

Robert Hardees  
611 N. Wymore Rd.  
Suite 219  
Winter Park FL  
32789

**SUPPLEMENTAL DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR EAGLERIDGE PHASE III**

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Book: 1814  
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JAMES C. WATKINS  
CLERK OF CIRCUIT COURT  
LAKE COUNTY  
RECORDING \$ 13.00  
TRUST FUND \$ 2.00

This Supplemental Declaration of Covenants, Conditions and Restrictions for Eagleridge Phase III (this "Supplemental Declaration") is made this 13<sup>th</sup> day of April, 2000, by PCD, INC., a Florida corporation, whose address is 2479 Aloma Avenue, Winter Park, Florida 32792 ("Declarant").

**Book 1814 Page 1123**

**RECITALS:**

A. Declarant executed and recorded a certain Declaration of Covenants, Conditions and Restrictions for Eagleridge Phase I, dated September 12, 1994, and recorded in Official Records Book 1320, Page 2380, Public Records of Lake County, Florida, as modified by that Supplemental Declaration of Covenants, Conditions and Restrictions for Eagleridge Phase II, dated January 20, 1998 and recorded in Official Records Book 1592, Page 2004, Public Records of Lake County, Florida, as modified by that Supplemental Declaration of Covenants, Conditions and Restrictions for Eagleridge Phase II, dated April 20, 1998 and recorded in Official Records Book 1607, Page 1630, Public Records of Lake County, Florida, as amended by that Amendment To The Declaration of Covenants, Conditions and Restrictions for Eagleridge, dated February 19, 1999 and recorded in Official Records Book 1689, Page 1058, Public Records of Lake County, Florida (hereinafter referred to as the "Declaration").

B. The Declaration provides that Declarant may annex additional properties to the effect and encumbrance of the Declaration.

C. Declarant declares to extend the Declaration to include certain Additional Property.

**DECLARATIONS:**

NOW THEREFORE, Declarant hereby supplements the Declaration as follows:

1. Recitals; Definitions. The recitals stated above are incorporated herein by this reference. Capitalized terms used in this Supplemental Declaration shall have the same meanings as set forth in the Declaration, as supplemented by this Supplemental Declaration.

2. Additional Property. Effective as of the date on which this Supplemental Declaration is recorded in the Public Records of Lake County, Florida (the "Effective Date"), the Declaration is hereby supplemented to extend the effect and encumbrance of the Declaration to all of the lands included in the plat of EAGLERIDGE PHASE III, according to the plat thereof recorded in Plat Book 43, Page 39, of the Public Records of Lake County, Florida, together with all improvements from time to time located on said lands (collectively, the "Additional Property"). Commencing as of the Effective Date, the Additional Property shall be held, transferred, sold conveyed, improved and

occupied subject to the covenants, conditions, restrictions, easements and liens set forth in the Declaration and in this Supplemental Declaration. This annexation is made pursuant to Article II of the Declaration and also extends the jurisdiction of the Association to the Additional Property.

IN WITNESS WHEREOF, the Declarant has caused this Supplemental Declaration to be executed as of the day and year first above written.

Signed, sealed and delivered  
in the presence of:

PCD, INC., a Florida corporation

Victoria S. Gardner  
Signature  
Print Name Victoria S. Gardner

By: Joseph J. Gardner  
JOSEPH J. GARDNER, President

Christopher J. Gardner  
Signature  
Print Name Christopher J. Gardner

(CORPORATE SEAL)

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of APRIL, 2000, by Joseph J. Gardner, as President of PCD, INC., a Florida corporation. He X is personally known to me or        has produced        as identification.



Richard A Peterson  
My Commission CC624333  
Expires February 25, 2001

Richard A. Peterson  
Signature of Notary  
Print Name: RICHARD A. PETERSON  
My Commission Expires: 02/25/2001

**CONSENT OF MORTGAGEE**

**Book 1814 Page 1125**

KNOW ALL PERSONS BY THESE PRESENTS:

That Colonial Bank, a national banking association, whose address is 201 East Pine Street, Orlando, Florida 32801, the owner and holder of that certain Mortgage and Security Agreement in favor of Colonial Bank recorded on October 10, 1997, in Official records Book 1553, page 739, as modified by that certain Future Advance, Mortgage Modification and Spreader Agreement recorded in OR Book 1690, Page 1473, Public Records of Lake County, Florida; UCC-Financing Statement in favor of Colonial Bank recorded in OR Book 1690, Page 1481, Public Records of Lake County, Florida; and that Collateral Assignment of Purchase Agreements, Leases, Rents, Deposits, Construction Contracts, Plans and Other Development Rights, dated October 6, 1997 made in favor of Colonial Bank and recorded in OR Book 1553, Page 0754, Public Records of Lake County, Florida (collectively, the "Security Documents"), encumbering the Additional Property described in the foregoing Supplemental Declaration of Covenants, Conditions, and Restrictions for Eagleridge Phase III (the "Supplemental Declaration"), by the execution hereof, hereby consents to the placing of the Supplemental Declaration on the Additional Property described in the Supplemental Declaration, and further covenants and agrees that the lien of the Security Documents is and shall be and remain subordinate in all respects to the Supplemental Declaration as if the Supplemental Declaration had been executed and recorded prior to execution, delivery or recordation of the Security Documents.

Signed, sealed and delivered  
in the presence of:

COLONIAL BANK.  
An Alabama Banking Corporation

Signature

Print Name

[Signature]  
Rosario Ally

By:

Print Name

[Signature]  
H. E. Davis

Signature

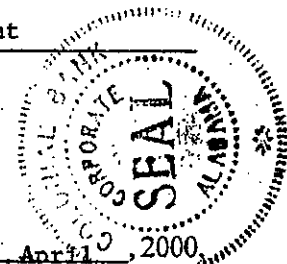
Print Name

[Signature]  
MARTHA J. HOSTNICK

Title:

President

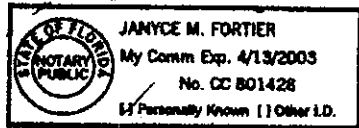
(BANK SEAL)



STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 13th day of April, 2000,  
by H. E. Davis, as President of COLONIAL BANK, an Alabama  
banking corporation. He/She is personally known to me or has produced  
as identification.

[Signature]  
Signature of Notary  
Print Name: Janyce M. Fortier  
My Commission Expires:



This document was prepared by  
and returned to the following:

Joseph J. Gardner  
Condev Corporation  
2479 Aloma Avenue  
Winter Park, Florida 32792

Doc# 99013951  
Book: 1689  
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02/19/99 11:46:40 AM  
JAMES C. WATKINS  
CLERK OF CIRCUIT COURT  
LAKE COUNTY  
RECORDING  
TRUST FUND  
COPY  
CTF

9.00  
1.50  
2.00  
1.00 EH

Book 1689 Page 1057

**AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR EAGLERIDGE**

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EAGLERIDGE (this "Amendment") is made this 19<sup>th</sup> day of February, 1999, by PCD, INC., a Florida corporation, whose address is 2479 Aloma Avenue, Winter Park, Florida 32792 ("Declarant").

**RECITALS:**

A. Declarant executed and recorded a certain Declaration of Covenants, Conditions and Restrictions for Eagleridge - Phase I, dated September 12, 1994 and recorded in Official Records Book 1320, Page 2380 of the Public Records of Lake County, Florida, which has been supplemented by (i) a certain Supplemental Declaration of Covenants, Conditions and Restrictions for Eagleridge - Phase II, dated January 20, 1998 and recorded in Official Records Book 1592, Page 2004 of the Public Records of Lake County, Florida and (ii) a certain Supplemental Declaration of Covenants, Conditions and Restrictions for Eagleridge - Phase II, dated April 20, 1998 and recorded in Official Records Book 1607, Page 1630 of the Public Records of Lake County, Florida (collectively, the "Declaration").

B. Declarant desires to amend the Declaration to (i) extend the maximum period of time for which the Declarant may possess Class "B" voting rights in the Association; and (ii) restate how and when Declarant's Class "B" votes lapse in order to correctly reflect the original intent of the Declaration.

C. Pursuant to Article XI of the Declaration, the Declaration may be amended by the holder of at least two-thirds (2/3) of the votes in the Association (without regard to class).

D. The Declarant holds at least two-thirds (2/3) of the votes in the Association, and, therefore, has the right, power and authority to amend the Declaration.

**DECLARATIONS:**

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. **Recitals: Definitions.** The recitals stated above are incorporated herein by this reference. Terms used in this amendment shall have the same meaning as set forth in the Declaration.

2. **Class "B" Membership.** Section 3(c) of Article 3 of the Declaration is hereby deleted in its entirety and the following is inserted in lieu thereof:

(c) **Termination of Class "B" Membership.** As each Lot in the Property is conveyed by Declarant to a Class "A" member, Declarant's Class "B" votes for that Lot shall lapse. The Class "B" Membership shall terminate and become converted to Class "A" Membership upon the earlier of the following:

- (i) when the total outstanding Class "A" votes in the Association equals or exceeds the total outstanding Class "B" votes; or
- (ii) ten (10) years from the date of initial recording of the Declaration; or
- (iii) at such earlier time as Declarant, in its discretion may elect.

Upon happening of any one of these events, Declarant shall call a special meeting of the members to advise of the termination of Class "B" Membership.

IN WITNESS WHEREOF, Declarant has executed this Amendment on the date first above appearing.

Signed, sealed and delivered  
in the presence of:

PCD, INC., a Florida corporation

Victoria S. Gardner

Victoria S. Gardner

Print Name

Christopher J. Gardner

Christopher J. Gardner

Print Name

By Joseph J. Gardner  
Name: Joseph J. Gardner  
Title: President

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of FEB., 1999 by Joseph J. Gardner, the President of PCD, INC., a Florida corporation. He is personally known to me.

Carol A. Barrett

Notary  
Carol A. BARRETT

Print Name

Commission Expires:

(SEAL)



This instrument prepared by and  
after recording return to:

Joseph J. Gardner  
Condev Properties  
P.O. Box 1748  
Winter Park, Florida 32790-1748

P.O. 1607 PAGE 1630  
BOOK

**SUPPLEMENTAL DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR EAGLERIDGE PHASE II**

This Supplemental Declaration of Covenants, Conditions and Restrictions for Eagleridge Phase II (this "Supplemental Declaration") is made this 20th day of April, 1998, by PCD, INC., a Florida corporation, whose address is 2479 Aloma Avenue, Winter Park, Florida 32792 ("Declarant").

**RECITALS:**

- A. Declarant executed and recorded a certain Declaration of Covenants, Conditions and Restrictions for Eagleridge, Phase I, dated September 12, 1994 and recorded in Official Records Book 1320, Page 2380, Public Records of Lake County, Florida (hereinafter referred to as the "Declaration").
- B. The Declaration provides that Areas of Common Responsibility and Common Property be designated by Supplemental Declaration.
- C. Declarant desires to extend the Declaration to include certain Additional Areas of Common Responsibility and Common Property.

**DECLARATIONS:**

NOW, THEREFORE, Declarant hereby supplements the Declaration as follows:

- 1. Recitals: Definitions. The recitals stated above are incorporated herein by this reference. Capitalized terms used in this Supplemental Declaration shall have the same meanings as set forth in the Declaration, as supplemented by this Supplemental Declaration.
- 2. Additional Area of Common Responsibility. Effective as of the date on which this Supplemental Declaration is recorded in the Public Records of Lake County, Florida (the "Effective Date"), the Declaration is hereby supplemented to extend the Area of Common Responsibility to that area on the west side of a masonry screen wall constructed along the rear lot lines of the following Lots: 133, 134, 135, 136, 137 and 138, as shown in the plat of Eagleridge Phase II as recorded in Plat Book 40, Pages 13 & 14 of the Public Records of Lake County, Florida. The Association shall maintain any and all landscaping, irrigation system and any repairing or repainting on the west side of the aforementioned masonry wall. The owners of Lots 133, 134, 135, 136, 137 and 138, as described above, shall be responsible for the painting and maintenance to the inside of the masonry wall.

RECORDED  
MAY 3 2 54 PM '98  
LAKE COUNTY, FLORIDA

3. Common Property: Tract "K" Eagleridge Phase I, as recorded in Plat Book 35, Pages 84 through 87, Lake County, Florida, is hereby designated as Common Property.

IN WITNESS WHEREOF, the Declarant has caused this Supplemental Declaration to be executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

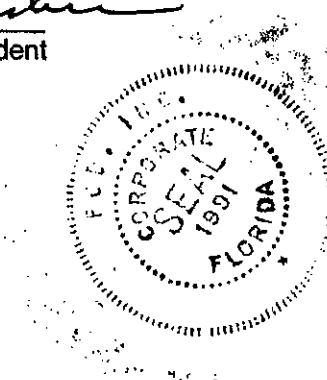
PCD, INC., a Florida corporation

Victoria S. Gardner  
Signature  
Print Name: Victoria S. Gardner

By: Joseph J. Gardner  
JOSEPH J. GARDNER, President

Julie G. Burrow  
Signature  
Print Name: Julie G. Burrow

(CORPORATE SEAL)



STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of APRIL, 1998, by JOSEPH J. GARDNER, as President of PCD, INC., a Florida corporation. He  is personally known to me or          has produced          as identification.

Richard A. Peterson  
Signature of Notary  
Print Name: RICHARD A. PETERSON  
Serial No. (if any)           
My Commission Expires:         



Richard A. Peterson  
My Commission CC624333  
Expires February 25, 2001

98 19394

REC 13.00  
TF 2.00

This instrument prepared by and after recording return to:

Joseph J. Gardner  
Condev Properties  
P.O. Box 1748  
Winter Park, Florida 32790-1748

J.P. 1592 PAGE 2004

**SUPPLEMENTAL DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR EAGLERIDGE PHASE II**

This Supplemental Declaration of Covenants, Conditions and Restrictions for Eagleridge Phase II (this "Supplemental Declaration") is made this 20<sup>th</sup> day of January, 1998, by PCD, INC., a Florida corporation, whose address is 2487 Aloma Avenue, Winter Park, Florida 32792 ("Declarant").

**RECITALS:**

A. Declarant executed and recorded a certain Declaration of Covenants, Conditions and Restrictions for Eagleridge, Phase I, dated September 12, 1994 and recorded in Official Records Book 1320, Page 2380, Public Records of Lake County, Florida (hereinafter referred to as the "Declaration").

B. The Declaration provides that Declarant may annex additional properties to the effect and encumbrance of the Declaration.

C. Declarant desires to extend the Declaration to include certain Additional Property.

RECORDED  
RECORD VERIFIED  
LAKE COUNTY FL

MAR 18 1 36 PM '98

**DECLARATIONS:**

NOW, THEREFORE, Declarant hereby supplements the Declaration as follows:

1. Recitals: Definitions. The recitals stated above are incorporated herein by this reference. Capitalized terms used in this Supplemental Declaration shall have the same meanings as set forth in the Declaration, as supplemented by this Supplemental Declaration.

2. Additional Property. Effective as of the date on which this Supplemental Declaration is recorded in the Public Records of Lake County, Florida (the "Effective Date"), the Declaration is hereby supplemented to extend the effect and encumbrance of the Declaration to all of the lands included in the plat of EAGLERIDGE PHASE II, according to the plat thereof as recorded in Plat Book 40, Page 13, of the Public Records of Lake County, Florida, together with all improvements from time to time located on said lands (collectively, the "Additional Property"). Commencing as of the Effective Date, the Additional Property shall be held, transferred, sold, conveyed, improved and occupied subject to the covenants, conditions, restrictions, easements and liens set forth in the Declaration and in this Supplemental Declaration. This annexation is made pursuant to Article II of the Declaration and also extends

②- Spi-Nicholson/Public Works



the jurisdiction of the Association to the Additional Property.

3. Common Property: Tracts "P," "Q," "R," and "S" as shown on the plat of the Additional Property (Eagleridge Phase II) are hereby designated as Common Property.

IN WITNESS WHEREOF, the Declarant has caused this Supplemental Declaration to be executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

PCD, INC., a Florida corporation

Robert N Gardner  
Signature  
Print Name: ROBT N GARDNER

By: Joseph J Gardner  
JOSEPH J. GARDNER, President

Carol A. Barrett  
Signature  
Print Name: CAROL A. BARRETT

(CORPORATE SEAL)

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of January 1998, by JOSEPH J. GARDNER, as President of PCD, INC., a Florida corporation. He  is personally known to me or  has produced n/a as identification.

Victoria S. Gardner  
Signature of Notary  
Print Name: Victoria S. Gardner  
Serial No. (If any) \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



VICTORIA S GARDNER  
My Commission CC518700  
Expires Dec. 08, 1999

**CONSENT OF MORTGAGEE**

KNOW ALL PERSONS BY THESE PRESENTS:

That COLONIAL BANK, a national banking association, whose address is 201 East Pine Street, Orlando, Florida 32801, the owner and holder of that certain Land Development Mortgage and Security Agreement dated October 6, 1997 and recorded in Official Records Book 1553, Page 739-753, that certain Assignment of Rents, Leases, Contracts, Accounts Receivable, Accounts and Deposit Accounts dated October 6, 1997 and recorded in Official Records Book 1553, Page 754-760, and that certain UCC-1 Financing Statement recorded in Official Records Book 1553, Page 761-765, all of the foregoing being of the Public Records of Lake County, Florida (collectively, the "Security Documents"), encumbering the Additional Property described in the foregoing Supplemental Declaration of Covenants, Conditions and Restrictions for Eagleridge Phase II (the "Supplemental Declaration"), by the execution hereof, hereby consents to the placing of the Supplemental Declaration on the Additional Property described in the Supplemental Declaration, and further covenants and agrees that the lien of the Security Documents is and shall be and remain subordinate in all respects to the Supplemental Declaration as if the Supplemental Declaration had been executed and recorded prior to execution, delivery or recordation of the Security Documents.

IN WITNESS WHEREOF, COLONIAL BANK has executed this Consent of Mortgagee this 21ST day of JANUARY, 1998.

Signed, sealed and delivered in the presence of:

COLONIAL BANK, a national banking association

Diane Straight  
Signature  
Print Name: Diane Straight

By: [Signature]  
Print Name: DENNIS D POWELL

Valerie Garretson  
Signature  
Print Name: Valerie Garretson

Title: VP  
(BANK SEAL)

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 21ST day of January, 1998, by Dennis D Powell, as Vice President of COLONIAL BANK, a national banking association. He is personally known to me or has produced as identification.

Janyce M. Fortier  
Notary Signature

Print Name: JANYCE H. FORTIER  
Serial No. (If any)

My Commission JANYCE M. FORTIER  
MY COMMISSION # CC 434364  
EXPIRES: April 13, 1999  
Bonded Thru Notary Public Underwriters