

THIS INSTRUMENT PREPARED BY
AND TO BE RETURNED TO:
Benjamin E. Wilson, Esq.
The Viera Company
7380 Murrell Road, Suite 201
Viera, FL 32940
(321) 242-1200

CFN 2019077369, OR BK 8413 PAGE 2260,
Recorded 04/15/2019 at 02:43 PM, Scott Ellis, Clerk of
Courts, Brevard County
Pgs:4

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
EASEMENTS, RESERVATIONS AND RESTRICTIONS
FOR
SIERRA COVE NEIGHBORHOOD AREA**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, RESERVATIONS AND RESTRICTIONS FOR SIERRA COVE NEIGHBORHOOD AREA (this “**Amendment**”) is dated as of April 12, 2019 by THE VIERA COMPANY, a Florida corporation (“**Neighborhood Declarant**”). The effective date of this Amendment shall be the date that this Amendment is recorded in the Public Records of Brevard County, Florida (the “**Effective Date**”).

RECITALS:

WHEREAS, Neighborhood Declarant is the “Neighborhood Declarant” under that certain Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Sierra Cove Neighborhood Area recorded on February 12, 2019 in Official Records Book 8366, Page 2489, of the Public Records of Brevard County, Florida, as amended by that certain Amendment to Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Sierra Cove Neighborhood Area recorded on March 28, 2019 in Official Records Book 8400, Page 814, of the Public Records of Brevard County, Florida (collectively, the “**Declaration**”);

WHEREAS, under Article XI of the Declaration, Neighborhood Declarant has the unilateral right to amend the Declaration during the Class B Control Period, and, as of the date of this Amendment, the Class B Control Period remains in effect;

WHEREAS, pursuant to Article XI of the Declaration, Neighborhood Declarant desires to amend the Declaration as more particularly provided in this Amendment; and

WHEREAS, The Viera Company, a Florida corporation, as the “Community Declarant” under the Declaration (the “**Community Declarant**”), is joining in the execution of this Amendment to evidence its consent to the provisions of this Amendment.

NOW, THEREFORE, Neighborhood Declarant hereby amends the Declaration as set forth below pursuant to Article XI of the Declaration:

1. RECITALS: The above recitals are true and correct, and are incorporated into this Amendment by this reference.

2. DEFINED TERMS: Any capitalized term not otherwise defined in the above recitals or elsewhere in this Amendment shall have the meaning ascribed to such term in the Declaration.

3. AMENDMENTS: The Declaration is hereby amended as follows as of the Effective Date:

- a. Assessments: Article VIII, Section 1(a) of the Declaration is hereby deleted in its entirety and replaced with the following provisions (Note: Substantial rewording. See governing documents for current text):

“(a) Assignment of Points. Each Unit owned by a Class “A” member shall be allocated zero (0) points until such time as a certificate of occupancy is issued by Brevard County, Florida, for a residence constructed upon the Unit, after which time one (1) point shall be allocated to the Unit. The reduced point assignment provided for by the immediately preceding sentence is provided for in recognition of the fact that Units as to which certificates of occupancy have not been issued receive reduced levels of services from the Neighborhood Association due to the fact that there are no residents of the applicable Units. Notwithstanding the foregoing, each Unit owned by a Class “B” member shall be allocated one (1) point.”

4. JOINDER: The Community Declarant is joining in the execution of this Amendment to evidence its consent to the provisions of this Amendment.

5. FULL FORCE AND EFFECT: The terms, provisions and conditions set forth in the Declaration that are not modified in this Amendment remain unmodified and in full force and effect. In the event of a discrepancy between the terms and conditions of the Declaration and the terms and conditions of this Amendment, the terms and conditions of this Amendment shall prevail.

6. COUNTERPARTS: This Amendment may be executed in counterparts.

(SIGNATURES BEGIN ON THE FOLLOWING PAGE.)

IN WITNESS WHEREOF, Neighborhood Declarant has executed this Amendment as of the date set forth above.

WITNESSES:

Benjamin E. Wilson
Print Name: Benjamin E. Wilson
Charlene R. Spangler
Print Name: Charlene R. Spangler

NEIGHBORHOOD DECLARANT:

THE VIERA COMPANY,
a Florida corporation

By: Todd J. Pokrywa
Name: Todd J. Pokrywa
Title: President

Address: 7380 Murrell Road, Suite 201
Viera, Florida 32940

STATE OF FLORIDA)
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me on the 1st day of April 2019 by Todd J. Pokrywa, the President of The Viera Company, a Florida corporation, on behalf of the corporation, who is personally known to me.



Charlene R. Spangler
Notary Public, State of Florida
Print Name: Charlene R. Spangler
Commission No.: FF 219624
My Commission Expires: 5/27/2019

(JOINDERS BEGIN ON THE FOLLOWING PAGE.)

JOINDER

(COMMUNITY DECLARANT)

The Community Declarant hereby joins in the execution of this Amendment for the purpose of consenting to the terms and conditions of this Amendment

WITNESSES:

Benjamin E. Wilson
Print Name: Benjamin E. Wilson

Charlene R. Spangler
Print Name: Charlene R. Spangler

COMMUNITY DECLARANT:

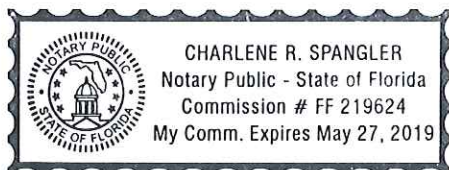
THE VIERA COMPANY,
a Florida corporation

By: Todd J. Pokrywa
Name: Todd J. Pokrywa
Title: President

Address: 7380 Murrell Road, Suite 201
Viera, Florida 32940

STATE OF FLORIDA)
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me on the 12th day of April 2019 by Todd J. Pokrywa, the President of The Viera Company, a Florida corporation, on behalf of the corporation, who is personally known to me.



Charlene R. Spangler
Notary Public, State of Florida
Print Name: Charlene R. Spangler
Commission No.: FF219624
My Commission Expires: 5/27/2019