

THIS INSTRUMENT PREPARED BY  
AND TO BE RETURNED TO:  
RAPHAEL F. HANLEY, ESQUIRE  
THE VIERA COMPANY  
7380 MURRELL ROAD, SUITE 201  
VIERA, FLORIDA 32940

**SECOND AMENDMENT TO THE  
“FIRST AMENDMENT TO AND RESTATEMENT OF DECLARATION OF  
COVENANTS, CONDITIONS, EASEMENTS, RESERVATIONS AND  
RESTRICTIONS FOR  
STONERIDGE TOWNHOMES RESIDENTIAL DISTRICT”**

THIS SECOND AMENDMENT TO THE “FIRST AMENDMENT TO AND RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS EASEMENTS, RESERVATIONS AND RESTRICTIONS FOR STONERIDGE TOWNHOMES RESIDENTIAL DISTRICT” (hereinafter referred to as the “Second Amendment to District Declaration”) is made this 25<sup>th</sup> day of October, 2010 by THE VIERA COMPANY, a Florida corporation (hereinafter referred to as “District Declarant”).

WITNESSETH:

WHEREAS, District Declarant is the owner of that certain real property described in Exhibit “A”, attached hereto and made a part hereof (hereinafter referred to as the “District Property”);

WHEREAS, District Declarant recorded that certain First Amendment to and Restatement of Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Stoneridge Townhomes Residential District in Official Records Book 5752, pages 7367 through 7446, Public Records of Brevard County, Florida (hereinafter referred to as the “District Declaration”), under the terms of which the District Declarant subjected the District Property to the covenants, conditions, easements, reservations and restrictions set forth therein;

WHEREAS, District Declarant has previously amended the District Declaration under and by virtue of that certain First Amendment to the “First Amendment to and Restatement of Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Stoneridge Townhomes Residential District” recorded in Official Records Book 6267, page 1638, Public Records of Brevard County, Florida (hereinafter referred to as the “First Amendment to District Declaration”);

WHEREAS, under Article X of the District Declaration, District Declarant reserved the right to amend the District Declaration unilaterally at any time without prior notice and without the consent of any person for any purpose; and

WHEREAS, the Class B Control Period is still in effect; and

WHEREAS, District Declarant desires to amend the District Declaration as provided herein in this Second Amendment to District Declaration, which amendment is consistent with the general plan for the District Property set forth in the District Declaration.

NOW, THEREFORE, District Declarant hereby amends the District Declaration as set forth hereinbelow pursuant to the right reserved to District Declarant under Article X of the District Declaration.

1. Recitals; Defined Terms. The recitals set forth hereinabove are true and correct in all respects and are incorporated herein by reference as if set forth herein verbatim. Defined (capitalized) terms which are used herein and are not otherwise defined herein shall have the meanings set forth in the District Declaration.

2. Article I, Section 7. Section 7 of Article I of the District Declaration is hereby revised to read in its entirety as follows:

Section 7. "Class B Control Period" shall mean and refer to the period beginning upon the filing of the Articles of Incorporation of the District Association and continuing until the first to occur of the following:

- (a) when ninety percent (90%) of the Units permitted by the Development Order and other Development Approvals for the District Property and the property which is subject to annexation under the provisions of this Declaration, have certificates of occupancy issued thereon and have been conveyed to Persons other than the District Declarant and Owners holding title solely for the purpose of development and sale;
- (b) December 31, 2030; or
- (c) when, in its discretion, the District Declarant so determines.

3. Full Force and Effect. Except as expressly amended by this Second Amendment to District Declaration, the Declaration, as previously amended by the First Amendment to District Declaration, shall be and remain unchanged and in full force and effect.

IN WITNESS WHEREOF, District Declarant has caused this Second Amendment to District Declaration to be duly executed in its name as of the day and year first above written.

WITNESSES:

Charlene R. Spangler  
Print Name: Charlene R. Spangler

Susan T. Bowers  
Print Name: Susan T. Bowers

THE VIERA COMPANY

By: [Signature]  
Stephen L. Johnson, President

STATE OF FLORIDA }  
                                  }  
COUNTY OF BREVARD }

The foregoing instrument was acknowledged before me this 25th day of October, 2010 by Stephen L. Johnson, President of THE VIERA COMPANY, a Florida corporation, on behalf of the corporation. He is personally known to me.

Charlene R. Spangler  
(Signature of person taking acknowledgement)

**CHARLENE R. SPANGLER**  
Notary Public, State of Florida  
My Comm. Exp. May 27, 2011  
Comm. No. DD 649077

\_\_\_\_\_  
(Name typed, printed or stamped)  
Notary Public  
My Commission Expires \_\_\_\_\_  
Commission No.: \_\_\_\_\_

Legal Forms/Associations/Second Amendment - Suncoast Townhomes District.doc

EXHIBIT "A"  
DISTRICT PROPERTY

STONERIDGE SUBDIVISION, according to the plat thereof as recorded in Plat Book 55, pages 74 through 77, inclusive, Public Records of Brevard County, Florida