

10.50

FIRST AMENDMENT TO  
COVENANTS, CONDITIONS AND RESTRICTIONS OF  
BAYOU PLACE, A SUBDIVISION  
LOCATED IN THE COUNTY OF ESCAMBIA, STATE OF FLORIDA

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STATE OF FLORIDA  
COUNTY OF ESCAMBIA

This Amendment, made this 20 day of March, 2000, by RGB DEVELOPMENT, INC., a Florida corporation, hereinafter referred to as "Declarant."

WITNESSETH:

WHEREAS, Declarant previously executed and recorded a certain set of Covenants, Conditions and Restrictions of Bayou Place, a subdivision, located in the County of Escambia, State of Florida, which were recorded in Official Records Book 4526 at page 992 of the public records of Escambia County, Florida; and

WHEREAS, Declarant desires to amend the Covenants, Conditions and Restrictions of Bayou Place to clarify the description of Common Area intended to be owned by the Association.

NOW THEREFORE, Declarant hereby declares that the provisions of the Declaration shall be amended as follows:

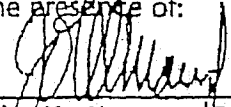
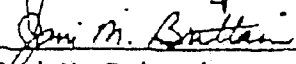
1. ARTICLE I - DEFINITIONS, Section 3, Common Areas is amended as follows:  

The foregoing Parcel "D" identified as Common Area is not intended to be Common Area and it was not the intention of the Declarant to convey such to the Association.
2. All capitalized terms used herein shall have the meanings as set forth in the Declaration referenced above.

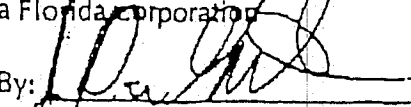
3. Except as amended hereby, the terms of the Declaration, as previously amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this instrument the date set forth above.

Signed, sealed and delivered  
in the presence of:

  
\_\_\_\_\_  
John W. Monroe, Jr.  
  
\_\_\_\_\_  
Jani M. Brittain

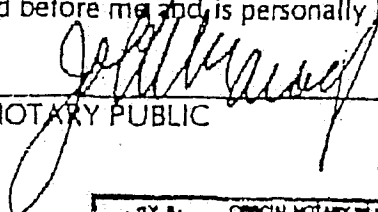
RGB DEVELOPMENT, INC.,  
a Florida corporation

By:   
\_\_\_\_\_  
Dan Gilmore, as President

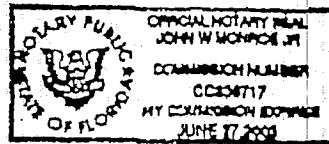
STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March, 2000, by J. Dan Gilmore, as President, of RGB Development, Inc., a Florida corporation, on behalf of the corporation, who personally appeared before me and is personally known to me.

  
\_\_\_\_\_  
NOTARY PUBLIC

Prepared By:  
John W. Monroe, Jr., of  
EMMANUEL SHEPPARD & CONDON  
30 South Spring Street  
Pensacola, Florida 32501  
File No. R274-30910 jmb

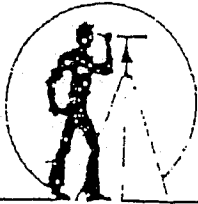


RCD Mar 24, 2000 08:53 am  
Escambia County, Florida

Ernie Lee Magaha  
Clerk of the Circuit Court  
INSTRUMENT 00-718165

✓ **WALTERS LAND SURVEYING, INC.**

7604 W. FAIRFIELD DRIVE • PENSACOLA, FL 32506  
(850) 453-4443 • FAX (850) 453-2292



JOEL C. WALTERS  
REG. LAND SURVEYOR

GARY F. BYRD  
REG. LAND SURVEYOR

SURVEYOR'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

BEFORE THE UNDERSIGNED AUTHORITY, THIS DAY PERSONALLY  
APPEARED GARY F. BYRD, WHO, AFTER BEING DULY SWORN, DEPOSES  
AND SAYS:

1. AFFIANT IS A REGISTERED FLORIDA LAND SURVEYOR  
HAVING THE REGISTRATION NUMBER 4400.
2. AFFIANT IS AN EMPLOYEE OF WALTERS LAND SURVEYING,  
INC.
3. WALTERS LAND SURVEYING, INC. PREPARED THE PLAT  
NAMED BAYOU PLACE AND CAUSED SAME TO BE RECORDED IN  
THE PUBLIC RECORDS OF ESCAMBIA COUNTY IN PLAT BOOK  
18 AT PAGE 70 ON FEBRUARY 27, 2000.
4. THE RECORDED LEGAL DESCRIPTION (AS SHOWN ON  
ATTACHED EXHIBIT A) CONTAINS AN ERROR WHEN  
REFERRING TO THE ADJOINING SUBDIVISION OF COUNTRY  
MANOR ESTATES.
5. THE CORRECT REFERENCE (AS SHOWN ON ATTACHED EXHIBIT  
B) IS THE SUBDIVISION OF SANTA CLARA.

FURTHER AFFIANT SAITH NAUGHT.

WITNESS: [Signature]  
PRINT NAME: JOEL C. WALTERS

[Signature]  
GARY F. BYRD

WITNESS: [Signature]  
PRINT NAME: SUSAN MILLER

SWORN TO, SUBSCRIBED AND ACKNOWLEDGED BEFORE ME THIS 26<sup>TH</sup>  
DAY OF MARCH, 2000, BY GARY F. BYRD, WHO ( ) IS PERSONALLY  
KNOWN TO ME OR WHO (X) AS PRODUCED FLORIDA DRIVER LICENSE  
NUMBER B630 286-59-065-0 AS IDENTIFICATION.

[Signature]  
NOTARY PUBLIC

EXHIBIT "A"

LAND DESCRIPTION:

COMMENCE AT THE NORTHEAST CORNER OF THE JOSEPH POL GRANT, SECTION 37, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE SOUTH 14 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION A DISTANCE OF 1980.00 FEET; THENCE RUN SOUTH 76 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 2780.00 FEET; THENCE RUN SOUTH 14 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 583.24 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF MULDOON ROAD (66' R/W) AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 14 DEGREES 00 MINUTES 00 SECONDS EAST FOR 28.61 FEET; THENCE NORTH 76 DEGREES 00 MINUTES 00 SECONDS EAST FOR 77.97 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF LENORA HEIGHTS AS RECORDED IN PLAT BOOK 8 AT PAGE 5 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 13 DEGREES 34 MINUTES 00 SECONDS EAST ALONG SAID WEST LINE OF LENORA HEIGHTS AND THE WEST LINE OF HIDDEN SPRINGS AS RECORDED IN PLAT BOOK 13 AT PAGE 91 OF THE PUBLIC RECORDS OF SAID COUNTY FOR 2028.20 FEET; THENCE SOUTH 76 DEGREES 00 MINUTES 00 SECONDS WEST FOR 63.60 FEET; THENCE SOUTH 13 DEGREES 58 MINUTES 12 SECONDS EAST FOR 352.26 FEET; THENCE SOUTH 75 DEGREES 41 MINUTES 37 SECONDS WEST FOR 1042.77 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF COUNTRY MANOR ESTATES AS RECORDED IN PLAT BOOK 9 AT PAGE 16 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 14 DEGREES 18 MINUTES 23 SECONDS WEST AND ALONG SAID EAST LINE FOR 1925.24 FEET TO THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF MULDOON ROAD; THENCE NORTH 51 DEGREES 05 MINUTES 56 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE FOR 1162.25 FEET TO THE POINT OF BEGINNING. CONTAINING 55.49 ACRES MORE OR LESS.

# EXHIBIT "B"

OR BK 4536 PG 226  
Escambia County, Florida  
INSTRUMENT 00-716299

RCD Mar 20, 2000 01:20 pm  
Escambia County, Florida

Ernie Lee Magaha  
Clerk of the Circuit Court  
INSTRUMENT 00-716299

## LAND DESCRIPTION:

COMMENCE AT THE NORTHEAST CORNER OF THE JOSEPH POL GRANT, SECTION 37, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, THENCE SOUTH 14 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION A DISTANCE OF 1980.00 FEET; THENCE RUN SOUTH 76 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 2780.00 FEET; THENCE RUN SOUTH 14 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 583.24 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF MULDOON ROAD (66' R/W) AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 14 DEGREES 00 MINUTES 00 SECONDS EAST FOR 28.61 FEET; THENCE NORTH 76 DEGREES 00 MINUTES 00 SECONDS EAST FOR 77.97 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF LENGRA HEIGHTS AS RECORDED IN PLAT BOOK 8 AT PAGE 5 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 13 DEGREES 34 MINUTES 00 SECONDS EAST ALONG SAID WEST LINE OF LENGRA HEIGHTS AND THE WEST LINE OF HIDDEN SPRINGS AS RECORDED IN PLAT BOOK 13 AT PAGE 91 OF THE PUBLIC RECORDS OF SAID COUNTY FOR 2028.20 FEET; THENCE SOUTH 76 DEGREES 00 MINUTES 00 SECONDS WEST FOR 63.60 FEET; THENCE SOUTH 13 DEGREES 58 MINUTES 12 SECONDS EAST FOR 352.26 FEET; THENCE SOUTH 75 DEGREES 41 MINUTES 37 SECONDS WEST FOR 1042.77 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF SANTA CLARA AS RECORDED IN PLAT BOOK 5 AT PAGE 44 OF THE PUBLIC RECORDS OF SAID COUNTY (ALSO BEING THE WEST LINE OF SAID SECTION 37.); THENCE NORTH 14 DEGREES 18 MINUTES 23 SECONDS WEST AND ALONG SAID WEST LINE OF SECTION FOR 1925.24 FEET TO THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF MULDOON ROAD; THENCE NORTH 51 DEGREES 05 MINUTES 56 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE FOR 1162.25 FEET TO THE POINT OF BEGINNING. CONTAINING 55.49 ACRES MORE OR LESS