

Recording: \$ 15.00

**THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:**

C - Samuel A. Block, Esq.
2127 10th Avenue
Vero Beach, FL 32960

IN THE RECORDS OF
JEFFREY K. BARTON
CLERK CIRCUIT COURT
INDIAN RIVER CO., FLA.

15.00

**CERTIFICATE OF FOURTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND LIMITATIONS FOR OCEAN COLONY**

KNOW ALL MEN BY THESE PRESENTS:

THAT THIS CERTIFICATE OF FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND LIMITATIONS FOR OCEAN COLONY is made as of the 19th day of May, 1999, by OCEAN COLONY PROPERTY OWNERS' ASSOCIATION, INC., a Florida corporation (hereinafter referred to as the "Association").

WITNESSETH:

WHEREAS, under ARTICLE XIII, Section 6, Amendments, the Declaration may be amended at any time and from time to time upon the execution and recording of an instrument executed by the President and Secretary of the Association acknowledging and affirming that the Owners holding not less than two-thirds (2/3rds) of the voting interests of the membership in the Association have approved said amendment; and

WHEREAS, all of the requirements necessary to effect an amendment to the Declaration have been met, including the holding of a special meeting of the membership after notice, at which a quorum was present and the amendments adopted.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confirmed, and for purposes of protecting the value, attractiveness, and desirability of the Property, as said Property is defined in the Declaration, the Association hereby amends the Declaration as follows:

1. The above recitals are affirmed as being true and correct and are hereby incorporated herein by reference.
2. The Declaration is hereby modified and amended as set forth below. Any conflicting provision in the Declaration is hereby declared to be modified, amended, or deleted to the extent that it conflicts with the following:

A. ARTICLE III, PROPERTY RIGHTS, Section 4, Regulation of and Use of Lots, sub-paragraph (d) is hereby deleted in its entirety and shall now read as follows:

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(d) No trucks, boats or boat trailers, or recreational vehicles, including campers, buses, mobile homes, motorhomes, or other motor vehicles, except four wheel passenger automobiles, sport utility vehicles, or passenger minivans, shall be placed, parked or stored upon any Lot or in any garage, except service or construction companies using trucks in the normal course of their business in constructing improvements on the Property after prior written ARB approval of and consent to the same, nor shall any maintenance or repair be performed upon any motor vehicle upon any Lot, or within any garage.

B. Paragraph 2(k) of the Certificate of Amendment to Declaration of Covenants, Conditions, Restrictions, and Limitations for Ocean Colony dated May 4, 1995, as recorded in Official Records Book 1058, at Page 1329, of the Public Records of Indian River County, Florida, is amended to read as follows:

(k) No truck, van, or other commercial vehicle, including, but not limited to "El Camino" type vehicles, shall be permitted to be parked on any Lot for a period of more than four (4) hours, unless such vehicle is necessary in the actual construction or repair of a residence or for ground/landscape maintenance. No truck, pick-up, "El Camino" type vehicle, van, or vehicle, other than a non-commercial four (4) wheel passenger automobile, shall be permitted to be parked overnight on any Lot unless the same is fully enclosed inside a garage of a residence.

3. Except as specifically modified and amended by this instrument and except as previously modified and amended, the terms and conditions of the Declaration shall remain unchanged and in full force and effect and are expressly re-affirmed by this instrument.

IN WITNESS WHEREOF, the undersigned has hereunto caused this instrument to be executed on the date set forth above.

Signed, Sealed and Delivered
in the Presence of:

Lara R. Whaley
(Name:) LARA R. WHALEY
Anne Surkin
(Name:) ANNE SURKIN

"ASSOCIATION"
OCEAN COLONY PROPERTY OWNERS'
ASSOCIATION, INC., a Florida corporation

By: Thomas E. Whaley
THOMAS WHALEY, President

OR 1280PG0387

Shirley Kay Karanigan
(Name) SHIRLEY KAY KARANIGAN
Edward M. Sibble
(Name) EDWARD M. SIBBLE

Attest: Fred L. Sorkin
FRED SORKIN, Secretary

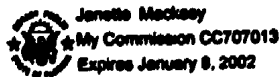
STATE OF FLORIDA)
) :SS.
COUNTY OF INDIAN RIVER)

I HEREBY CERTIFY that before me, an officer duly authorized to take acknowledgments, personally appeared THOMAS WHALEY and FRED SORKIN, as President and Secretary, respectively, of OCEAN COLONY PROPERTY OWNERS' ASSOCIATION, INC., a Florida corporation, to me known to be the persons described in and/or who produced _____ as identification, and acknowledged before me that they executed the foregoing instrument on behalf of said corporation for the purposes therein set forth.

WITNESS my hand and official seal in the state and county last aforesaid this 19th day of May, 1999.

J. Carole Mackey
Notary Public, State of Florida
Printed Name of Notary
My Commission Expires:

(SEAL)



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