

133,00 Rec.

RE-EXECUTION AND ACKNOWLEDGMENT  
OF  
DECLARATION OF RESTRICTIVE COVENANTS

GULF TO LAKES ASSOCIATES, LTD., Declarant under the foregoing Declaration of Restrictive Covenants, completes this Re-Execution and Acknowledgment of the Declaration to reflect the corporate office of the authorized officer of the General Partner and to correct an error in the notary acknowledgment. Wherefore, the undersigned executes this instrument on the 22 day of September, 1999.

Witnesses:

GULF TO LAKES ASSOCIATES, LTD.,  
a Florida limited partnership

LINDA STEVENS  
Name Printed or Typed

BY: Meadowcrest Development Corp., a  
Florida corporation  
General Partner

Nancy Schuetz  
Name printed or typed

By: [Signature]  
Stanley C. Olsen  
President

(Corporate Seal)

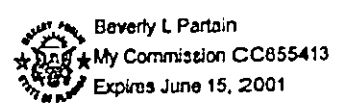
Address: 2600 West Black Diamond  
Circle  
Lecanto, FL 34461

STATE OF FLORIDA  
COUNTY OF Citrus

The foregoing instrument was acknowledged before me this 22 day of September, 1999, by Stanley C. Olsen, as President of Meadowcrest Development Corp., a Florida corporation, General Partner of Gulf To Lakes Associates, a Florida limited partnership, on behalf of the partnership. He is personally known to me or has produced \_\_\_\_\_ as identification.

NOTARY PUBLIC:

Sign: Beverly L. Partain  
Print: Beverly L. Partain



State of Florida At Large  
(Seal)

My Commission Expires:  
Title/Rank: CC655413, Notary Public  
Commission Number: \_\_\_\_\_

BK 1327PG0693

1999 SP 29 AM 9:40

This instrument Prepared By:  
Thomas S. Hart, Esq.  
Cobb Cole & Bell  
Post Office Box 2491  
150 Magnolia Avenue  
Daytona Beach, FL 32115-2491

1088605  
VERIFIED BY:  
SM D.C.

**DECLARATION OF RESTRICTIVE COVENANTS**

This Declaration of Restrictive Covenants is made this 17 day of August, 1999, by GULF TO LAKES ASSOCIATES, LTD., a Florida limited partnership, 2600 West Black Diamond Circle, Lecanto, Florida 34461 (hereinafter the "Declarant").

**WITNESSETH:**

WHEREAS, Declarant is the fee simple title holder of certain real property located in Marion County, Florida, more particularly described as follows:

See Legal Description of the Property attached as Exhibit "A" and incorporated by reference,

(the "Property"), and,

WHEREAS, Declarant has agreed as partial consideration for the sale of the land more particularly described as:

A portion of Lots 94, 95, 96 and 136, Crystal River Country Estates as recorded in Plat Book 7, Pages 147-154, Public Records of Citrus County, Florida, being more particularly described as follows:

Begin at the Northwest corner of Lot 94, Crystal River Country Estates as recorded in Plat Book 7, Pages 147-154, Public Records of Citrus County, Florida, said point being on the South right-of-way line of County Road No. 486, said point also being 50.00 feet from, measured at a right angle to, the centerline of said County Road No. 486; thence N 89°58'51" E along the North line of said Lot 94 and along the North line of Lot 95 as shown on said plat and along the South right-of-way line of said County Road No. 486, a distance of 310.00 feet; thence S 00°01'09" E 229.25 feet; thence S 89°58'51" W parallel to said South right-of-way line a distance of 409.73 feet to a point on the East right-of-way line of County Road No. 491, said point being 50.00 feet from, measured at a right angle to, the centerline of said County Road No. 491; thence N 23°29'30" E along said East right-of-way line a distance of 250.00 feet to the Point of Beginning.

THIS DECLARATION IS RE-RECORDED TO REFLECT RE-EXECUTION BY DECLARANT SHOWING CORPORATE OFFICE AND CORRECTED ACKNOWLEDGMENT.

1999 SP 29 AM 9:40

BK 1327PG0694

BK 1327PG0694

1999 AUG 19 PM 4:37

Less the following described lands recorded in Official Records Book 1063, Pages 1648-1650, Public Records of Citrus County, Florida:

A portion of Lot 94, Crystal River Country Estates, as recorded in Plat Book 7, Pages 147 through 154, Public Records of Citrus County, Florida, more particularly described as follows: Commence at the Northwest corner of Lot 94, Crystal River Country Estates, as recorded in Plat Book 7, Pages 147 through 154, Public Records of Citrus County, Florida; thence N 89°54'27" E along the Northerly boundary of said Lot 94 and along the Southerly right-of-way line of County Road No. 486, a distance of 3.11 feet to the Point of Beginning; thence continuing N 89°54'27" E along said Northerly boundary, a distance of 25.73 feet; thence S 52°40'52" W, a distance of 32.47 feet to a point on the East boundary of Section 28, Township 18 South, Range 18 East; thence N 00°18'07" E along said East boundary of Section 28, a distance of 19.65 feet to the Point of Beginning;

(the "**Benefitted Property**", depicted in Exhibit "A" as the Miller Parcel) to MILLER ENTERPRISES, INC., a Florida corporation, to establish specific restrictions and covenants limiting the use of the above described Property.

NOW THEREFORE, Declarant hereby declares that the above-described Property shall be held, sold, and conveyed subject to the following restrictions, covenants and conditions which shall run with the Property and be binding on all parties having any right, title or interest in the Property, their heirs, successors, and assigns, and shall run with the title to the Benefitted Property and inure to the benefit of all parties having any right, title or interest in the Benefitted Property:

1. Neither Declarant nor its successors, assigns, agents, lessees or sublessees, shall conduct or permit the conduct on the Property of, and the Property shall not be used for:

(a) A convenience store or drug store selling at retail any food or food products, dairy products, bakery or deli products, beer, wine or other alcoholic beverages for consumption on or off the premises; or

(b) The sale of motor fuels or petroleum products which are commonly sold at a retail or wholesale petroleum facility;

provided however, that the restrictions described in this Paragraph 1 shall not preclude the Property from being further subdivided to create freestanding "outparcels" for sale or lease to businesses primarily engaged in the sale of "fast food."

2. These restrictions shall be in effect:

(a) until the Benefitted Property ceases to be operated as a convenience store with food service and petroleum facilities (excluding periods of construction, renovation,

1999 SP 29 AM 9:40

BK 1327 PG 0695

BK 1321 PG 1042

1999 AU 19 PM 4:37

replacement or repair of improvements during which time operations may be temporarily suspended); or

(b) for a term of thirty (30) years from the date hereof;

whichever first occurs; provided however, the restrictions may be sooner cancelled or released, in whole or in part, by written instrument recorded in the public records of Citrus County, Florida, executed by the then owner of the Benefitted Property.

3. Enforcement of these restrictions and covenants shall be by legal action brought in a court of competent jurisdiction against any person or persons violating or attempting to violate any restriction or covenant. Said action may be for the recovery of damages or for injunctive relief to prohibit violation, or both as may be plead and proved by the party bringing the action. The prevailing party shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the court may adjudge as reasonable attorney fees for the attorney representing the prevailing party.

4. Invalidation of any provision hereof, or part thereof, by court order or adjudication shall not effect the validity or enforceability of any other provision of the Declaration, which shall remain in full force and effect.

IN WITNESS WHEREOF, I have set my hand and seal the day and date first above written.

WITNESSES:

\_\_\_\_\_  
Name Printed or Typed

\_\_\_\_\_  
Name printed or typed

GULF TO LAKES ASSOCIATES, LTD.,  
a Florida limited partnership

BY: Meadowcrest Development Corp., a  
Florida corporation  
General Partner

By:   
Stanley C. Olsen

(Corporate Seal)

Address: 2600 West Black Diamond  
Circle  
Lecanto, FL 34461

STATE OF FLORIDA

1999 SP 29 AM 9:40

BK 1327PG0696

BK 1321 PG 1013

1999 AU 19 PM 4:37

COUNTY OF BELKNAP

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of AUGUST, 1999, by Stephen J. Ferreira, as Vice President of Meadowcrest Development Corp., a Florida corporation, General Partner of Gulf To Lakes Associates, a Florida limited partnership, on behalf of the partnership. He is personally known to me or has produced FL LICENSE as identification.

NOTARY PUBLIC:

Sign: Louise E. Ellis  
Print: LOUISE E. ELLIS

State of Florida At Large NEW HAMPSHIRE  
(Seal)

My Commission Expires:

Title/Rank: \_\_\_\_\_  
Commission Number: LOUISE E. ELLIS, Notary Public  
Commission Expires August 22, 2000



1999 SP 29 AM 9:40

BK 1327PG0697

BK 1321 PG 1044

1999 AU 19 PM 4:37



**EXHIBIT "A"**

**Legal Description of the Property**

**Parcel B:** A portion of Lots 95, 96, 136 and 137, Crystal River Country Estates as recorded in Plat Book 7, Pages 147-154, Public Records of Citrus County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Lot 94, Crystal River Country Estates as recorded in Plat Book 7, Pages 147-154, Public Records of Citrus County, Florida, said point being on the South right-of-way line of County Road No. 486, said point also being 50.00 feet from, measured at a right angle to, the centerline of said County Road No. 486; thence N 89°58'51" E along the North line of said Lot 94 and along the North line of Lot 95 as shown on said plat and along the South right-of-way line of said County Road No. 486, a distance of 310.00 feet to the Point of Beginning; thence continue N 89°58'51" E along said right-of-way line a distance of 315.53 feet to the Northeast corner of said Lot 137; thence S 00°21'38" W along the East line of said Lot 137 a distance of 264.00 feet to the Southeast corner of said Lot 137; thence S 89°58'51" W parallel to said South right-of-way line and along the South line of said Lots 136 and 137 a distance of 313.78 feet; thence N 00°01'09" W 264.00 feet to the Point of Beginning.

and

**Parcel C:** A portion of Lots 96, 97 and 136, Crystal River Country Estates as recorded in Plat Book 7, Pages 147-154, Public Records of Citrus County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Lot 94, Crystal River Country Estates as recorded in Plat Book 7, Pages 147-154, Public Records of Citrus County, Florida, said point being on the South right-of-way line of County Road No. 486, said point also being 50.00 feet from, measured at a right angle to, the centerline of said County Road No. 486; thence N 89°58'51" E along the North line of said Lot 94 and along the North line of Lot 95 as shown on said plat and along the South right-of-way line of said County Road No. 486, a distance of 310.00 feet; thence S 00°01'09" E 229.25 feet to the Point of Beginning; thence continue S 00°01'09" E 34.75 feet to a point on the South line of Lot 136 as shown on said plat; thence S 89°58'51" W along the South line of said Lot 136 a distance of 24.85 feet to a point on the East line of Lot 96 as shown on said plat; thence S 23°29'30" W along the East line of said Lot 96 and along the East line of Lot 97 as shown on said plat a distance of 119.76 feet to the Southeast corner of said Lot 97; thence S 89°58'51" W along the South line of said Lot 97 a distance of 400.00 feet to the Southwest corner of said Lot 97, said point being on the East right-of-way line of County Road No. 491, said point being 50.00 feet from, measured at a right angle to, the centerline of said County Road No. 491; thence N 23°29'30" E along the West line of said Lot 97 and along said East right-of-way line a distance of 157.65 feet; thence N 89°58'51" E parallel to the South line of said Lot 97 a distance of 409.73 feet to the Point of Beginning.

1999 SP 29 AH 9:40

BK 1327 PG 0698

BK 1327 PG 1045

1999 JUL 19 PM 4:37

BK 1327PG0699

1999 SP 29 AM 9:41

BK 1321PG1046

1999 AU 19 PM 4:37

FILED & RECORDED  
CITRUS COUNTY Florida  
SETTY SIFFLER, CLERK

1094715

VERIFIED BY: Ke D.C.

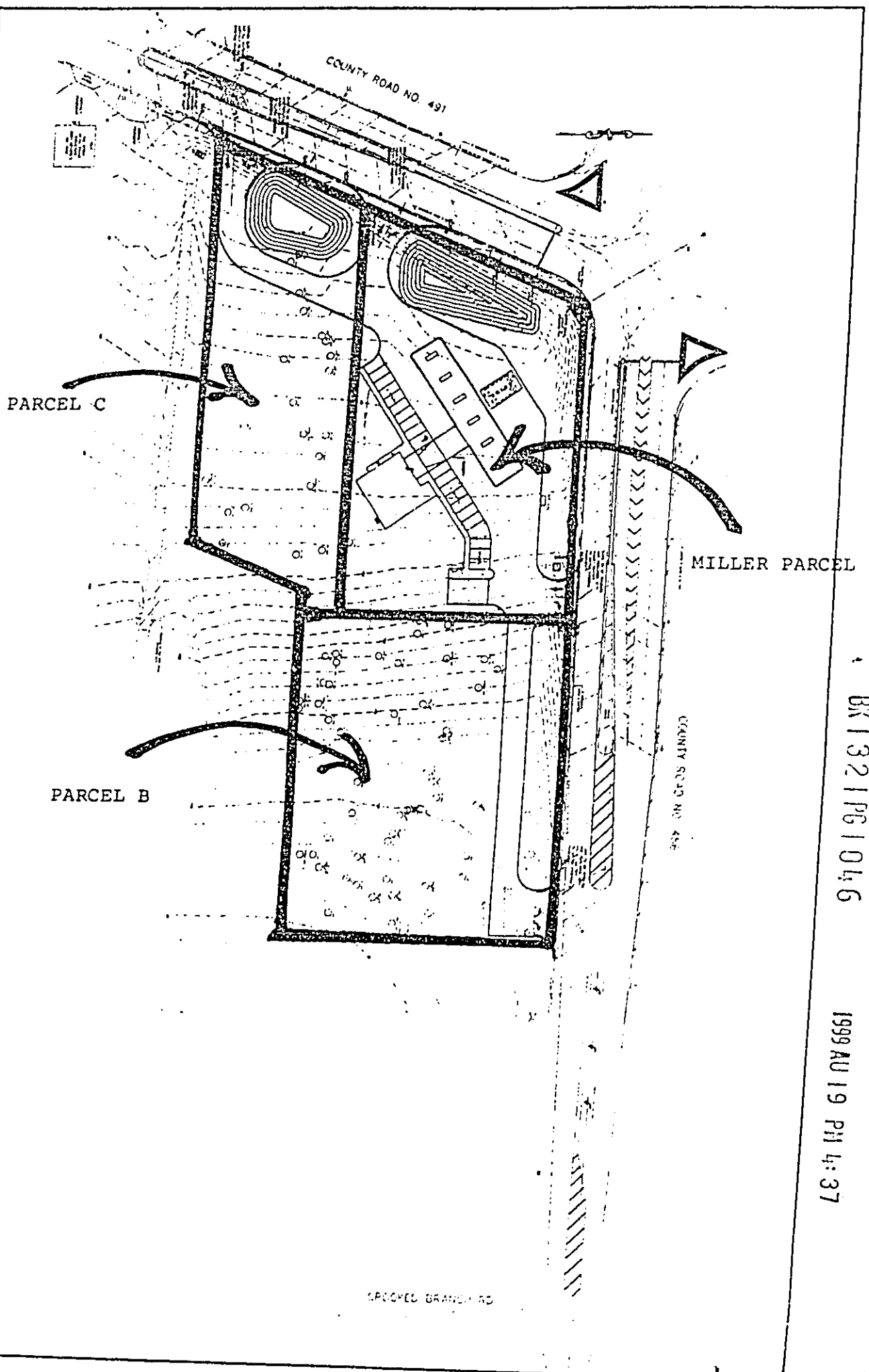


EXHIBIT A  
PAGE A-2

**BETTY SIFFLER**  
Handy Way Food Store  
Miller Enterprises  
Citrus County, Florida

HANDY WAY FOOD STORE  
MILLER ENTERPRISES  
CITRUS COUNTY, FLORIDA

SITE PLAN