

This Instrument Prepared By:
W. CHRISTOPHER HART
Clark, Partington, Hart, Larry,
Bond, Stackhouse & Stone
151 Regions Way, Suite 6-A
Destin, Florida 32541
(850) 650-3304

600
12/1/00

**FIRST AMENDMENT
TO
HARBOUR POINTE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
(Re: O. R. Book 3310, Page 969)**

This First Amendment to the Harbour Pointe Declaration of Covenants, Conditions and Restrictions (hereinafter the "Declaration") is made and entered into by not less than two-thirds (2/3rds) of the owners of all lots (hereinafter the "Owners") located within Harbour Pointe Subdivision as recorded in Plat Book 14, Pages 97 and 97A of the public records of Escambia County, Florida (hereinafter the "Subdivision").

WITNESSETH

WHEREAS, after approval of one hundred percent (100%) of the then owners of lots in the Subdivision, Harbour Pointe Association of Pensacola, Inc. (hereinafter the "Association") sold the following described property to Edward M. Chadbourne, Jr., the then owner of adjacent Lot 4, subject to certain restrictions, all as more particularly set forth in the Quit Claim Deed recorded in Official Records Book 4022, Page 0410, public records of Escambia County, Florida:

The triangular shaped (Park Common Area) immediately adjacent to Lot 4, Block B between Lot 4, Block B and the private 60-foot road known as Windrose Circle, all as shown on the Plat of Harbour Pointe, a Subdivision of a portion of Section 59, Township 2 South, Range 30 West, Escambia County, Florida, recorded in Plat Book 14, Pages 97 and 97A, of the public records of Escambia County, Florida; and

WHEREAS, the Declaration does not specifically authorize sale of Common Area by the Association; and

WHEREAS, the Owners desire to amend the Declaration to specifically authorize conveyance of the specific parcel of Common Area described above pursuant to Article VII, Section 3 of the Declaration; and

WHEREAS, the Owners desire to ratify and confirm the sale by the Association to Edward M. Chadbourne, Jr. of the Common Area described herein as evidenced by the Quit Claim Deed of the Association dated July 18, 1996, and recorded July 31, 1996, in Official Records Book 4022, Page 0410, public records of Escambia County, Florida.

NOW, THEREFORE, the Owners hereby amend the Declaration by adding the following Paragraph G to Section 1 of Article VIII of the Declaration:

- G. The right of the Association to sell the following described Common Area:

The triangular shaped (Park Common Area) immediately adjacent to Lot 4, Block B between Lot 4, Block B and the private 60-foot road known as Windrose Circle, all as shown on the Plat of Harbour Pointe, a Subdivision of a portion of Section 59, Township 2 South, Range 30 West, Escambia County, Florida, recorded in Plat Book 14, Pages 97 and 97A, of the public records of Escambia County, Florida.

In addition to the foregoing Amendment, the owners executing this Amendment hereby ratify and confirm the actions of the Association in its sale to Edward M. Chadbourne, Jr. of the above described Common Area as evidenced by the Quit Claim Deed dated July 18, 1996, and recorded July 31, 1996, in Official Records Book 4022, Page 0410, public records of Escambia County, Florida.

The Owners have executed this Amendment on the dates indicated below by the notarization of their signatures.

Witness (s)

April D. King
April D. King
Print/Type Name of Witness

John R. Williams
John R. Williams
Owner of Lot 3/A

Linda Aligood
Linda Aligood
Print/Type Name of Witness

Linda Williams
Linda Williams
Owner of Lot 3/A

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 2nd day of June,
1998, by John R. & Linda Williams, who (is) (are) personally known to me ~~or who (has) (have)~~
~~produced~~ ----- as identification.



Linda Aligood
Name: Linda Aligood
NOTARY PUBLIC
My Commission expires: 06-21-99
Commission Number: CC461459

Witness (s)

C Young
CHERYL YOUNG
Print/Type Name of Witness

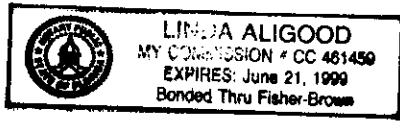
Ray O Etheridge
Ray O. Etheridge
Owner of Lot 4/A

B.C. Bradley
B.C. BRADLEY
Print/Type Name of Witness

Alice F. Etheridge
Alice F. Etheridge
Owner of Lot 4/A

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 2nd day of July 1998, by Ray O. & Alice F. Etheridge, who ~~(is)~~ (are) personally known to me or who ~~(has)~~ (have) produced _____ as identification.



Linda Aligood
Name: Linda Aligood
NOTARY PUBLIC
My Commission expires: 06-21-99
Commission Number: CC461459

Witness (s)

Edna Simmons
Edna Simmons
Print/Type Name of Witness

W. Luther Taylor
W. Luther Taylor

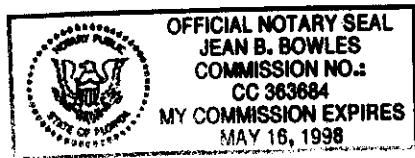
Kathy Taylor
Kathy Taylor
Owners of Lot 6/A

Terry J. Aulger
Terry J. Aulger
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 28th day of April, 1998, by W. Luther Taylor and Kathy Taylor, husband and wife, who (is) (are) personally known to me or who (has) (have) produced known as identification.

Jean B. Bowles
Name: Jean B. Bowles
NOTARY PUBLIC
My Commission expires: 5-16-98
Commission Number: CC 363684



Witness (s)

Eric J. Nickelsen
Eric J. Nickelsen
Print/Type Name of Witness

Caroline C. DeMaria
Caroline C. DeMaria
Owner of Lot 7/A

Linda Aligood
Linda Aligood
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 24th day of April,
1998, by Caroline C. DeMaria, who (is) (are) personally known to me, ~~or who (has) (have) produced~~
~~----- as identification.~~



Linda Aligood
Name: Linda Aligood
NOTARY PUBLIC
My Commission expires: 06-21-99
Commission Number: CC461459

Witness (s)

Eric J. Nickelsen
Eric J. Nickelsen
Print/Type Name of Witness

E. M. Chadbourne III
Edward M. Chadbourne, III
Owner of Lot 8/A

Linda Aligood
Linda Aligood
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 24th day of April,
1998, by Edward M. Chadbourne, III, who (is) (are) personally known to me ~~or who (has) (have)~~
~~produced~~ ----- as identification.



Linda Aligood
Name: Linda Aligood
NOTARY PUBLIC
My Commission expires: 06-21-99
Commission Number: CC461459

Witness (s)

Rita E. Enderson
Rita E. Enderson

Print/Type Name of Witness

Marilyn Woodbury Hess

Marilyn Woodbury Hess
Owner of Lots 9/A & 10/A

Donald C. Carr Sr.
DONALD C. CARR SR.

Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 24 day of April,
1998, by Marilyn Woodbury Hess, who (is) (are) personally known to me or who (has) (have)
produced _____ as identification.

CYNTHIA L. BARE
"Notary Public-State of FL"
Comm. Exp. June 20, 1998
Comm. No. CC 384751

Cynthia L. Bare
Name: Cynthia L. Bare
NOTARY PUBLIC
My Commission expires: June 20, 1998
Commission Number: CC 384751

Witness (s)

Linda Aligood
Linda Aligood

Print/Type Name of Witness

Jan R. Hopkins

Jan R. Hopkins

Owner of Lot 11/A

Karen R. M. Gaughey
Karen R. M. Gaughey

Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 22nd day of April,
1998, by Jan R. Hopkins, who (is) (~~are~~) personally known to me ~~or who (has) (have) produced~~ _____
_____ as identification.



Linda Aligood
Name: Linda Aligood

NOTARY PUBLIC

My Commission expires: June 21, 1999

Commission Number: CC461459

Witness (s)

E. W. Hopkins
E. W. Hopkins

Print/Type Name of Witness

Mailand V. Turner

Mailand V. Turner

Owner of Lot 12/A

Linda Aligood
Linda Aligood

Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 19th day of May,
1998, by Mailand V. Turner, who (is) ~~(are)~~ personally known to me ~~or who (has) (have) produced~~
~~----- as identification.~~



Linda Aligood
Name: Linda Aligood

NOTARY PUBLIC

My Commission expires: 06-21-99

Commission Number: CC461459

Witness (s)

Denee M. Rudd
Denee M. Rudd
Print/Type Name of Witness

Robert E. Snyder
Robert E. Snyder
Owner of Lot 13/A

Denee M. Rudd
Denee M. Rudd
Print/Type Name of Witness

Diane Snyder
Diane Snyder
Owner of Lot 13/A

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 29th day of May,
1998, by Robert E. & Diane Snyder, who ~~(are)~~ (are) personally known to me ~~or who (has) (have)~~
produced _____ as identification.

Faye B. Miller
Name: FAYE B. MILLER

NOTARY PUBLIC

My Commission expires:

Commission Number:



FAYE B. MILLER
My Comm Exp. 11/24/2000
Bonded By Service Ins
No. CC603731
 Personally Known Other I.D.

Witness (s)

Linda Aligood
Linda Aligood

Print/Type Name of Witness

Robert A. Kent

Robert A. Kent
Owner of Lot 16/A

William Lovelace

William Lovelace
Print/Type Name of Witness

Martha M. Kent

Martha M. Kent
Owner of Lot 16/A

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 24th day of April, 1998, by Robert A. & Martha M. Kent, who ~~(ix)~~ (are) personally known to me. ~~copies (has) (have)~~ produced ----- as identification.



Linda Aligood
Name: Linda Aligood

NOTARY PUBLIC

My Commission expires: June 21, 1999

Commission Number: CC461459

Witness (s)

[Handwritten Signature]
A. HENNINGTON
Print/Type Name of Witness

[Handwritten Signature]
Barry E. Dickson

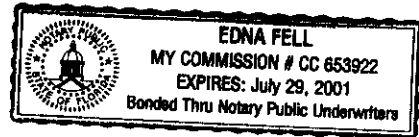
[Handwritten Signature]
Kathy Dickson
Owners of Lot 19/A

[Handwritten Signature]
A. HENNINGTON
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 21st day of APRIL, 1998, by Barry E. Dickson and Kathy Dickson, husband and wife, who (is) (are) personally known to me or who (has) (have) produced _____ as identification.

[Handwritten Signature]
Name: EDNA FELL
NOTARY PUBLIC
My Commission expires: _____
Commission Number: _____



Witness (s)

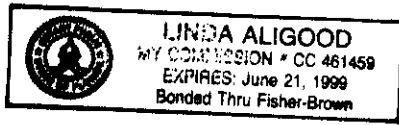
Eric N. Nickelsen
Eric N. Nickelsen
Print/Type Name of Witness

Edward M. Chadbourne, Jr.
Edward M. Chadbourne, Jr.
Owner of Lots 20/A, 1/B

Linda Aligood
Linda Aligood
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 24th day of April, 1998, by Edward M. Chadbourne, Jr. who (is) ~~(are)~~ personally known to me or who ~~(has)~~ ~~(have)~~ produced ~~-----~~ as identification.



Linda Aligood
Name: Linda Aligood
NOTARY PUBLIC
My Commission expires: 06-21-99
Commission Number: CC461459

Witness (s)

Audrey R. Snow
Audrey R. Snow
Print/Type Name of Witness

Stan K. Shaw
Stan K. Shaw
Owner of Lot 2/B

Michelle G. Williams
Michelle G. Williams
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 4th day of June,
1998, by Stan K. Shaw, who (is) (are) personally known to me or who (has) (have) produced Personally known to me as identification.

Dianne D. Clements
Name: Dianne D. Clements
NOTARY PUBLIC
My Commission expires: 8/11/98
Commission Number: CC 399883



Witness (s)

Robert E. Barry
ROBERT E. BARRY
Print/Type Name of Witness

Judson W. Landers
Judson W. Landers
Owner of Lot 3/B

Billy J. Kingery
BILLY J. KINGERY
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 22nd day of June, 1998, by Judson W. Landers, who (is) (are) personally known to me or who (has) (have) produced _____ as identification.

VIRGINIA CARTER DRISKELL
"Notary Public—State of Florida"
My Comm. Exp. Apr. 12, 2000
CC 546854

Name: Virginia Carter Driskell
NOTARY PUBLIC
My Commission expires: 4-12-00
Commission Number: CC 546854

Witness (s)

Darby Kenniff
Darby Kenniff
Print/Type Name of Witness

Daniel D. Hart
Daniel D. Hart
Owner of Lot 21/A

Stephanie Dewitt
Stephanie Dewitt
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 7th day of May,
1998, by Daniel D. Hart, who (is) (are) personally known to me or who (has) (have) produced _____
_____ as identification.

Tracy D. Hall
Name: Tracy D. Hall
NOTARY PUBLIC
My Commission expires: 02-01-2000
Commission Number: CC 526504

TRACY D. HALL
"Notary Public-State of FL"
Comm. Exp. Feb. 1, 2000
Comm. No. CC 526504

Witness (s)

Brame Holsinger
BRAME HOLSINGER

Print/Type Name of Witness

Frank L. Bell

Frank L. Bell
Owner of Lot 4/B

Annie Rebecca Bell
BRAME HOLSINGER

Print/Type Name of Witness

Annie Rebecca Bell

Annie Rebecca Bell
Owner of Lot 4/B

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 6th day of July, 1998, by Frank L. & Annie Rebecca Bell, who (is) (are) personally known to me or who (has) (have) produced _____ as identification.

Shelia A. Steele

Name: _____

NOTARY PUBLIC

My Commission expires: _____

Commission Number: _____



SHELIA A. STEELE
COMMISSION # CC 637241
EXPIRES MAY 27, 2001
BONDED THRU
ATLANTIC BONDING CO., INC.

Witness (s)

ERIC BURNS
Eric Burns
Print/Type Name of Witness

Ronald H. Mitchell
Ronald H. Mitchell, Sr.
Owner of Lot 5/B

Jean V. Godwin
Jean V. Godwin
Print/Type Name of Witness

Pamela S. Mitchell
Pamela S. Mitchell
Owner of Lot 5/B

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 21st day of May, 1998, by Ronald H. & Pamela S. Mitchell, who (is) (are) personally known to me or who (has) (have) produced Both personally known as identification.

Name: *Diane Brantley*
NOTARY PUBLIC DIANE BRANTLEY
My Commission expires: Notary Public, State of Florida
Commission Number: My Comm. Expires June 6, 2000
#CC208044

Beth pk

Witness (s)

Alan Bell
Alan Bell
Print/Type Name of Witness

Ashton James Hayward III
Ashton James Hayward, III
Owner of Lot 7/B

Linda Aligood
Linda Aligood
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 12 day of May,
1998, by Ashton James Hayward, III, who (is) ~~(are)~~ personally known to me ~~or who (has) (have)~~
produced Hayward as identification.



Linda Aligood
Name: Linda Aligood
NOTARY PUBLIC
My Commission expires: 06-21-99
Commission Number: CC461459

RCD Jul 24, 1998 11:43 am
Escambia County, Florida
Ernie Lee Magaha
Clerk of the Circuit Court
INSTRUMENT 98-505575