

Prepared by and return to:
Edsel F. Matthews, Jr., PA
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Pensacola, Florida 32502
850-432-1300

**AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
LIGHTHOUSE POINTE UNIT NO. I,
A SUBDIVISION, TO ADD
LIGHTHOUSE POINTE, UNIT NO. V**

THIS AMENDMENT made this the 30th day of August, 2005, by the **MITCHELL COMPANY, INC.**, an Alabama corporation, hereinafter collectively referred to as "Declarant".

WITNESSETH

WHEREAS, Declarant executed a Declaration of Covenants, Conditions and Restrictions for Lighthouse Pointe, Unit No. I ("Declaration") and recorded same in Official Records Book 1581 at Page 1253 of the public records of Santa Rosa County, Florida; and

WHEREAS, the Declaration contemplated the addition of multiple units; and

WHEREAS, Declarant has previously added Unit No. II in Corrected First Amendment to Declaration of Covenants, Conditions and Restrictions for Lighthouse Pointe, Unit No. I, a Subdivision To Add Lighthouse Pointe, Unit No. II, which was recorded in Official Records Book 1612 at Page 1988 of the public records of Santa Rosa County, Florida; and

WHEREAS, Declarant has previously added Unit No. III in Amendment to Declaration of Covenants, Conditions and Restrictions for Lighthouse Pointe, Unit No. I, a Subdivision, To Add Lighthouse Pointe No. III which was recorded in Official Records Book 1685 at Page 1489 of the public records of Santa Rosa County, Florida; and

WHEREAS, Declarant has previously added Unit No. 4 in Amendment to Declaration of Covenants, Conditions and Restrictions for Lighthouse Pointe, Unit No. I, a Subdivision, To Add Lighthouse Pointe No. IV which was recorded in Official Records Book 1854 at Page 111 of the public records of Santa Rosa County, Florida.

WHEREAS, Declarant now desires to amend the Declaration of Covenants, Conditions and Restrictions for Lighthouse Pointe Unit No. I, a Subdivision, to Add Lighthouse Pointe, Unit No. V.

THEREFORE, Declarant now desires that all the Property described in Exhibit "A" shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration and as amended by this Amendment, all of which are for the purpose of protecting the value and desirability of said Property and which shall run with the Property and be binding on all parties having any right, title or interest in the Property described in the

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attached Exhibit "A", or any part thereof, and on all persons derailing title through the Declarant, their respective heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

ARTICLE I
DEFINITIONS

- 1) Terms contained in the Amendment shall have the same meaning as set forth in the Declaration, unless specified otherwise in this Amendment.
- 2) "Amendment" shall mean this instrument entitled Amendment to the Declaration of Covenants, Conditions and Restrictions for Lighthouse Pointe, Unit No. I To Add Lighthouse Pointe Unit No. V.
- 3) "Properties" or "Property" shall now include the property described on the attached Exhibit "A".
- 4) The definition of "Common Area" shall be expanded to include all sign easements shown on the Plat.
- 5) The definition of "Common Elements" shall be expanded to include all improvements located of the Common Areas as shown on the Plat.
- 6) The term "Plat" shall now include the plat of Lighthouse Pointe, Unit V, recorded in the public records of Santa Rosa County, Florida.
- 7) "Type 2 Lots" shall mean and refer all lots reflected on the plat of Lighthouse Pointe, Unit V.

ARTICLE II
PROPERTY RIGHTS

In addition to the provision for Property Rights set forth in the Declaration, the following shall apply to Lighthouse Pointe Unit No. V.

Section 1. Common Area Easements. Every Owner of every Lot shall have a right and easement of enjoyment in and to the Common Areas which shall be appurtenant to and shall pass with title to every Lot (even if not referenced in the document of conveyance) for the following purposes:

- (a) Displaying and maintaining a sign identifying the subdivision on any sign easement shown on the Plat.
- (b) Such other rights and easements as the Association may determine to be suitable for the use and enjoyment of the Owners.

ARTICLE III

MEMBERSHIP AND VOTING RIGHTS

It is the intention of the Declarant by this Amendment to annex the property described on the attached Exhibit "A" as Lighthouse Pointe V (such being originally contemplated to have been included in Unit V by the original development plan filed with and approved by Santa Rosa County, Florida) and bring same under the jurisdiction of the Association contemplated by provisions of Article VIII, Section B of the Declaration.

ARTICLE IV
COVENANT FOR SUBDIVISION MAINTENANCE ASSESSMENTS

The provisions of Article IV, Covenant for Maintenance and Assessments contained in the Declaration shall apply to all Lots in Lighthouse Pointe, Unit V.

ARTICLE V
ARCHITECTURAL CONTROL

The provisions of Article V, Architectural Control, contained in the Declaration shall apply to all Lots in Lighthouse Pointe, Unit No. V.

ARTICLE VI
BUILDING SETBACK LINES, CONSTRUCTION RESTRICTIONS AND CONSTRUCTION REQUIREMENTS

All of the provisions of Article VI, Building Setback Lines, Construction Restrictions and Construction Requirements shall apply, as appropriate, to the Lots in Lighthouse Pointe, Unit No. V, subject to the following amendments:

Type 2 Lot: No one-story dwelling shall be erected on any Type 2 Lot having a living area (such defined as being heated and cooled) of less than 1700 square feet.

Lighthouse Pointe, Unit V, contains only Type 2 Lots.

ARTICLE VII
GENERAL RESTRICTIONS

The provisions of Article VII, General Restrictions, contained in the Declaration shall apply, as appropriate, to all Lots in the Lighthouse Pointe, Unit No. V.

ARTICLE VIII
GENERAL PROVISIONS

The provisions of Article VIII, General Provisions, contained in the Declaration, shall apply to all Lots in Lighthouse Pointe, Unit No. V.

IN WITNESS WHEREOF, the Declarant has executed this Amendment to the Declaration of Covenants, Conditions and Restrictions for Lighthouse Pointe, Unit No. I Subdivision To Add Lighthouse Pointe, Unit No. V, this the 30th day of August, 2005.

Signed, sealed and delivered in the presence of:

DECLARANT:

THE MITCHELL COMPANY, INC.
An Alabama Corporation

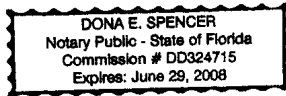
Printed Name

Michael P. SABA
Printed Name

BY: [Signature]
Its: SENIOR VICE-PRES

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 30th day of August, 2005, by Michael P. Saba, Senior V-President of The Mitchell Company, Inc., an Alabama corporation, on behalf of the corporation. He is personally known to me or who has produced _____, as identification.



NOTARY PUBLIC
[Signature]

EXHIBIT "A"



LAND DESCRIPTION:
 BEGIN AT THE NORTHWEST CORNER OF LIGHTHOUSE
 POINTE UNIT NO. 1 AS RECORDED IN PLAT BOOK "G" AT
 PAGE 28 OF THE PUBLIC RECORD OF SANTA ROSA
 COUNTY, FLORIDA, SAID POINT ALSO LYING ON THE
 EAST LINE OF SMUGGLERS COVE SUBDIVISION AS
 RECORDED IN PLAT BOOK "D" AT PAGE 25 OF THE
 PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 00
 DEGREES 19 MINUTES 05 SECONDS WEST ALONG SAID
 EAST LINE OF SMUGGLERS COVE FOR 805.10 FEET;
 THENCE NORTH 73 DEGREES 25 MINUTES 55 SECONDS
 EAST FOR 552.03 FEET; THENCE SOUTH 59 DEGREES 43
 MINUTES 51 SECONDS EAST FOR 315.78 FEET; THENCE
 NORTH 00 DEGREES 19 MINUTES 58 SECONDS EAST FOR
 315.00 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES
 02 SECONDS EAST FOR 555.00 FEET; THENCE SOUTH
 40 DEGREES 25 MINUTES 25 SECONDS EAST FOR 164.24
 FEET; THENCE SOUTH 24 DEGREES 11 MINUTES 33
 SECONDS WEST FOR 174.06 FEET; THENCE SOUTH 32
 DEGREES 27 MINUTES 02 SECONDS WEST FOR 429.41
 FEET; THENCE SOUTH 10 DEGREES 09 MINUTES 49
 SECONDS WEST FOR 257.42 FEET; THENCE SOUTH 70
 DEGREES 09 MINUTES 49 SECONDS WEST FOR 243.08
 FEET; THENCE NORTH 80 DEGREES 40 MINUTES 20
 SECONDS WEST FOR 322.58 FEET; THENCE SOUTH 71
 DEGREES 26 MINUTES 07 SECONDS WEST FOR 586.52
 FEET TO THE POINT OF BEGINNING. CONTAINING 24.46
 ACRES MORE OR LESS.

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