

ADDENDA TO
DECLARATION OF MAINTENANCE COVENANTS
AND RESTRICTIONS OF
BENEVA OAKS

THIS ADDENDA is made and executed this 28TH day of MARCH, 1979, by BENEVA OAKS DEVELOPMENT CORPORATION, a Corporation organized and existing the laws of the State of Florida, and duly authorized to transact business in the State of Florida, as Declarant.

W I T N E S S E T H :

The terms and provisions contained herein shall become a part of the DECLARATION OF MAINTENANCE COVENANTS AND RESTRICTIONS OF BENEVA OAKS.

NOW, THEREFORE, Declarant does hereby declare that the following terms and conditions shall become a part of DECLARATION OF MAINTENANCE COVENANTS AND RESTRICTIONS OF BENEVA OAKS, to-wit:

- 1. ARTICLE VIII is hereby added to read as follows;

ARTICLE VIII

PARCELS A AND B.

Parcels A and B as appearing on the Plat of BENEVA OAKS, A Subdivision, as recorded in Plat Book _____ Page _____ Public Records of Sarasota County, Florida, are not bound by the terms and conditions of the Declaration of Maintenance Covenants and Restrictions, however the following conditions and restrictions shall apply to Parcels A and B.

- (A) Each parcel shall be limited to one entrance or driveway on Beneva Oaks Boulevard, over and across the landscape easements located on Parcels A and B, provided however said entrance or driveway shall not exceed twelve (12) feet in width within the landscape easement.
- (B) An open space, landscape buffer, fifteen (15) feet in width along the rear lot lines of Parcels A and B shall be maintained, and within said open space, landscape buffer, no building, structure, or parking facilities shall

be allowed; provided however nothing herein contained shall prevent underground utilities or drainage swales from being located within said area.

(C) Parcels A and B are allowed use rights over and across that portion of Beneva Oaks Boulevard, which lies within the platted lot lines of Parcels A and B; Parcels A and B shall not have easement or use rights over and across any other portions of Beneva Oaks Boulevard irrespective of any language to the contrary contained on the Plat of BENEVA OAKS.

(D) In the event any of the restrictions or conditions herein contained are violated, any lot owner within Beneva Oaks Subdivision or Beneva Oaks Maintenance and Property Owners Association, Inc., may maintain a suit for injunctive relief and such other remedies as may be available, and the prevailing party shall be entitled to reasonable attorneys' fees and court costs.

IN WITNESS WHEREOF, I have caused these presents to be executed in its name, and the corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

WITNESSES:

James S. Crow
John D. Dunlop

BENEVA OAKS DEVELOPMENT CORPORATION
A Florida Corporation

By: *[Signature]*
Harry W. Mathley, President

(Corporate Seal)

FILED AND RECORDED
MAR 29 8 29 AM '79
HARRISON COUNTY, FLORIDA

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