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1908 - 2001

BERT H. LANE
1917 - 1981

April 18, 2019

Mrs. Helen Gibson, AICP
CRA Administrator
222 W. Main Street
Pensacola, Florida 32502

Re: CRA/Hawkshaw Development Group

Dear Helen:

Please find enclosed original First Amendment to Declaration of Conditions, Covenants and Restrictions which has been recorded in O.R. Book 8080, at Page 1546 of the Public Records of Escambia County, Florida.

Very truly yours,

Kimberley Johnson
Assistant to John P. Daniel

Enclosure

THIS INSTRUMENT PREPARED BY
AND RETURN TO:
John P. Daniel, Esq.
Beggs & Lane, RLLP
501 Commendencia Street
Pensacola, Florida 32503

Pam Childers
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY FLORIDA
INST# 2019033944 4/18/2019 11:37 AM
OFF REC BK: 8080 PG: 1546 Doc Type: AMD
Recording \$35.50

STATE OF FLORIDA
COUNTY OF ESCAMBIA

**FIRST AMENDMENT TO DECLARATION OF CONDITIONS,
COVENANTS AND RESTRICTIONS**

THIS FIRST AMENDMENT TO DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS (this "Amendment") is made this 18th day of April, 2019, by and between COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PENSACOLA, a public body, corporate and politic, of the State of Florida ("Declarant"), whose address is 222 West Main Street, Pensacola, Florida 32502, and HAWKSHAW DEVELOPMENT GROUP, LLC, a Florida limited liability company ("Owner"), whose address is 657 E. Romana Street, Pensacola, Florida 32502.

WITNESSETH:

WHEREAS, Owner is the fee simple owner of the "Property" that is defined in and subject to that certain Declaration of Conditions, Covenants and Restrictions dated February 21, 2018, executed by Declarant (the "Declaration"); and

WHEREAS, Declarant and Owner desire to amend the Declaration as hereinafter provided;

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants and conditions hereinafter set forth, and for other good and valuable consideration, Declarant and Owner hereby agree as follows:

(1) The foregoing recitals are true and correct and are hereby incorporated herein by reference.

(2) The first sentence of paragraph (a) of Section 3.01 of the Declaration is hereby deleted in its entirety and the following sentence is inserted in lieu thereof:

"No later than June 30, 2019 (the "Phase I Commencement Deadline"), Owner shall commence on-site construction of Phase I of the Project and shall certify in writing to Declarant that on-site construction of Phase I of the improvements has commenced."

(3) This Amendment shall be without prejudice to Owner's right to request that Declarant agree to future amendments to the Declaration.


(4) The Declaration, as hereby amended, is hereby ratified and affirmed.


(5) This Amendment contains the entire understanding and agreement between the parties with respect to the subject matter hereof, and all prior or contemporaneous negotiations, agreements, and understandings, whether verbal or written, are hereby superseded.

(6) This Amendment shall be governed by and construed in accordance with the laws of the State of Florida.

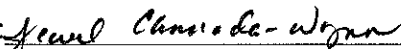
IN WITNESS WHEREOF, Declarant and Owner have executed this Amendment as of the date first set forth above, but this Amendment shall be effective *nunc pro tunc* as of February 20, 2019.

Signed, sealed and delivered
in the presence of:



Print Name: M. Helen Gibson

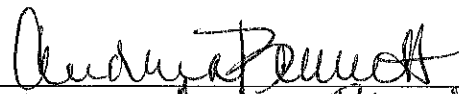

Print Name: Susan A. Woolf

**COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF
PENSACOLA**, a public body, corporate and
politic, of the State of Florida


By: 
Jewel Cannada-Wynn, Its Chairperson

Signed, sealed and delivered
in the presence of:


Print Name: Dawn McWhin


Print Name: Andrea Bennett

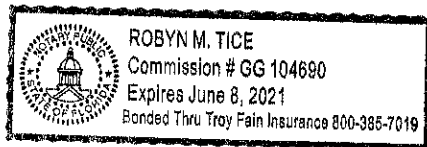
**HAWKSHAW DEVELOPMENT
GROUP, LLC**, a Florida limited liability
company

By: 
Robert B. Montgomery, Its Manager

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 17th day of April, 2019, by Jewel Cannada-Wynn, as Chairperson of the Community Redevelopment Agency of the City of Pensacola, a public body, corporate and politic, of the State of Florida, on behalf of said agency. Said person is personally known to me or produced a current Florida driver's license as identification.

[SEAL]



Robyn M. Tice
Notary Public Signature

Robyn M. Tice
Notary Public Printed Name

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 18th day of April, 2019, by Robert ~~G.~~ ^{B.} Montgomery, as Manager of Hawkshaw Development Group, LLC, a Florida limited liability company, on behalf of said company. Said person is personally known to me or produced a current Florida driver's license as identification.

[SEAL]



Dawn S. McLin
Notary Public Signature

Dawn S. McLin
Notary Public Printed Name

EXHIBIT "A"

Legal Description of the Property

ALL OF BLOCK 5, NEW CITY TRACT, ACCORDING TO THE MAP OF SAID CITY
COPYRIGHTED BY THOS. C. WATSON IN 1906.

AND

SOUTH 1/2 OF COLFAX ST. WHICH ABUTS TO THE NORTH AND THE WEST 39 FEET
OF 10th AVENUE WHICH ABUTS TO THE EAST.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF BLOCK 5, NEW CITY TRACT, ACCORDING
TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906;
THENCE GO NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WEST
LINE OF SAID BLOCK 5 A DISTANCE OF 200.00 FEET TO THE NORTHWEST CORNER
OF SAID BLOCK 5; THENCE CONTINUE NORTH 00 DEGREES 00 MINUTES 00
SECONDS EAST A DISTANCE OF 33.50 FEET TO THE CENTERLINE OF COLFAX
STREET (67' R/W), (VACATED); THENCE GO SOUTH 89 DEGREES 59 MINUTES 28
SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 390.29 FEET TO THE
INTERSECTION OF SAID CENTERLINE AND THE WEST RIGHT-OF-WAY LINE OF 10th
AVENUE (R/W WIDTH VARIES); THENCE CONTINUE SOUTH 89 DEGREES 59
MINUTES 28 SECONDS EAST A DISTANCE OF 39.00 FEET; THENCE GO SOUTH 00
DEGREES 02 MINUTES 11 SECONDS WEST A DISTANCE OF 233.42 FEET TO AN
EASTERLY EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF ROMANA STREET;
THENCE GO SOUTH 89 DEGREES 59 MINUTES 53 SECONDS WEST ALONG THE
EASTERLY EXTENSION OF SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF
39.00 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 5; THENCE CONTINUE
SOUTH 89 DEGREES 59 MINUTES 53 SECONDS WEST ALONG SAID NORTH RIGHT-
OF-WAY LINE OF ROMANA STREET, AND THE SOUTH LINE OF BLOCK 5, A
DISTANCE OF 390.14 FEET TO THE POINT OF BEGINNING.