

Rec #15.00

IN THE RECORDS OF
JEFFREY K. BARTON
CLERK CIRCUIT COURT
INDIAN RIVER CO., FLA

1127376

C - Prepared by:
Robert Jackson, Esq.
2165 15th Avenue
Vero Beach, FL 39260

99 APR 22 PM 4:24

**SECOND DECLARATION OF
RESTRICTIVE COVENANTS**

The undersigned owners, GEORGE D. JOHNSTON JR. and SARITA B. JOHNSTON, husband and wife, do hereby covenant and restrict their hereinafter described property as follows:

1. GEORGE D. JOHNSTON JR. and SARITA B. JOHNSTON, husband and wife, hereinafter called "Owners," are the owners of the following described property located in Indian River County, Florida, to-wit:

Tract 7, Section 28, Township 33 South, Range 39 East, according to the last general plat of lands of INDIAN RIVER FARMS COMPANY as filed in Plat Book 2, Page 25, Public Records of St. Lucie County, Florida. Said lands now lying in Indian River County, Florida. Less road right-of-way for 13th Street S.W.

Containing 39.66 acres more or less.

2. The owners do hereby restrict the use of their property as it relates to a deep well constructed approximately 300 feet south of the north line of Parcel "D" as shown on survey recorded in Official Records Book 1264, Page 59, Public Records of Indian River County, Florida. The well will be owned by all the owners of the entire property and all owners shall have an easement to and from the well and transmission lines in order to inspect, maintain and repair the well, and to install, maintain, and repair any lines to and from the well. The well will be used by all the owners for their water needs. No owner will do anything which will damage or adversely affect the system.
3. Until all the lots are sold, the undersigned owners shall determine the maintenance costs and management of the well and system, however, the owners of each lot shall be assessed one-fourth (1/4) of the expense.
4. Upon all the lots being sold by the undersigned owners, then a three-fourths vote of the four lot owners will determine any action concerning the well and irrigation. Each owner will be responsible for paying for the system located on their property

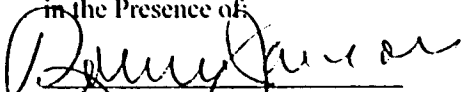
OR 1269PG 1780

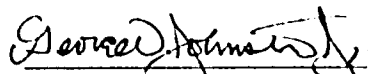
property for irrigation and plumbing and for installation of piping to the well, but all owners will be responsible for the cost of the well. The owners may hire or delegate the maintenance and repair of the well and connection system to whomever they determine is for the best interest of all parties

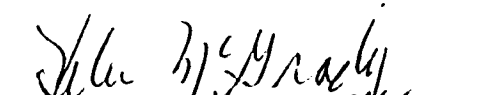
5. The owners shall have a lien against each owners's property for their share of the costs which may be enforced by foreclosure of liens under Florida law.

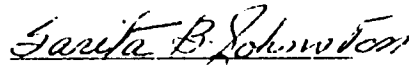
This Second Declaration of Restriction Covenants was executed by the Owners, this 21 day of APRIL, 1999.

Signed, Sealed and Delivered
in the Presence of:


Witness name: ROBERT JACKSON


GEORGE D. JOHNSTON JR.
184-400 Ocean Road
Vero Beach, FL 32963

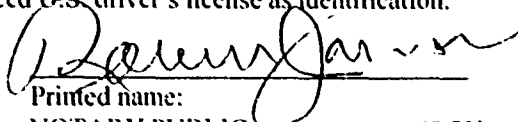

Witness name: HELEN MCGINLEY


SARITA B. JOHNSTON
184-400 Ocean Road
Vero Beach, FL 32963

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this 21 day of APRIL,
1999, by GEORGE D. JOHNSTON JR. and SARITA B. JOHNSTON who are personally known
to me and who have produced U.S. driver's license as identification.



Printed name:

NOTARY PUBLIC **ROBERT JACKSON**

My commission expires:



ROBERT JACKSON
My Commission CC470085
Expires Jul 10, 1999
Bonded by ANB
#00-852-5878

OR 1269 PG 1782