

THIS INSTRUMENT PREPARED BY
AND RETURNED TO:
RUSSELL D. GAUTIER, ESQUIRE
WILLIAMS, GAUTIER, GWYNN, DELOACH & SORENSON, P.A.
P. O. BOX 4128
TALLAHASSEE, FLORIDA 32315-4128

**SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR MISSION SAN MIGUEL**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR MISSION SAN MIGUEL is made and executed this 8th day of
May, 2007, by **San Miguel Partnership, LLP**, a Florida limited liability partnership,
whose address is 537 Frank Shaw Road, Tallahassee, Florida 32312 (hereinafter referred to as the
“Declarant”)

W I T N E S S E T H:

WHEREAS, the Declarant subjected certain property located in Leon County, Florida to
certain easements, restrictions, covenants and conditions pursuant to that Declaration of
Covenants, Conditions and Restrictions for Mission San Miguel dated December 8, 2005, and
recorded in Official Records Book 3571, Page 1500, of the Public Records of Leon County,
Florida, as amended by that First Amendment to Declaration of Covenants, Conditions and
Restrictions for Mission San Miguel, dated September 26, 2006 and recorded in Official Records
Book 3587, Page 2183, Public Records of Leon County, Florida (hereinafter referred to as the
“Declaration”); and



WHEREAS, the Declarant did not intend to subject to the Declaration all of the property described in "Exhibit A" attached to the Declaration; and

WHEREAS, the Declarant desires to amend the Declaration to correctly include all property intended to be subjected to the Declaration.

NOW, THEREFORE, in consideration of the hereinabove set forth premises, the hereinafter set forth terms and conditions and other good and valuable considerations, the receipt and sufficient of which are hereby acknowledged, the Declarant hereby amends the Declaration as follows:

1. The Declaration is hereby amended by substituting and replacing "Exhibit A" attached to the Declaration in its entirety with the "Exhibit A" attached hereto and made a part hereof.

2. Section 4, Article I, of the Declaration is hereby amended in its entirety to read as follows:

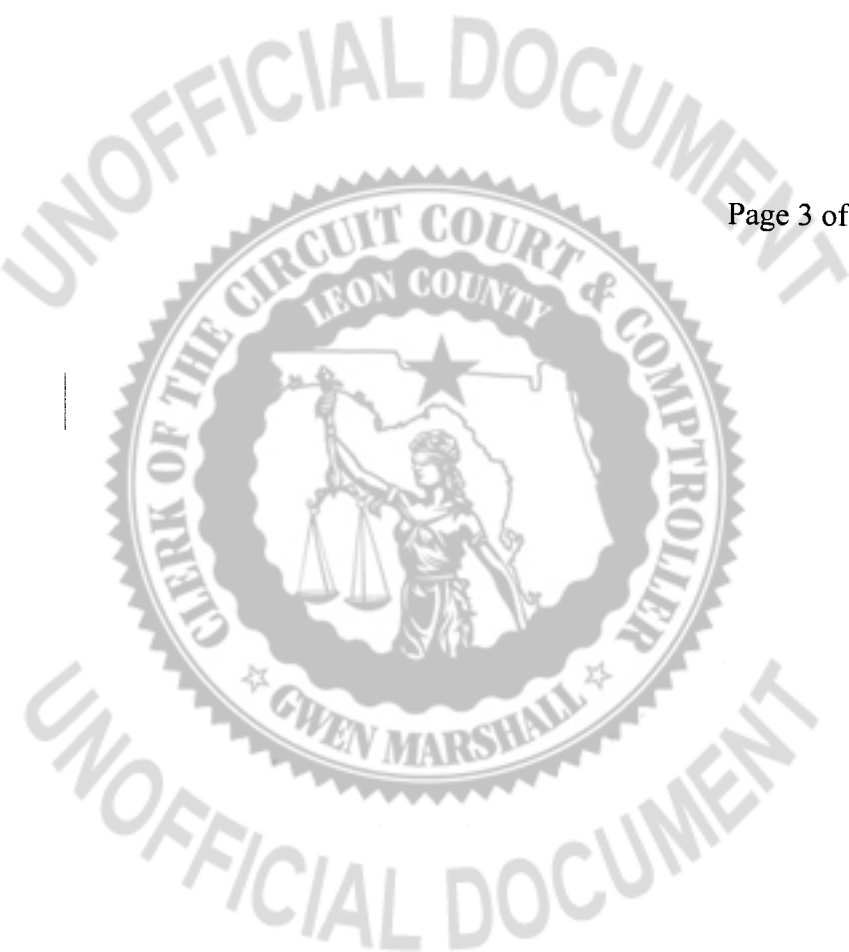
Section 4. "Lot" shall mean and refer to each numbered lot as depicted on the Plat of Mission San Miguel, except for Lot 1, Block E, which shall not be subject to this Declaration unless and until annexed pursuant to Article 3 of this Declaration. Subject to compliance with applicable laws, ordinances and regulations, the Declarant shall have the right to modify and change boundary lines to each Lot as long as the Declarant owns the Lot, which modification or change may be effected by the deed of conveyance by the Declarant or by an amendment to this Declaration.



3. Article VI of the Declaration is hereby amended by adding the following:
The driveway on Lot 3, Block C, and the driveway on Lot 4, Block C, shall each be aligned with one of the two driveway cuts at the parking area within the Common Area located directly across Archangel Way from the said Lots.

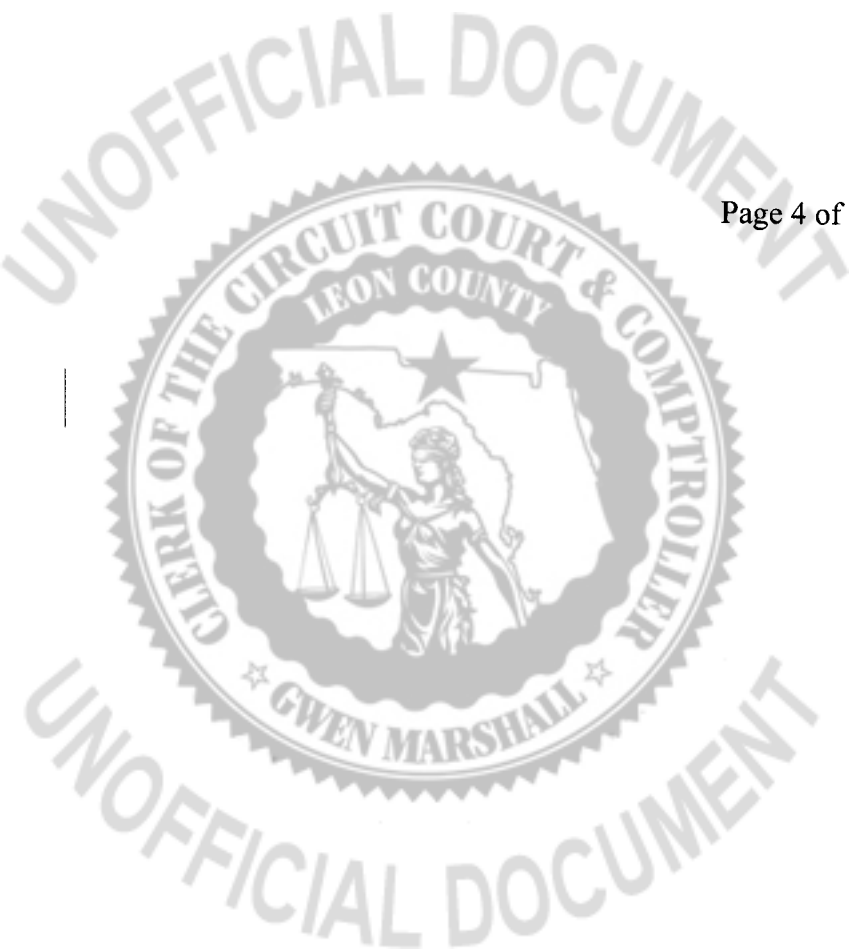
4. Article V of the Declaration is hereby amended by adding the following Section 3:
Section 3. Conservation Easements. The Declarant has granted to Leon County, Florida, certain Conservation Easements over and across the property described and depicted on the Plat of Mission San Miguel as Conservation Easements. The Conservation Easements are recorded in Official Records Book 3696, Page 2351, Official Records Book 3696, Page 2360, Official Records Book 3696, Page 2370 and Official Records Book 3696, Page 2382, Public Records of Leon County, Florida. As set forth in the Conservation Easements, the following activities are prohibited within the conservation easement areas, subject to the terms, conditions and exceptions set forth in the Conservation Easements:

1. Construction or placing of buildings, roads, signs, billboards or other advertising or utilities.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials, except as noted in the Conservation Easements.



3. Removal or destruction of trees, shrubs, or other vegetation, except as noted in the Conservation Easements in relation to the maintenance of the existing dam.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface, except as noted in the Conservation Easements.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Nothing contained herein shall be construed to prohibit any activity that is specifically approved by Leon County in connection with any development order or approval issued by Leon County.



5. Article XX is hereby amended in its entirety to read as follows:

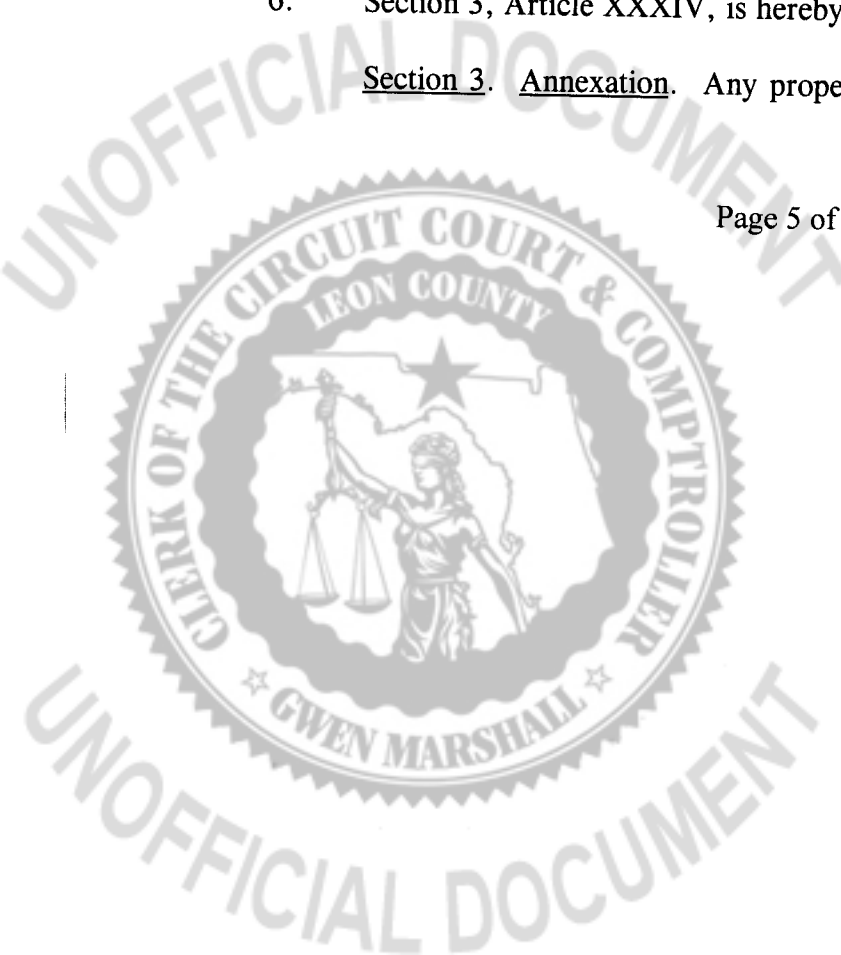
ARTICLE XX

ACCESS TO OTHER PROPERTY

Neither the Association nor any Owner shall permit or otherwise authorize any portion of any Lot or any portion of any roadway, driveway, street, parking area or other common area to be utilized as a pedestrian or vehicular easement, roadway, driveway, street or other means or method of access, ingress or egress to areas or property not included within the Properties without the prior written approval of the Declarant which may be withheld in the Declarant's sole discretion. The purpose of this provision is to preserve and protect the integrity of the exterior boundaries of the Properties, and to preclude and prohibit any break in those boundaries by any easement, roadway, driveway or street granted, permitted or otherwise created by the Association or any Owner without the prior written approval of the Declarant. The Declarant reserves the right to grant such easements or create such roadways upon land or Lots owned by the Declarant as the Declarant, in the Declarant's sole discretion, determines necessary, appropriate or desirable. The foregoing restrictions and prohibitions shall include any connection to any roadway or street within the Properties. The Declarant shall have the right to assign the Declarant's rights hereunder.

6. Section 3, Article XXXIV, is hereby amended in its entirety to read as follows:

Section 3. Annexation. Any property within the property described in



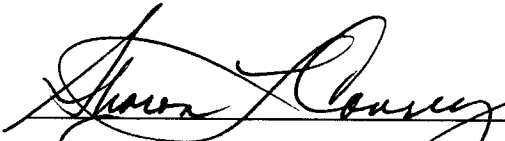
“Exhibit C” attached hereto may be annexed to the Properties by the Declarant without the consent of any member, the Association or any third party. Such annexation may include additions to the Common Areas. Additional property may be annexed to the Properties with the consent of two-thirds (2/3) of the Lot Owners. Any such annexation shall be effected by an amendment to this Declaration recorded in the Public Records of Leon County, Florida. Any such annexation shall subject said land to these covenants, conditions and restrictions, and the owners of each lot in such annexed area shall have the same rights, benefits, obligations and duties as the Owners of the Lots described in this Declaration.

7. The Declaration, as amended hereby, shall remain in full force and effect.

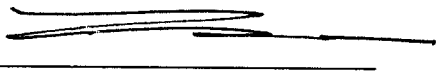
IN WITNESS WHEREOF, the Declarant has caused these presents to be executed and its seal affixed hereto the day and year first above written.

WITNESSES:

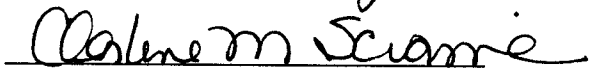
San Miguel Partnership, LLP, a Florida limited liability partnership



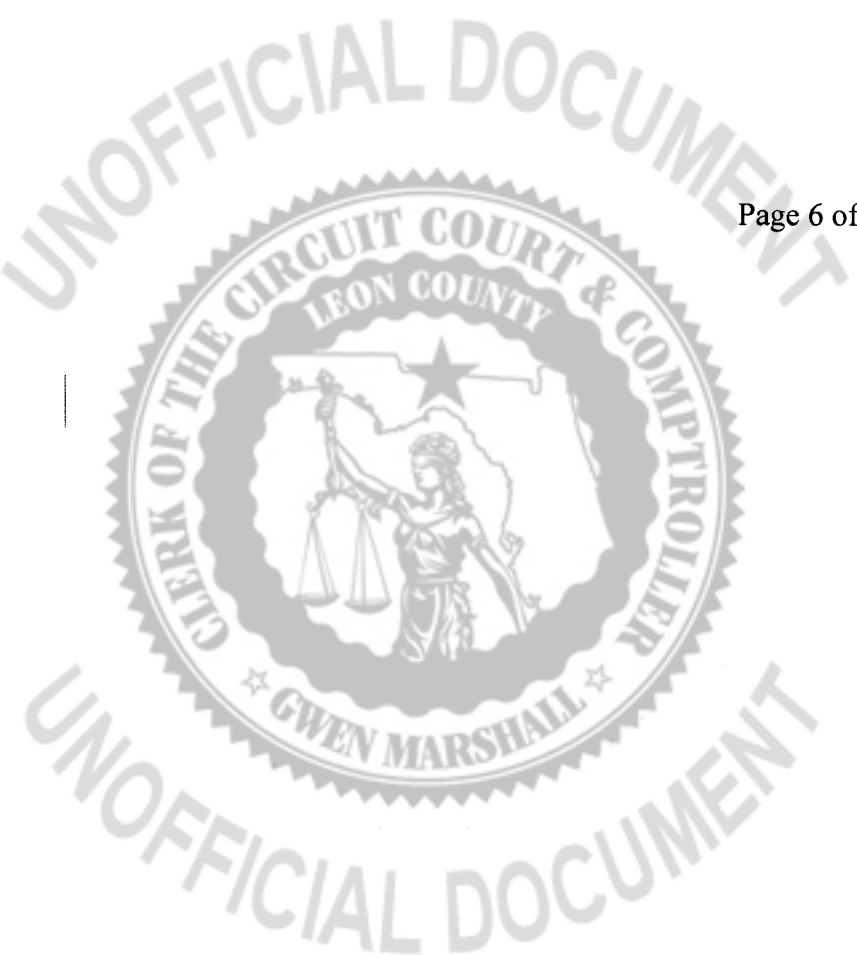
SHARON L. COURTNEY
Print or type name.

By: 

Charles A. White
Its: Managing Partner



Charlene M. Sciamie
Print or type name.



STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 8th day of May, 2007, by Charles A. White, as Managing Partner of San Miguel Partnership, LLP, a Florida limited liability partnership, on behalf of the company. He

- is personally known to me, or
- has produced _____ as identification.

Charlene M. Sciame
Notary Public

NOTARY PUBLIC **Charlene M. Sciame**
 Commission # DD441159
 Expires September 4, 2009
 STATE OF FLORIDA Bonded Troy Fam - Insurance, Inc 800-385-7019

 Print or Type Name
 NOTARY PUBLIC
 My Commission Expires:

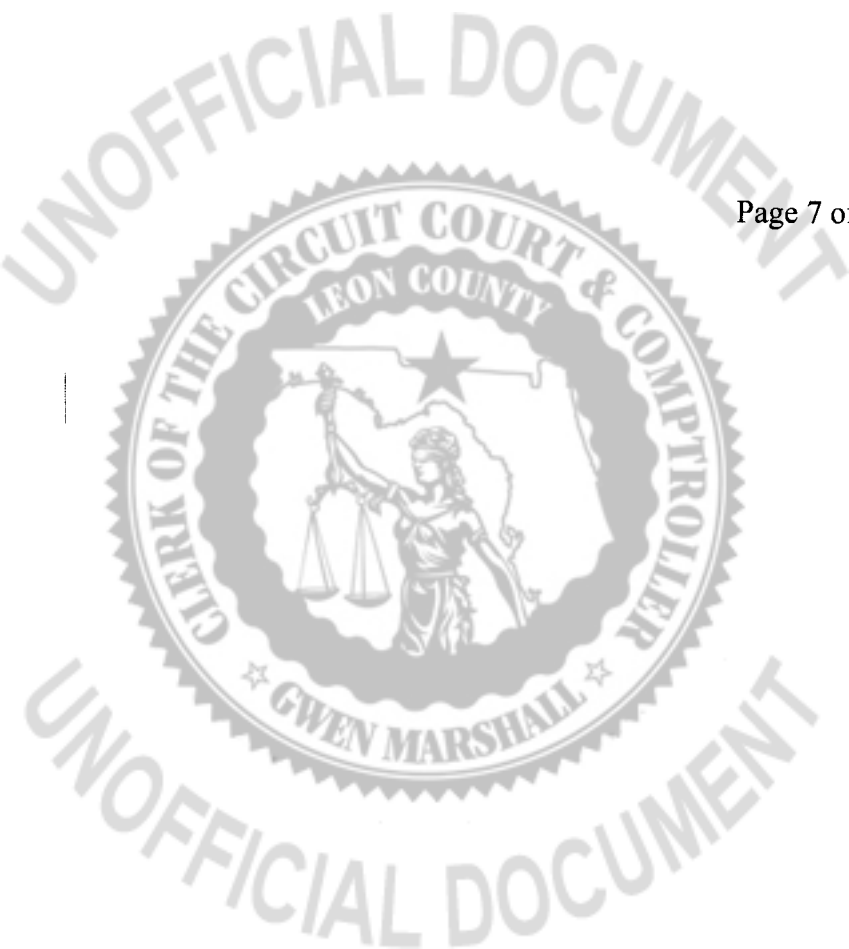


EXHIBIT A

A tract of land lying in Section 15, Township 1 North, Range 2 East, Leon County, Florida, more particularly described as follows:

Commence at a concrete monument marking the Northeast corner of said Section 15 and run South 89 degrees 51 minutes 37 seconds West along the North boundary of said Section 15 a distance of 1538.95 feet to an iron pin marking the Northwest corner of a 1 acre parcel of land described in Deed Book 75, Page 236 of the Public Records of Leon County, Florida, for the POINT OF BEGINNING. From said POINT OF BEGINNING continue South 89 degrees 51 minutes 37 seconds West along the North boundary of said Section 15 a distance of 880.17 feet to the Southerly right of way boundary of U.S. Highway No. 90 (150 foot right of way), thence South 80 degrees 07 minutes 47 seconds West along said right of way boundary 354.83 feet to a concrete monument, thence South 10 degrees 06 minutes 17 seconds West 2571.17 feet to an iron pipe, thence South 09 degrees 25 minutes 12 seconds West 526.25 feet to a concrete monument, thence South 05 degrees 40 minutes 21 seconds West 216.00 feet to a concrete monument, thence South 02 degrees 12 minutes 39 seconds East 623.70 feet to an iron pipe, thence South 89 degrees 31 minutes 13 seconds West 1875.60 feet to a concrete monument, thence North 68 degrees 34 minutes 17 seconds West 160.22 feet to a nail and cap in the center of paving of Chaires Road, thence South 00 degrees 48 minutes 48 seconds West along the center of said paving 5.14 feet to a nail and cap marking a point of curve to the left, thence along the center of said paving and along said curve with a radius of 10,084.28 feet, through a central angle of 01 degree 15 minutes 00 seconds, for an arc distance of 220.00 feet to a nail and cap, thence South 00 degrees 26 minutes 12 seconds East along the center of said paving 92.42 feet to a nail and cap on the Northerly right of way boundary of a limited access of Interstate 10, thence North 89 degrees 33 minutes 48 seconds East along said right of way boundary 29.56 feet to a Department of Transportation iron pin, thence South 24 degrees 38 minutes 07 seconds East along the Easterly boundary of said limited access right of way boundary 109.71 feet to a Department of Transportation iron pin, thence South 00 degrees 29 minutes 09 seconds East along said Easterly right of way boundary 751.63 feet to a Department of Transportation iron pin on the North right of way boundary of Interstate 10, thence North 89 degrees 57 minutes 48 seconds East along said right of way boundary 1566.11 feet to a Department of Transportation iron pin, thence North 86 degrees 30 minutes 15 seconds East along said right of way boundary 500.41 feet to a Department of Transportation iron pin, thence North 89 degrees 57 minutes 48 seconds East along said right of way boundary 400.00 feet to a Department of Transportation iron pin, thence South 86 degrees 52 minutes 15 seconds East along said right of way boundary 900.81 feet to a Department of Transportation iron pin, thence North 89 degrees 57 minutes 48 seconds East along said right of way boundary 561.26 feet to a concrete monument marking the Southwest corner of property described in Official Records Book 691, Page 412 of the Public Records of Leon County, Florida, thence North 00 degrees 35 minutes 11 seconds West along the West boundary of said property 2815.44 feet to a concrete monument marking the Northwest corner of said property, thence North 00 degrees 19 minutes 51 seconds West 950.86 feet to an iron pin in the North side of a 36" oak tree marking the Southwest corner of property described in Official Records Book 1016, Page 623 of the Public Records of Leon County, Florida, thence North 01 degree 03 minutes 01 second East along the West boundary of said property 1120.06 feet to a concrete monument marking the Southeast corner of said 1 acre tract described in Deed Book 75, Page 236, thence South 89 degrees 51 minutes 37 seconds West along the South boundary of said property 209.00 feet to a concrete monument, thence North 01 degree 03 minutes 01 second East along the West boundary of said property 209.00 feet to the POINT OF BEGINNING; containing 258.77 acres, more or less.

The foregoing described property being subject to the maintained right of way boundaries of Chaires Road and Wadesboro Road.

LESS AND EXCEPT the following described parcel:



EXHIBIT A

LEGAL DESCRIPTION:

LOT 1, BLOCK "E", MISSION SAN MIGUEL

A tract of land located in Section 15, Township 1 North, Range 2 East, Leon County, Florida being a portion of the lands described in Official Records Book 1994, Page 1200, Public Records of Leon County, Florida and more particularly described by recent survey as follows:

Commence at a concrete monument marking the Northeast corner of Section 15, Township 1 North, Range 2 East, Leon County, Florida; thence South 89 degrees 52 minutes 57 seconds West along the North boundary of said Section 15 to the Northwest corner of a one-acre parcel as described in Deed Book 75, Page 236, Public Records of Leon County, Florida, a distance of 1,539.11 feet; thence continue South 89 degrees 52 minutes 57 seconds West along said North boundary, a distance of 880.31 feet to the Southerly right of way boundary of U.S. Highway 90; thence South 80 degrees 07 minutes 12 seconds West along said Southerly right of way boundary, a distance of 354.74 feet to a concrete monument marking the Northwest corner of that certain parcel described in Official Records Book 1994, Page 1200, Public Records of Leon County, Florida; thence along the Westerly boundary of said parcel as follows: South 10 degrees 06 minutes 35 seconds West, a distance of 2,571.15 feet to an iron pipe; thence South 09 degrees 24 minutes 58 seconds West, a distance of 526.30 feet to a concrete monument (#1254); thence South 05 degrees 36 minutes 55 seconds West, a distance of 216.03 feet to an iron rod and cap (LB #732); thence South 02 degrees 11 minutes 56 seconds East, a distance of 623.77 feet to an iron pipe marking the POINT OF BEGINNING. From said POINT OF BEGINNING run thence North 89 degrees 31 minutes 08 seconds East, a distance of 1,099.31 feet; thence South 00 degrees 00 minutes 25 seconds East, a distance of 1,135.03 feet to a point of intersection with the Northerly right of way boundary of a limited access of Interstate 10 (State Road No. 8) as shown on the Florida Department of Transportation Right of Way Map for Section 55320-2404; thence the following courses along the Northerly boundary of said limited access of Interstate 10 as follows: North 86 degrees 51 minutes 38 seconds West, a distance of 577.54 feet; thence South 89 degrees 56 minutes 50 seconds West, a distance of 400.05 feet; thence South 86 degrees 31 minutes 33 seconds West, a distance of 500.33 feet; thence South 89 degrees 57 minutes 44 seconds West, a distance of 1,566.11 feet to a point of intersection with Easterly right of way boundary of Chaires Cross Road; thence North 00 degrees 28 minutes 35 seconds West along said Westerly right of way boundary, a distance of 751.64 feet; thence North 24 degrees 38 minutes 53 seconds West, a distance of 109.66 feet; thence South 89 degrees 33 minutes 03 seconds West, a distance of 11.28 feet to a point of intersection with the Easterly maintained right of way boundary of Chaires Cross Road as shown on the Leon County Department of Public Works Maintenance Map; thence along said maintained right of way boundary as follows: North 01 degrees 47 minutes 01 seconds West, a distance of 69.85 feet; thence North 00 degrees 54 minutes 48 seconds East, a distance of 100.18 feet; thence North 08 degrees 42 minutes 29 seconds West, a distance of 21.04 feet; thence North 05 degrees 52 minutes 34 seconds West, a distance of 10.44 feet; thence North 00 degrees 52 minutes 54 seconds East, a distance of 27.03 feet; thence North 11 degrees 07 minutes 06 seconds East, a distance of 6.81 feet; thence North 02 degrees 18 minutes 43 seconds East, a distance of 35.21 feet; thence North 03 degrees 01 minutes 33 seconds West, a distance of 37.28 feet; thence North 67 degrees 15 minutes 50 seconds West, a distance of 6.65 feet; thence North 00 degrees 49 minutes 56 seconds East, a distance of 4.37 feet; thence leaving said maintained right of way boundary run South 68 degrees 33 minutes 10 seconds East, a distance of 151.18 feet; thence North 89 degrees 31 minutes 08 seconds East, a distance of 1,875.18 feet to the POINT OF BEGINNING, containing 78.26 acres, more or less.



UNOFFICIAL DOCUMENT

EXHIBIT C

LEGAL DESCRIPTION:

LOT 1, BLOCK "E", MISSION SAN MIGUEL

A tract of land located in Section 15, Township 1 North, Range 2 East, Leon County, Florida being a portion of the lands described in Official Records Book 1994, Page 1200, Public Records of Leon County, Florida and more particularly described by recent survey as follows:

Commence at a concrete monument marking the Northeast corner of Section 15, Township 1 North, Range 2 East, Leon County, Florida; thence South 89 degrees 52 minutes 57 seconds West along the North boundary of said Section 15 to the Northwest corner of a one-acre parcel as described in Deed Book 75, Page 236, Public Records of Leon County, Florida, a distance of 1,539.11 feet; thence continue South 89 degrees 52 minutes 57 seconds West along said North boundary, a distance of 880.31 feet to the Southerly right of way boundary of U.S. Highway 90; thence South 80 degrees 07 minutes 12 seconds West along said Southerly right of way boundary, a distance of 354.74 feet to a concrete monument marking the Northwest corner of that certain parcel described in Official Records Book 1994, Page 1200, Public Records of Leon County, Florida; thence along the Westerly boundary of said parcel as follows: South 10 degrees 06 minutes 35 seconds West, a distance of 2,571.15 feet to an iron pipe; thence South 09 degrees 24 minutes 58 seconds West, a distance of 526.30 feet to a concrete monument (#1254); thence South 05 degrees 36 minutes 55 seconds West, a distance of 216.03 feet to an iron rod and cap (LB #732); thence South 02 degrees 11 minutes 56 seconds East, a distance of 623.77 feet to an iron pipe marking the POINT OF BEGINNING. From said POINT OF BEGINNING run thence North 89 degrees 31 minutes 08 seconds East, a distance of 1,099.31 feet; thence South 00 degrees 00 minutes 25 seconds East, a distance of 1,135.03 feet to a point of intersection with the Northerly right of way boundary of a limited access of Interstate 10 (State Road No. 8) as shown on the Florida Department of Transportation Right of Way Map for Section 55320-2404; thence the following courses along the Northerly boundary of said limited access of Interstate 10 as follows: North 86 degrees 51 minutes 38 seconds West, a distance of 577.54 feet; thence South 89 degrees 56 minutes 50 seconds West, a distance of 400.05 feet; thence South 86 degrees 31 minutes 33 seconds West, a distance of 500.33 feet; thence South 89 degrees 57 minutes 44 seconds West, a distance of 1,566.11 feet to a point of intersection with Easterly right of way boundary of Chaires Cross Road; thence North 00 degrees 28 minutes 35 seconds West along said Westerly right of way boundary, a distance of 751.64 feet; thence North 24 degrees 38 minutes 53 seconds West, a distance of 109.66 feet; thence South 89 degrees 33 minutes 03 seconds West, a distance of 11.28 feet to a point of intersection with the Easterly maintained right of way boundary of Chaires Cross Road as shown on the Leon County Department of Public Works Maintenance Map; thence along said maintained right of way boundary as follows: North 01 degrees 47 minutes 01 seconds West, a distance of 69.85 feet; thence North 00 degrees 54 minutes 48 seconds East, a distance of 100.18 feet; thence North 08 degrees 42 minutes 29 seconds West, a distance of 21.04 feet; thence North 05 degrees 52 minutes 34 seconds West, a distance of 10.44 feet; thence North 00 degrees 52 minutes 54 seconds East, a distance of 27.03 feet; thence North 11 degrees 07 minutes 06 seconds East, a distance of 6.81 feet; thence North 02 degrees 18 minutes 43 seconds East, a distance of 35.21 feet; thence North 03 degrees 01 minutes 33 seconds West, a distance of 37.28 feet; thence North 67 degrees 15 minutes 50 seconds West, a distance of 6.65 feet; thence North 00 degrees 49 minutes 56 seconds East, a distance of 4.37 feet; thence leaving said maintained right of way boundary run South 68 degrees 33 minutes 10 seconds East, a distance of 151.18 feet; thence North 89 degrees 31 minutes 08 seconds East, a distance of 1,875.18 feet to the POINT OF BEGINNING, containing 78.26 acres, more or less.

