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HOWARD, CLERK OF COURTS, OKALOOSA COUNTY FL

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Prepared By:  
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Cross - Reference to Declaration recorded in Official Records Book 1869 at Page 1878, amended at Book 2128 at Page 1074, Book 2143 at Page 1239, Book 2186 at Page 497, Book 2228 at Page 612, Book 2228 at Page 4189, Book 2273 at Page 2738, Book 2305 at Page 3722, Book 2329 at Page 630 and Book 2536 at Page 4018, all of the Public Records of Okaloosa County, Florida.

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**SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND  
RESTRICTIONS FOR KELLY PLANTATION**

THIS SUPPLEMENTAL DECLARATION is made this 26<sup>TH</sup> day of June 2012, by Kelly Plantation Partners, a Florida general partnership (hereinafter, with its successors and assigns, referred to as "Declarant").

WITNESSETH:

WHEREAS, on October 10, 1994, the initial Declarant, Kelly Plantation Partners, filed that certain Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation (the "Declaration"), which was recorded in Official Records Book 1869 at Page 1878, et seq., of the Public Records of Okaloosa County; and

WHEREAS, on February 13, 1998, the initial Declarant amended the Declaration by filing that certain Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation, which was recorded in Official Records Book 2128 at Page 1074, of the Public Records of Okaloosa County, Florida (the "First Amendment"); and

WHEREAS, on April 17, 1998, the initial Declarant further amended the Declaration by filing that certain Supplemental Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation, which was recorded in Official Records Book 2143 at Page 1239, et seq., of the Public Records of Okaloosa County, Florida; and

WHEREAS, on October 26, 1998, the initial Declarant further amended the Declaration by filing that certain Supplemental Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation, which was recorded in Official Records Book 2186 at Page 497, et seq., of the Public Records of Okaloosa County, Florida; and

WHEREAS, on October 20, 1999, the initial Declarant further amended the Declaration by filing that certain Supplemental Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation, which was recorded in Official Records Book 2186 at Page 497, et seq., of the Public Records of Okaloosa County, Florida; and

WHEREAS, on October 27, 1999, the initial Declarant further amended the Declaration by filing that certain Supplemental Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation, which was recorded in Official Records Book 2228 at Page 4189, et seq., of the Public Records of Okaloosa County, Florida; and

WHEREAS, on December 7, 2000, the initial Declarant further amended the Declaration by filing that certain Supplemental Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation, which was recorded in Official Records Book 2273 at Page 2728, et seq., of the Public Records of Okaloosa County, Florida; and

WHEREAS, on July 18, 2001, the initial Declarant further amended the Declaration by filing that certain Supplemental Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation, which was recorded in Official Records Book 2305 at Page 3722, et seq., of the Public Records of Okaloosa County, Florida; and

WHEREAS, on November 30, 2001, the initial Declarant further amended the Declaration by filing that certain Supplemental Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation, which was recorded in Official Records Book 2329 at Page 630, et seq., of the Public Records of Okaloosa County, Florida; and

WHEREAS, on June 2, 2004, the initial Declarant further amended the Declaration by filing that certain Supplemental Declaration of Covenants, Conditions, and Restrictions for Kelly Plantation, which was recorded in Official Records Book 2536 at Page 4018, et seq., of the Public Records of Okaloosa County, Florida; and

WHEREAS, the Declarant desires to effect a transfer of all Declarant rights and responsibilities to Kelly Plantation Owners Association, Inc. ("Association") and the Association has agreed to accept same; and

WHEREAS, Article XIII of the Declaration provides for the transfer of any or all of the Declarant's rights to any other Person through a written transfer document signed by the Declarant and recorded in the Official Records of Okaloosa County.

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby transfers all general Declarant rights and responsibilities provided in the Declaration to the Association. The provisions of this Supplemental Declaration shall be binding upon the Association in accordance with the terms of the Declaration.

**ARTICLE I**

**Definitions**

The definitions set forth in Article I of the Declaration and the First Amendment are incorporated herein by reference.

**ARTICLE II**

**Powers, Rights and Responsibilities Transferred**

It is the intention of the Declarant and the Association that the Kelly Plantation Partners will retain no ongoing powers, rights and responsibilities in the capacity of the initial Declarant after this Supplement is recorded in the Official Records of Okaloosa County. The Association will become the successor Declarant to Kelly Plantation Partners in holding and exercising all described powers, rights and responsibilities.

IN WITNESS WHEREOF, the undersigned have executed this Supplemental Declaration this 26<sup>th</sup> day of June, 2012.

**KELLY PLANTATION PARTNERS**  
a Florida general partnership

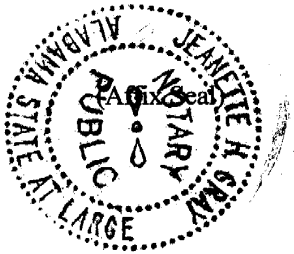
By: **Blount-McNeil, Inc.**  
Its Partner

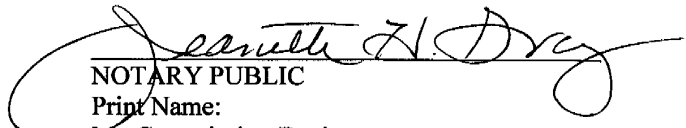
By:   
John A. McNeil, President

STATE OF Alabama

COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of June, 2012, by John A. McNeil, Jr., as President of Blount McNeil, Inc. who is personally known to me.



  
NOTARY PUBLIC  
Print Name:  
My Commission Expires:  
Commission No:

By: **Emerald Coast 300, Inc.**  
Its Partner

By: *Davage J. Runnels, Jr.*  
Davage J. Runnels, Jr., President

STATE OF FLORIDA  
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of June, 2012, by Davage J. Runnels, Jr., as President of Emerald Coast 300, Inc., who is personally known to me.



(Affix Seal)


*Vicki Spray*  
NOTARY PUBLIC  
Print Name:  
My Commission Expires:  
Commission No:

**KELLY PLANTATION OWNERS  
ASSOCIATION, a Florida non-profit corporation**

By:   
Chairman

STATE OF FLORIDA  
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this \_\_\_\_ day of June, 2012, by \_\_\_\_\_ as Chairman of the Board of Kelly Plantation Owners Association, Inc., on behalf of such corporation. Such person is personally known to me.

  
\_\_\_\_\_

NOTARY PUBLIC

Print Name:

My Commission Expires:

Commission No:

(Affix Seal)

