

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR HIDDEN HEIGHTS SUBDIVISION**

THIS FIRST AMENDMENT, made this 12 day of June, 2008 by Adams Homes of Northwest Florida, Inc., a Florida corporation, hereinafter referred to as "Adams."

WITNESSETH:

WHEREAS, there is recorded in the Public Records of Brevard County, Florida the Declaration of Covenants, Conditions and Restrictions for Hidden Heights Subdivision at Official Records Book 5818 at Page 9551; and,

WHEREAS, Adams owns all of the lots in Hidden Heights Subdivision; and,

WHEREAS, Adams desires to amend the foregoing Covenants pursuant to its authority under Article VIII, 8.2 of said Covenants.

NOW THEREFORE, Adams does hereby declare the Covenants to be amended as follows:

1. Article IV is hereby amended by adding the following paragraph:

4.11 Private Roads. A non-exclusive perpetual easement for ingress and egress, delivery of the mails and use by emergency vehicles is hereby created and imposed over, under and upon "Tract C" (hereinafter "Private Roads") identified on the Plat for the benefit of all of the Owners, their respective tenants, guests, invitees, and all persons doing business with the Owners. It shall be the responsibility of the Association to maintain the Private Roads, which maintenance shall include, but not be limited to, filling of chuck holes, resurfacing, and grading as needed. The cost of such maintenance shall be a common expense of the Association to be funded in accordance with Article V hereof.

2. Article V is hereby amended by adding the following paragraph:

5.6 Capital Contribution. At the time that an Owner acquires title to any Lot in Hidden Heights Subdivision from Adams Homes of Northwest Florida, Inc., the lot owner shall pay to the Association a one-time capital contribution equal to the annual assessment in effect at the time of said acquisition. This capital contribution shall serve to fund the Association and may be utilized in any manner in accordance with the sole discretion of the Board of Directors.

IN WITNESS WHEREOF, Adams has executed this Amendment this 12th day of June, 2008.

Signed, sealed and delivered
in the presence of:

Shauna L. Kirby
Printed Name: **Shauna L. Kirby**

Susan A. Sloan
Printed Name: **SUSAN A. SLOAN**

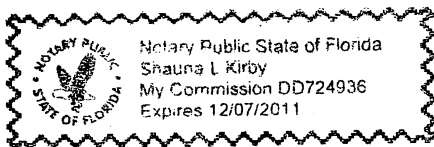
ADAMS HOMES OF NORTHWEST
FLORIDA, INC., a Florida corporation

By: Wayne L. Adams
Wayne L. Adams, President

State of Florida

County of Santa Rosa

The foregoing instrument was acknowledged before me on this 12th day of June, 2008 by Wayne L. Adams as President of Adams Homes of Northwest Florida, Inc., a Florida corporation, who personally appeared before me and who is known to me or produced _____ as identification.



Shauna L. Kirby
Notary Public
Print Name **Shauna L. Kirby**
My Commission Expires: 12/7/2011

This instrument prepared by:
Phillip A. Pugh of
EMMANUEL, SHEPPARD & CONDON
30 South Spring Street
Post Office Drawer 1271
Pensacola, Florida 32596
(850) 433-6581

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