

**FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR TAPESTRY PARK**

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Tapestry Park, is made and entered into this 3rd day of August, 2004, by TAPESTRY PARK NORTH, LLC, a Florida Limited Liability Company (the "Declarant") of 2504 Pelican Bay Drive, Panama City Beach, Florida 32408.

WITNESSETH:

WHEREAS, the Declarant, pursuant to its development of Tapestry Park, Phase I, caused to be recorded in the Public Records of Bay county, Florida that certain Declaration of Covenants, Conditions and Restrictions for Tapestry Park (the "Declaration") dated March 18, 2004 as recorded March 18, 2004 in Official Records Book 2412, Page 799 through 856 of the Public Records of Bay County, Florida; and

WHEREAS, the Declarant desires to amend the Declaration pursuant to the request of local governmental authorities to make it clear that the Tapestry Park Owners Association, Inc. has to fund and shall be fully responsible to maintain street lights and street signs within the roadways and common areas of Tapestry Park; and

WHEREAS, pursuant to Article XV, Paragraph 15.2(a) of the Declaration, the Declarant reserved full right and authority to unilaterally amend the Declaration within the Class "B" membership period (which is in effect as of the date hereof) and also to comply with applicable governmental statutes, rules and regulations.

NOW, THEREFORE, in consideration of the mutual covenants and restrictions set forth herein, the Declarant hereby amends the Declaration as follows:

1. Recitals. The above recitals are true and correct and incorporated herein.

2. A new subparagraph 5.1(a)(v) is added to the Declaration to read as follows:

5.1. Association's Responsibility.

(a) Association shall maintain and keep in good repair the areas of common responsibility, which shall include but need not be limited to:

(v) All street lights and street signs located within the road right-of-ways of and common areas of Tapestry Park.

3. Except as amended by this First Amendment to Declaration, the Declaration shall remain in full force and effect as of the date first recorded.

Edward A. Hutchison, Jr.
EDWARD A. HUTCHISON, JR.
Witness Name Printed

TAPESTRY PARK NORTH, LLC,
A Florida Limited Liability Company

Stephanie Greer
STEPHANIE GREER
Witness Name Printed

Mark Tanney
BY: Tapestry Park Land Co., Member/Manager
By: Mark Tanney, Its/President

STATE OF FLORIDA
COUNTY OF BAY

The foregoing instrument was acknowledged before me this 3rd day of August, 2004, by Mark Tanney, as President of Tapestry Park Land Co., as Member/Manager of TAPESTRY PARK NORTH, L.L.C. on behalf of the Florida Limited Liability Company. He (notary **must** check applicable box):

- is personally known to me.
- produced a current Florida driver's license as identification.
- produced _____ as identification.



Stephanie Greer
STEPHANIE GREER
(Print Name)

Notary Public
Serial # DD 222214
My Commission Expires: 6/11/07