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BUDY C. ALEXANDER
CLERK OF CIRCUIT COURT

This Instrument Was Prepared by
JAMES E. MCORE, III
Attorney at Law
SUITE 202
201 W. Marion Ave.
Punta Gorda, Fla. 33950

JUN 30 3 41 PM 1977 AMENDED DECLARATION OF RESTRICTIONS
PRAIRIE CREEK PARK

RECORDED
FEB 1 1978
CHARLOTTE COUNTY

579 116

WHEREAS, PUNTA GORDA ISLES, INC., hereinafter called the Grantor, a corporation under the laws of the State of Florida, is the owner in fee simple of the following described subdivision situated in Charlotte County, Florida, to-wit:

All of Blocks 1 through 18, inclusive and all of the Common Area, as defined in Paragraph 20 of these Restrictive Covenants of PRAIRIE CREEK PARK, a Subdivision according to the plat thereof as recorded in Plat Book 13, Pages 33-A through 33-S, of the Public Records of Charlotte County, Florida.

AND WHEREAS, said Grantor originally filed restrictions of record on June 3, 1975, in O.R. Book 494, Pages 86 through 93 of the Public Records of Charlotte County, Florida, and filed amended restrictions of record on November 9, 1977 in O.R. Book 562, Pages 1876 through 1883 of the Public Records of Charlotte County, Florida, and

WHEREAS, it is the intent of said Grantor to amend Paragraphs Numbered 4, 5 and 14 of the aforementioned restrictions,

NOW, THEREFORE, PUNTA GORDA ISLES, INC., does hereby terminate, cancel and supersede Paragraphs Numbered 4 and 14 of those certain restrictions dated June 3, 1975 and recorded in O.R. Book 494, Pages 86 through 93 of the Public Records of Charlotte County, and as amended in O.R. Book 562, Pages 1876 through 1883, by substituting in lieu thereof the following Paragraphs Numbered 4 and 14, which restrictions, as amended, shall run with the aforementioned land:

***4. APPROVAL OF PLANS, SPECIFICATIONS, AND LOCATION OF BUILDING BEFORE CONSTRUCTION**

No dwelling house, or other house or structure shall be erected on the aforescribed property until the plans and specifications, including the site plan, have been submitted to and approved by Grantor and a written permit issued therefore. Construction requirements and specifications may include (but are not limited to) the following: Minimum roof pitch three to one, concrete, macadam or gravel driveways, outside building colors subject to approval. Prior to approval of plans, written approval must be obtained from the Grantor for use of the building contractor to be employed in the construction of the above mentioned building(s) or other structures. Unless otherwise approved in writing by the Grantor said building contractor shall be a regularly employed bona fide building contractor duly licensed by the applicable governmental authorities, and in addition, shall pass such testing and financial ability requirements as may be set forth from time to time by the Grantor. Said building contractor shall, unless otherwise approved in writing by the Grantor in addition, be required to post a performance and completion bond for the full amount of the work as shown in the plans and specifications so as to insure against the possibility of partially completed buildings marring the beauty of the above mentioned land. The aforesaid bond shall be obtained from a recognized institutional bonding company and shall be of a form and wording approved by the Grantor. The Grantor may, at its discretion, bond the construction in lieu of the above said bonding company.

Refusal of approval of plans, specifications and locations of building(s) by the Grantor may be based on any ground, including purely aesthetic grounds which in the sole and uncontrolled discretion of the Grantor seem sufficient. No alterations in the exterior appearance of the above building or structure shall be made without approval of the Grantor in writing. The provisions herein contained shall apply equally to repair, alterations, or modifications made in the above building(s).

The Grantor reserves the right (but not the obligation) to, from time to time, inspect the building construction as it proceeds in order to assure itself that the building is constructed according to the plans and specifications. If said inspections reveal deviation from the plans and specifications, Grantor may notify the contractor in writing with a copy to the owner setting forth said objections to construction and forthwith the work on said construction shall cease until said objections have been resolved.

There shall be no construction signs displayed except those required by law.

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J. E. McCore

The issuance of a building permit or license, which may be in contravention of these restrictions, shall not prevent the Grantor from enforcing these restrictive covenants.

J.M. 579 PC 117

5. SETBACK AND MINIMUM SQUARE FOOT AREA

The ground floor area of a residential structure, exclusive of non-living areas such as porches and garages, shall be a minimum of 1,500 square feet of living area.

Pursuant to the general plan for the protection and benefit of all the property in Prairie Creek Park Subdivision, and of all persons who may now or hereafter become owners of any part of the subdivision, each lot hereinbefore described is subject to the following condition and restriction:

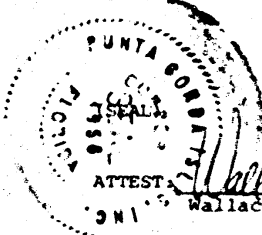
No portion of any house, appurtenance, or out building shall be less than 50 feet from the front line of any lot, 50 feet from the rear lot easement line of any lot, or 25 feet from the side line of any lot.

14. EASEMENTS

Grantor, its successors or assigns, have the right to locate, erect, construct, maintain and use or authorize the location, erection, construction, maintenance and use of drains, storm sewers, water mains, electric and telephone pools and lines and other utilities over or under a 25 foot right-of-way easement (1) within and adjacent to any public or private road right-of-way and (2) along all lot lines, including front, back and side of each of the aforescribed lots and further reserves a drainage easement along the rear lot line of Lot 1 and Lot 2, Block 15, Prairie Creek Park Subdivision according to the description attached hereto, marked "A" and made a part hereof by reference.

The Grantor does hereby ratify and confirm all other paragraphs and provisions of that amended Declaration of Restrictions as recorded in O.R. Book 562, Page 1876 of the Public Records of Charlotte County, Florida.

IN WITNESS WHEREOF, PUNTA GORDA ISLES, INC., has caused these presents to be signed in its name by its Vice President, W. Warren Wankelman, and its corporate seal affixed and attested by its Secretary this 15th day of June, 1978.



ATTEST: Wallace B. Hinshaw, Jr. Secretary

PUNTA GORDA ISLES, INC.

By: W. Warren Wankelman Vice President

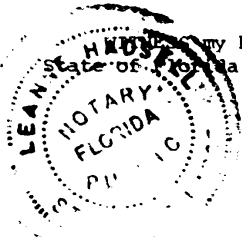
Signed, sealed and delivered in the presence of:

James Hadwell, Witness
Ernest J. Hawes, Witness

STATE OF FLORIDA
COUNTY OF CHARLOTTE

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, W. Warren Wankelman, and Wallace B. Hinshaw, Jr., to me well known to be the Vice President and Secretary of Punta Gorda Isles, Inc., who acknowledged executing the foregoing Declaration and Restrictions and acknowledged before me that they executed the same freely and voluntarily under the authority vested in them by said corporation and that the seal affixed thereto is the true corporate seal of the corporation and the execution of said instrument is the deed and act of the corporation.

C.R. 579 PG 118



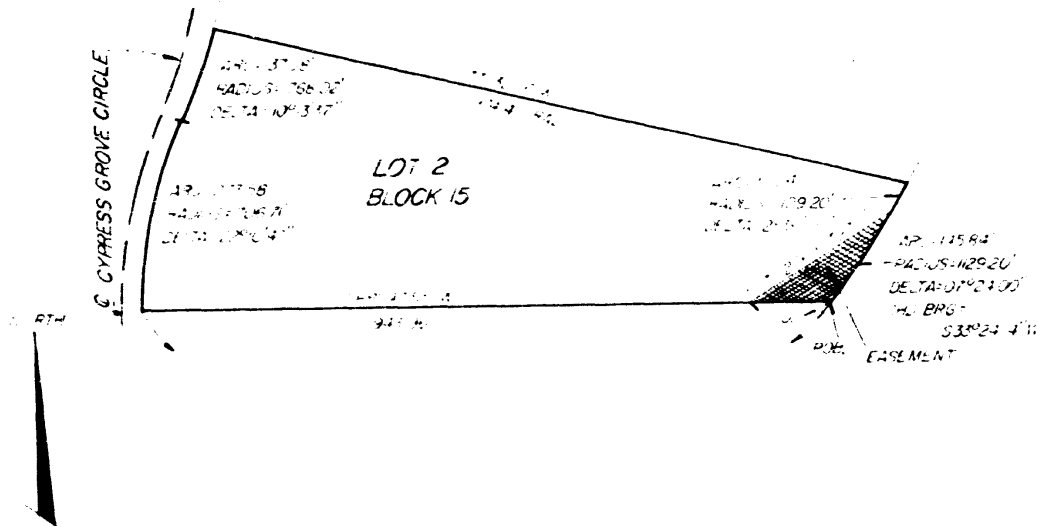
Witnessed by my hand and official seal at Punta Gorda, County of Charlotte and State of Florida, this 15th day of June, 1978.

Leane Hadsell
Notary Public - State of Florida

My Commission Expires: .

Notary Public, State of Florida at Large
My Commission Expires May 10, 1979.
Bonded by American Fire & Casualty Co.

C.R. 579 PC 119



DESCRIPTION:

An easement along the easterly side of Lot 2, Block 15 of the plat of Prairie Creek Park as recorded in plat book 13, pages 33-A through 33-S of the Public Records of Charlotte County, Florida. More particularly described as follows: For the point of beginning commence at the southeast corner of said Lot 2; Thence run S88°47'55"W, along the southerly line of said Lot 2, 111.02 feet to a point; Thence run N57°02'26"E, 227.91 feet to a point lying on the easterly line of said Lot 2; Thence run in a southerly direction, along said easterly line, through a curve concave to the northwest having a radius of 1129.20 feet, a central angle of 07°24'00", a chord bearing of S33°24'14"W, and an arc length of 145.84 feet returning to the point of beginning and containing 0.16 acres more or less.

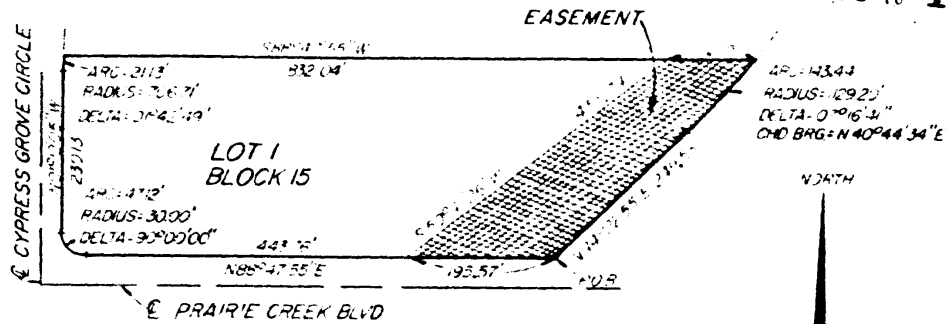
PREPARED BY:

PUNTA GORDA ISLES, INC.

DATE JUNE 6, 1978

BY: JLB

C.R. 579 PG 120



DESCRIPTION:

An easement along the easterly side of Lot 1, Block 15 of the plat of Prairie Creek Park as recorded in plat book 13, pages 33-A through 33-E of the Public Records of Charlotte County, Florida. More particularly described as follows:

For the point of Beginning commence at the southeast corner of said Lot 1; Thence run N44°22'55"E, along the easterly line of said Lot 1, 249.53 feet to the point of curvature of a curve to the left having a radius of 129.20 feet, a central angle of 07°16'41", and a chord bearing of N40°44'34"E; Thence continue along said easterly line through said curve an arc length of 143.44 feet to the northeast corner of said Lot 1; Thence run S38°47'55"W, along the northerly line of said Lot 1, 111.02 feet to a point; Thence run S50°41'26"W, 455.74 feet to a point lying on the southerly line of said Lot 1; Thence run N38°47'55"E, along said southerly line, 195.57 feet returning to the point of beginning; and containing 1.02 acres more or less.

PREPARED BY

PUNTA GORDA ISLES, INC.

DATE JUNE 6, 1978

BY JLB