

Prepared By:  
Michael Wm Mead, Esquire  
Post Office Drawer 1329  
Fort Walton Beach, FL 32549

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS,  
RESTRICTIONS AND ROAD MAINTENANCE  
AND STORM WATER MANAGEMENT AGREEMENT  
AND PARTY WALL AGREEMENT  
FOR  
QUAIL LAKE TOWNHOMES**

**WHEREAS**, the Declaration Of Covenants, Easements, conditions, Restrictions and Road Maintenance and Storm Water Management Agreement and Party Wall Agreement for **QUAIL LAKE TOWNHOMES** was previously recorded in Official Records Book 2659 at Page 1158, of the Public Records in and for Okaloosa County, Florida, and

**WHEREAS**, the Declarant/Developer is still the owner of all units and common areas within said development, and

**WHEREAS**, the Declarant/Developer desires that respective portions of the common area be added respectively to Lots 71 and 72 of **QUAIL LAKE TOWNHOMES**, as more fully set forth on the attached Exhibit "A" prepared by Panhandle Associates, Inc., and

**WHEREAS**, the Declarant/Developer has instructed the President of the **QUAIL LAKE TOWNHOMES OWNERS ASSOCIATION, INC.** to execute a deed of conveyance of those certain common areas as set forth on attached Exhibit "A", and

**WHEREAS**, the Declaration of Covenants provided that Lots 71 and 72 could be used for any commercial purpose, and it is the desire of the Declarant to ensure that this commercial use never be terminated by a vote of the members of the **QUAIL LAKE TOWNHOMES OWNERS ASSOCIATION, INC.**, absent a unanimous vote including that of the owners of both Lots 71 and 72,

**NOW, THEREFORE**, the Declarant/Developer does hereby amend the aforesaid Declaration of Covenants, Easements and Conditions so as to reflect the transfer of title of that real property described on the attached Exhibit "A" from **QUAIL LAKE TOWNHOMES OWNERS ASSOCIATION, INC.**, to the Declarant, **QUAIL**

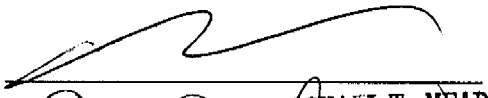
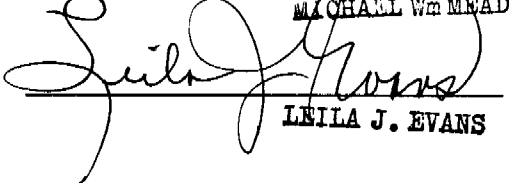
LAKE DEVELOPMENT, LLC, in order that said real property no longer be a portion of the common area, but that it shall be owned and transferred as private property.

The Declarant does further amend the aforesaid Declaration of Covenants, Easements and Conditions in order to provide that the commercial use of Lots 71 and 72 and the additional property added to those lots by virtue of this First Amendment to the Declaration may never be terminated by the members of QUAIL LAKE TOWNHOME OWNERS ASSOCIATION, INC., except by unanimous vote of all members of the QUAIL LAKE TOWNHOMES OWNERS ASSOCIATION, INC., which must include the vote of owners of both Lots 71 and 72.

IN WITNESS WHEREOF, the undersigned Declarant has hereunto caused their hands and seals to be affixed this 7th day of December, 2005.

Signed and delivered in the presence of:

QUAIL LAKE DEVELOPMENT, LLC., a Florida Limited Liability Company by: Robert Donovan Construction Inc., a Florida corporation, Its Manager


  
MICHAEL Wm MEAD  
  
LEILA J. EVANS

BY   
JAMES D. MONSEES  
Vice-President

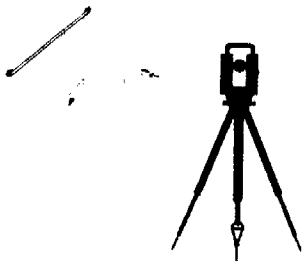
STATE OF FLORIDA

COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 7th day of December, 2005 by JAMES D. MONSEES, as Vice-President of Robert Donovan Construction, Inc., the Managing Member of QUAIL LAKE DEVELOPMENT, LLC, a Florida limited liability company; James D. Monsees is personally known to me.

  
Notary Public MICHAEL Wm MEAD  
My Commission Expires:





# PANHANDLE ASSOCIATES INC

701-A EDGE STREET  
FT. WALTON BEACH, FLORIDA 32547  
VOICE (850) 864-1968 OR (850) 863-9065  
FAX (850) 863-3426  
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December 2, 2005

WO# 2005-2883:

**LEGAL DESCRIPTION:** for parking area for **LOT 72, QUAIL LAKE TOWNHOMES**

Begin at the most westerly corner of Lot 72, Quail Lake Townhomes as recorded in Plat Book 21, Page 83, Public Records of Okaloosa County, Florida; thence S- 39° 50' 57" -E along westerly line of said Lot 72 a distance of 75.00 feet; thence S- 50° 09' 03" -W a distance of 9.00 feet; thence S- 39° 50' 57" -E a distance of 45.60 feet; thence S- 50° 09' 03" -W a distance of 43.20 feet; thence S- 83° 25' 59" -W a distance of 59.55 feet; thence N- 08° 15' 19" -W a distance of 105.48 feet; thence N- 52° 30' 40" -E a distance of 46.77 feet to the Point of Beginning. Subject to private Ingress/Egress easements a shown on aforesaid Plat of QUAIL LAKE TOWNHOMES.

WO# 2005-2882:

**LEGAL DESCRIPTION:** for parking area for **LOT 71, QUAIL LAKE TOWNHOMES**

Begin at the most westerly corner of Lot 71, Quail Lake Townhomes as recorded in Plat Book 21, Page 83, Public Records of Okaloosa County, Florida; thence S- 39° 50' 57" -E along westerly line of said Lot 71 a distance of 70.00 feet; thence S- 52° 28' 20" -W a distance of 27.20 feet; thence N- 78° 03' 31" -W a distance of 114.39 feet; thence N- 11° 56' 29" -E a distance of 41.50 feet; thence N- 49° 50' 58" -E a distance of 90.82 feet; thence S- 39° 14' 30" -E a distance of 47.16 feet to the most northerly corner of said Lot 71; thence S- 50° 09' 03" -W a distance of 25.00 feet to the Point of Beginning.

EDWARD E. RICE  
P.S.M. #3420

EXHIBIT "A"