

This instrument prepared by and  
after recording should be returned to:  
Charles L. Cooper, Jr., Esquire  
Bryant Miller Olive P.A.  
1545 Raymond Diehl Road, Suite 300  
Tallahassee, Florida 32308

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR SUMMERFIELD**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SUMMERFIELD is made this 20<sup>th</sup> day of April, 2021, by SUMMERFIELD LAND, LLC, a Florida limited liability company, whose address is 4910 North Monroe Street, Tallahassee, Florida 32303 ("Declarant"), for the purpose of amending that certain Declaration of Covenants, Conditions and Restrictions for Summerfield dated August 3, 2020, and recorded August 4, 2020, in Official Records Book 5472, Page 1554, public records of Leon County, Florida (the "Declaration").

WHEREAS, the Declaration contains certain scrivener's errors which Declarant desires to correct by this Amendment as provided in Article IV, Section 2, of the Declaration.

NOW, THEREFORE, in consideration of the premises and the covenants herein contained, and for other valuable consideration, the receipt and sufficiency of which is conclusively acknowledged, it is agreed as follows:

1. The Declaration, as specifically modified by this Amendment, shall be and remain in full force and effect. All capitalized terms used herein shall have the same meanings ascribed to such terms in the Declaration. To the full extent permitted by law, the amendments contained herein shall be retroactive effective to August 3, 2020.

2. Exhibit "A" of the Declaration is hereby deleted and replaced with the new Exhibit "A" that is attached hereto and by this reference made a part hereof.

3. Exhibit "D" of the Declaration is hereby deleted and replaced with the new Exhibit "D" that is attached hereto and by this reference made a part hereof.

4. The definition of "Subdivision Plat" is hereby amended in its entirety as follows:

"Subdivision Plat" shall mean and refer to the Plat of Summerfield, Single Family (SF) - Phase I as recorded in Plat Book 23, Page 66, public records of Leon County, Florida.

5. Article IV, Section 5 is hereby amended in its entirety as follows:

Section 5. Maximum Annual Assessment. Until January 1 of the year immediately following the conveyance of the first Lot to an Owner, the maximum annual assessment shall be Eight Hundred and No/100 Dollars (\$800.00) per Lot.

(a) From and after January 1 of the year immediately following the conveyance of the first Lot to an Owner, the maximum annual assessment may be increased each year not more than the lesser of: (i) ten percent (10%) above the assessment for the previous year without a vote of the membership; or (ii) the maximum increase permitted by applicable law.

(b) From and after January 1 of the year immediately following the conveyance of the first lot to an Owner, the maximum annual assessment may be increased more than ten percent (10%) by the vote or written consent of a majority of each class of members who are voting in person or by proxy, at a meeting duly called for this purpose.

(c) The Board may increase the annual assessment at any time to an amount not in excess of the maximum.

6. Article IX is hereby amended to add the following Section 4:

Section 4. Additions to Property Subject to this Declaration. So long as Declarant owns at least three (3) Lots, Declarant may, without the approval or consent of any of the Members, at any time and from time to time subject to this Declaration any additional property with the concurrence and joinder of the record title owner of the additional property to be added. Declarant shall not be obligated to bring any additional property within the scheme of this Declaration. The additions authorized under this Section 4 may be made by Declarant at any time and from time to time, by recording a Supplemental Declaration, which Supplemental Declaration shall extend the covenants, restrictions, easements, charges and liens of this Declaration to such additional property. Upon the addition of any such property to the provisions of this Declaration, any such additional property shall be deemed a portion of the Property as if originally designated as such on Exhibit A hereto.

7. Severability. Invalidation of any one of these covenants or restrictions or any part, clause or word hereof, or the application thereof in specific circumstances, by judgment or court order shall not cause the Declaration or any other provisions contained in this Amendment

to be void or unenforceable, and shall not affect any other provisions or applications in other circumstances, all of which shall remain in full force and effect.


[SIGNATURE ON FOLLOWING PAGE]


IN WITNESS WHEREOF, Declarant has executed this Amendment on the day and year first above written.

WITNESSES:

DECLARANT:

SUMMERFIELD LAND, LLC, a Florida limited liability company

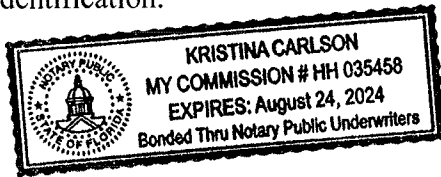
  
Print Name: Christian Griffith

By:   
William G. Thames, Jr., Manager

  
Print Name: Gordon Thames

STATE OF FLORIDA  
COUNTY OF LEON

The foregoing instrument was acknowledged before me by means of () physical presence or () online notarization, this 20 day of April, 2021, by William G. Thames, Jr., as Manager of Summerfield Land, LLC, a Florida limited liability company, on behalf of the company. He () is personally known to me or () produced Florida driver license as identification.



K. Carlson  
Notary Public  
My commission expires:

**EXHIBIT "A" TO DECLARATION****LEGAL DESCRIPTION OF PROPERTY****Summerfield, Single Family (SF) - Phase I**

Commence at a concrete monument marking the Northeast corner of Lakeside, a subdivision as per map or plat thereof recorded in Plat Book 11, Page 26, of the Public Records of Leon County, Florida; thence run Southeasterly along the Southerly right of way boundary of North Monroe Street (U.S. Highway 27) S 42 deg. 56'13" E, 775.01 feet to a point on a curve concave to the Southwest; thence Southeasterly along said curve having a radius of 11359.20 feet, through a central angle of 01 deg. 20'36" East for an arc distance of 266.30 feet (the chord of said arc bears S 42 deg. 11'21" E for a distance of 266.30 feet); thence S 48 deg. 28'56" W, 20.00 feet to a point on a curve concave to the Southwest, thence Southeasterly along said curve having a radius of 11339.20 feet, through a central angle of 03 deg. 48'18" for an arc distance of 753.02 feet (the chord of said arc bears S 39 deg. 36'55" E for a distance of 752.88 feet) to the Point of Beginning. From said Point of Beginning thence S 37 deg. 15'23" E, 38.93 feet; thence N 52 deg. 22'49" E, 19.96 feet to a point on a curve concave to the Southwesterly, thence Southeasterly along said curve having a radius of 11359.20 feet, through a central angle of 01 deg. 29'57" for an arc distance of 297.24 feet (the chord of said arc bears S 36 deg. 48'55" E 297.23 feet); thence S 53 deg. 53'00" W, 20.22 feet; thence S 08 deg. 53'54" E, 1.00 feet to a point on a curve concave to the Southwesterly, thence Southeasterly along said curve having a radius of 11339.20 feet, through a central angle of 01 deg. 36'18" for an arc distance of 317.64 feet (the chord of said arc bears S 35 deg. 15'15" E 317.63 feet); thence S 55 deg. 32'54" W, 14.31 feet to a point on a curve concave to the Southerly, thence Northwesterly along said curve having a radius of 57.01 feet, through a central angle of 148 deg. 02'39" for an arc distance of 147.30 feet (the chord of said arc bears S 76 deg. 03'58" W, 109.61 feet) to a point of reverse curve concave to the Northwesterly, thence Southwesterly along said curve having a radius of 15.21 feet, through a central angle of 67 deg. 09'24", for an arc distance of 15.21 feet (the chord of said arc bears S 36 deg. 10'10" W, 16.83 feet) to a point of curve concave to the Southeasterly, thence Southwesterly along said curve having a radius of 435.71 feet, through a central angle of 17 deg. 09'26", for an arc distance of 130.47 feet (the chord of said arc bears S 62 deg. 35'46" W 129.99 feet); thence S 53 deg. 59'36" W, 51.98 feet to a point on a curve concave Northerly, thence Westerly along said curve having a radius of 39.99 feet, through a central angle of 89 deg. 04'41" for an arc distance of 62.18 feet (the chord of said arc bears N 81 deg. 24'12" W 56.10 feet); thence S 53 deg. 05'32" W, 45.00 feet to a point on a curve concave to the Northeasterly, thence Southeasterly along said curve having a radius of 85.08 feet, through a central angle of 33 deg. 24'21", for an arc distance of 49.60 feet (the chord of said arc bears S 53 deg. 37'17" E, 48.90 feet); thence S 03 deg. 31'09" W, 21.71 feet; thence S 36 deg. 54'07" E, 240.30 feet; thence N 54 deg. 01'23" E, 4.21 feet; thence S 35 deg. 58'37" E, 45.00 feet; thence S 54 deg. 01'23" W, 158.43 feet; thence S 35 deg. 58'37" E, 130.10 feet; thence S 54 deg. 01'44" W, 708.60 feet to a point on a curve concave to the Southwesterly, thence Northwesterly along said curve having a radius of 1236.43 feet, through a central angle of 14 deg. 30'45", for an arc distance of 313.18 feet (the chord of said arc bears N 44 deg. 44'51" W, 312.34 feet); thence N 57 deg. 15'36" E, 20.60 feet; thence N 42 deg. 30'03" E, 140.68 feet; thence N 85 deg. 11'24" E, 66.28 feet; thence S 83 deg. 29'55" E, 47.71 feet; thence N 61 deg. 15'29" E, 112.94 feet; thence N 19 deg. 43'05" E, 25.75 feet; thence N 40 deg. 36'55" E, 54.42 feet; thence N 18 deg. 45'08" E, 43.07 feet;

thence N 03 deg. 14'18" E, 21.55 feet; thence N 06 deg. 05'59" W, 43.37 feet; thence N 00 deg. 06'13" E, 16.42 feet; thence N 16 deg. 22'21" W, 32.62 feet; thence N 39 deg. 29'33" W, 29.38 feet; thence N 28 deg. 16'36" W, 81.25 feet; thence N 27 deg. 12'34" E, 59.20 feet; thence N 14 deg. 27'10" W, 133.00 feet; thence N 14 deg. 42'49" W, 45.00 feet to a point of a curve concave to the Northerly, thence Westerly along said curve having a radius of 177.50 feet, through a central angle of 22 deg. 50'01" for an arc distance of 70.74 feet (the chord of said arc bears S 86 deg. 42'52" W 70.27 feet); thence N 81 deg. 52'08" W, 111.76 feet; thence N 08 deg. 07'52" E, 94.01 feet; thence N 38 deg. 14'25" W, 37.67 feet; thence N 17 deg. 47'41" W, 133.60 feet to a point on a curve to the Northwesterly, thence Northeasterly along said curve having a radius of 111.50 feet, through a central angle of 19 deg. 03'30", for an arc distance of 27.09 feet (the chord of said arc bears N 61 deg. 27'17" E, 36.92 feet); thence N 50 deg. 49'04" E, 17.51 feet; thence N 39 deg. 08'19" W, 45.00 feet to a point on a curve concave to the Westerly, thence Northerly along said curve having a radius of 17.50 feet, through a central angle of 89 deg. 54'35", for an arc distance of 27.46 feet (the chord of said arc bears N 05 deg. 46'50" E, 24.73 feet); thence N 39 deg. 10'28" W, 26.06 feet to a point of a curve concave to the Southwesterly, thence Northwesterly along said curve having a radius of 140.06 feet, through a central angle of 36 deg. 56'02", for an arc distance of 90.29 feet (the chord of said arc bears N 57 deg. 42'03" W, 88.73 feet); thence N 13 deg. 42'57" E, 47.12 feet to a point on a curve concave to the Northwesterly, thence Northeasterly along said curve having a radius of 30.18 feet, through a central angle of 68 deg. 27'11" for an arc distance of 36.05 feet (the chord of said arc bears N 45 deg. 58'34" E, 33.95 feet); thence N 11 deg. 36'07" E, 121.07 feet; thence S 79 deg. 01'34" E, 74.91 feet; thence S 39 deg. 11'26" E, 265.74 feet; thence N 51 deg. 32'39" E, 423.28 feet to the Point of Beginning; containing 17.94 acres, more or less.

**EXHIBIT "D"**

**LEGAL DESCRIPTION OF PROPERTY BENEFITTED BY EASEMENT**

All lands owned by Declarant which are adjacent to the property described on Exhibit "A" attached hereto and by reference made a part hereof.