

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 2021141071, OR BK 9140 PAGE 704,
Recorded 06/01/2021 at 04:16 PM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:4

**THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
EASEMENTS, RESERVATIONS AND RESTRICTIONS
FOR
ADELAIDE DISTRICT PROPERTY**

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, RESERVATIONS AND RESTRICTIONS FOR ADELAIDE DISTRICT PROPERTY (this “**Amendment**”) is dated as of June 1, 2021 by THE VIERA COMPANY, a Florida corporation (“**District 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, District Declarant is the “District Declarant” under that certain Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Adelaide District Property recorded on December 14, 2015 in Official Records Book 7511, Page 1644, of the Public Records of Brevard County, Florida (the “**Original Declaration**”), as amended by that certain Amendment to Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Adelaide District Property recorded on March 28, 2019 in Official Records Book 8400, Page 788, of the Public Records of Brevard County, Florida, and as amended by that certain Second Amendment to Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Adelaide District Property recorded on May 23, 2019 in Official Records Book 8447, Page 191, of the Public Records of Brevard County, Florida (collectively, the “**Declaration**”);

WHEREAS, under Article XI of the Original Declaration, District 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 Original Declaration, District 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, District 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. Definition of Units: The definition of "Unit" in Article I, Section 35 of the Declaration is hereby amended to include each of the following tracts of land, in addition to the land already included in the definition of "Unit" in Article I, Section 35 of the Declaration:

Tract H 1 and Tract H2, of AMENDMENT NO. 1 TO ADELAIDE, according to the plat thereof recorded in Plat Book 62, Page 34, of the Public Records of Brevard County, Florida.

4. JOINDER: The Community Declarant joins 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 ARE ON THE FOLLOWING PAGES.)

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

WITNESSES:

Charlene R. Spangler
Print Name: Charlene R. Spangler

Cheryl W. Dixon
Print Name: Cheryl W. Dixon

DISTRICT DECLARANT:

THE VIERA COMPANY,
a Florida corporation

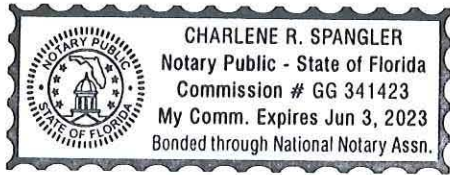
By: [Signature]
Name: Todd J. Pokrywa
Title: President

Address: 7380 Murrell Road, Suite 100
Viera, Florida 32940



STATE OF FLORIDA)
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me by physical presence or _____ online notarization on the 15th day of June 2021 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.: GG 341423
My Commission Expires: 6/3/2023

(JOINDER OF COMMUNITY DECLARANT IS 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:

COMMUNITY DECLARANT:

Charlene R. Spangler
Print Name: Charlene R. Spangler
Cheryl W. Dixon
Print Name: Cheryl W. Dixon

THE VIERA COMPANY,
a Florida corporation

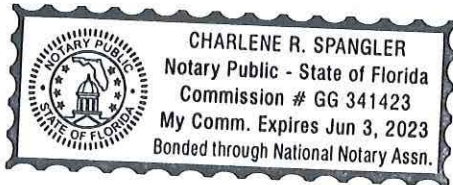
By: [Signature]
Name: Todd J. Pokrywa
Title: President

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



STATE OF FLORIDA)
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me by physical presence or online notarization on the 1st day of June 2021 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.: GG 341423
My Commission Expires: 6/3/2023