

DECLARATION OF COVENANTS
AND
RESTRICTIONS ON LAND

THIS DECLARATION, made as of the date set forth below by CROSS CREEK LAKE ESTATES, INC., a Florida Corporation, hereinafter referred to as "Declarant", governs the use of the following described land lying and situate in Indian River County, Florida:

The South 1/2 of the Northwest 1/4 of Section 30, Township 31
South, Range 39 East, Indian River County, Florida.

WHEREAS, Declarant is the owner of the Land as described above, which Declarant seeks to annex into the City of Sebastian, Florida,

NOW THEREFORE, Declarant hereby declares that all of said Land described above shall be held, sold and conveyed subject to the following restrictions and covenants, which are for the purpose of protecting the value and desirability of the Land, and shall run with said Land and be binding upon all parties having any right, title or interest in the Land or any part thereof, their heirs, successors and assigns, and shall accrue to the benefit of each owner thereof:

1. For a period of ten years from the date of annexation of the Land, Declarant, its heirs, successors or assigns, covenant that they shall not apply to rezone the Land, or otherwise seek to change the use of said Land, in any manner that results in a residential use density greater than 3 units per acre.

2. The City of Sebastian is designated as a third-party beneficiary of these Covenants and Restrictions, and Declarant stipulates that said third-party beneficiary shall be entitled to refuse any application or proposal submitted in violation of these Declarations without recourse by Declarant.

IN WITNESS WHEREOF the undersigned, being the Declarant herein, has caused these presents to be executed in its name by its duly authorized officer, as of this 2nd day of ~~May~~ June, 2004.

Signed, sealed & delivered
In the presence of:

DECLARANT:
Cross Creek Lake Estates, Inc.,
a Florida Corporation

Warren W Dill
Printed Name: Warren W Dill
Witness

By: Henry A Fischer
Henry A. Fischer, its President

Diana C Hill
Printed Name: Diana C Hill
Witness

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I HEREBY CERTIFY that on this day, before me an officer duly authorized in the State and in the County aforesaid to take acknowledgments, personally appeared Henry A. Fischer, as President of Cross Creek Lake Estates, Inc., a Florida Corporation, on behalf of the corporation, Declarant, to me known to be the person described in the foregoing instrument or who provided a Florida driver's license as identification, who executed the foregoing instrument and acknowledged before me that he executed the same. Said person was not under oath.

WITNESS my hand and official seal this 2nd day of ~~May~~ June, 2004.

Diana C Hill
Notary Public
My Commission Expires:



Diana C. Hill
MY COMMISSION # DD043145 EXPIRES
September 7, 2005
BONDED THRU TROY FAIN INSURANCE, INC.