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THIS INSTRUMENT PREPARED BY:
JAY D. DODD, JR.
CARR, S. S. WOODS, JR. & KANEZ
P. O. BOX 1001
DAYTONA BEACH, FLORIDA 32015

FIRST AMENDMENT TO SUPPLEMENTARY DECLARATION

OF COVENANTS AND RESTRICTIONS - FLY-IN SPRUCE CREEK

WHEREAS, Fly-In Spruce Creek, a Georgia Corporation qualified to do business in the State of Florida, is the Class B member of Spruce Creek Property Owners Association, Inc., and as such, has heretofore caused a Supplementary Declaration of Covenants and Restrictions to be recorded in Official Records Book 1824, page 1891, Public Records of Volusia County, Florida, (hereafter called "Supplementary Declaration"); and

WHEREAS, all of the property submitted by the Supplementary Declaration is owned by Conrad Yelvington (the owner of Parcel 1 as described on Exhibit C to the Supplementary Declaration), and John C. Howington and Helen Howington, his wife, (the owners of Parcel 2, as described on said Exhibit C); and

WHEREAS, all of the undersigned are desirous of amending the Supplementary Declaration to reduce the number of votes (and therefore, the assessment) appurtenant to the lots submitted by the Supplementary Declaration;

NOW, THEREFORE, the undersigned do hereby amend the Supplementary Declaration of Covenants and Restrictions - Fly-In Spruce Creek as recorded in Official Records Book 1824, page 1891, Public Records of Volusia County, Florida by deleting paragraph 1 of said Supplementary Declaration and substituting therefor the following:

"1. Article II, Section 2(a) of the Declaration of Covenants and Restrictions for Fly-In Spruce Creek, Inc. Subdivision Unit 1 is hereby modified by substituting a comma for the period at the end of the first paragraph

007264 of Section 2(a) of Article II, and adding the following:

'and two votes appurtenant to each commercial lot', (a lot having the suffix 'C')",

so that the last sentence of the first paragraph of Section

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of Article II reads as follows:

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There shall be one vote appurtenant to each single family residential lot (a lot having the suffix "R"); eight votes appurtenant to each multi-family lot (a lot with the suffix "M"), and two votes appurtenant to each commercial lot; (a lot having the suffix "C").

"For the purposes of the foregoing, the Parcel designated on Exhibit "C" to the Supplementary Declaration of Covenants as Parcel 1 shall be deemed to be 1 1/4 lots, and there shall be 2 1/2 votes appurtenant to said Parcel 1. The parcel designated on Exhibit "C" to the Supplementary Declaration as Parcel 2 shall be deemed to be 1 commercial lot, and there shall be two votes appurtenant to said parcel 2."

Paragraph 2 of the Supplementary Declaration of Covenants and Restrictions is hereby ratified and confirmed, and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused these presents to be executed under seal on the date shown beneath their respective signatures.

Signed, sealed and delivered in the presence of:

PLY-IN SPRUCE CREEK, INC.

[Signature]
Paula Stephens

By: [Signature]
DATE: Nov 5, 1976

[Signature]
[Signature]

[Signature]
CONRAD YELVINGTON
DATE: Nov 29, 1976

[Signature]
E. Raymond K. Kendall

[Signature]
JOHN C. HOWINGTON
DATE: Nov 29, 1977

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Paul E. Kendall

Helen Howington
HELEN HOWINGTON

Virginia L. Kendall

DATE: 2-28-1977

STATE OF GEORGIA
COUNTY OF DEKALB

BEFORE ME, a notary public in and for the aforesaid State and County, personally appeared Paul E. Kendall the President of FLY-IN SPRUCE CREEK, INC., a corporation, the said person being known to me to be the person who executed the above instrument on behalf of said corporation, and he acknowledged that he signed said instrument by authority and on behalf of said corporation and affixed the corporate seal thereon and that he delivered said instrument by authority and on behalf of said corporation and that such acts were done freely and voluntarily and for the uses and purposes in said instrument set forth and that such instrument is the free act and deed of said corporation.

IN WITNESS whereof, I have hereunto set my hand and affixed my official seal this 5th day of November A.D. 1976.

Helen Howington
Notary Public, State of Georgia at Large
My Commission Expires: Notary Public, Georgia, State at Large
My Commission Expires Feb. 7, 1977

STATE OF FLORIDA
COUNTY OF VOLUSIA

BEFORE ME, a notary public in and for the aforesaid State and County, personally appeared CONRAD YELVINGTON, the said person being known to me to be the person who executed the above instrument and he acknowledged that he signed said instrument and that such acts were done freely and voluntarily and for the uses and purposes set forth in said instrument.

IN WITNESS whereof, I have hereunto set my hand and affixed my official seal this 22nd day of November A.D. 1976.

Julie M. Hunt
Notary Public, State of Florida at Large
My Commission Expires: 3-9-80

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STATE OF FLORIDA
COUNTY OF

BEFORE ME, a notary public in and for the aforesaid State and County, personally appeared JOHN C. HOWINGTON, and HELEN HOWINGTON, the said persons being known to me to be the persons who executed the above instrument and they acknowledged that they signed said instrument and that such acts were done freely and voluntarily and for the uses and purposes set forth in said instrument.

IN WITNESS whereof, I have hereunto set my hand and affixed my official seal this 28 day of January A.D. ~~1976~~. 1977

John C. Howington
Notary Public, State of Florida at Large

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
My Commission Expires: BY COMMISSION EXPIRES OCT. 26, 1977
SCHEIDT THOMAS GENERAL INSURANCE UNDERWRITERS