entire term of these restrictions and covenants.

IN WITNESS WHEREOF, J. Vern Williams and Marcia L. Humphress have executed this document this 20<sup>th</sup> day of February, 1985.

Signed and sealed in the presence of:

Two witnesses: Leo Antelopeil and Helene P. Williams. Signatures of J. Vern Williams and Marcia L. Humphress with (SEAL) notations.

STATE OF FLORIDA
COUNTY OF LEON

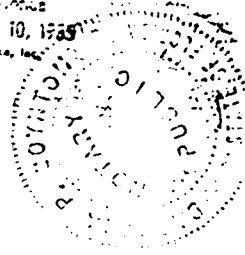
The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of February, 1985, by J. VERN WILLIAMS and MARCIA L. HUMPHRESS.

Signature of Barbara P. Brynston, Notary Public

This instrument prepared by:

Michael F. Coppins
DOUGLASS, COOPER & COPPINS
Post Office Box 1674
Tallahassee, FL 32302

Notary Public, State of Florida
My Commission Expires June 10, 1985



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**NOBLES, VARNUM & ASSOCIATES, INC.**

ENGINEERING & LAND SURVEYING • FLORIDA & GEORGIA

1641-B METROPOLITAN CIRCLE  
TALLAHASSEE, FLORIDA 32308  
(904) 385-1572

Summerwood II - Overall Legal

Begin at concrete monument marking the Southeast corner of Section 5, Township 3 South, Range 1 East, Wakulla County, Florida and thence run North 89 degrees 47 minutes 00 seconds West along the South boundary of said Section 5 a distance of 2642.48 feet to a light wood post marking the Southwest corner of the Southeast Quarter of said Section 5, thence run North 00 degrees 54 minutes 16 seconds East 764.80 feet to a concrete monument, thence run South 89 degrees 50 minutes 33 seconds East 1176.08 feet to a concrete monument, thence run North 00 degrees 54 minutes 16 seconds East 555.55 feet to a concrete monument, thence run South 89 degrees 50 minutes 33 seconds East 1477.33 feet to a concrete monument on the East boundary of said Section 5, thence run South 01 degrees 22 minutes 34 seconds West along said East boundary 87.67 feet to a concrete monument, thence continue South 01 degrees 22 minutes 34 seconds West along said East boundary 1235.54 feet to the POINT OF BEGINNING; containing 65.34 acres, more or less.

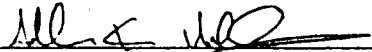
  
Allen K. Nobles Aug. 15, 1984  
Registered Florida  
Land Surveyor No. 3562  
Tallahassee, Florida

EXHIBIT "A"

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