

CORRECTIVE

This Corrective Supplement is being filed to include Seahaven Development, Inc., as a party to the original Supplement, which will expand the Declarant to include Andrew Hill, LLC., and Seahaven Development, Inc., said original Supplement being recorded with the clerk of court; Book 2420, **MARTINIQUE PHASE III** Pages 2224-2228.

File # 2004024904
OR BK 2420 Pages 2224 - 2228
RECORDED 04/06/04 14:58:13
Harold Bazzel, Clerk
Bay County, Florida
DEPUTY CLERK EG
#1
Trans # 602325

SUPPLEMENT AND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS

THIS SUPPLEMENT AND AMENDMENT TO DECLARATION is made on the date hereinafter set forth by ANDREWS HILL LLC a Florida limited liability corporation (herein called "Declarant").

RECITALS:

A. Declarant developed a residential subdivision on Panama City Beach, FL known as Martinique Subdivision which was subsequently platted with the Bay County clerks office at Plat Book 18, Page 68 of the public records of Bay County, FL. The Declarant filed a Declaration of Covenants, Restrictions, Conditions and Easements, recorded at Official Record Book 2122, Page 2133 of the public records of Bay County, FL (herein "Declaration"); the purpose of the Declaration was to maintain the beauty of the property to assure high quality standards for the enjoyment of the property and to promote recreational interest, health, safety and social welfare of each owner of a portion of the property.

B. The Declarant reserved the right, power and authority to submit additional property to the Martinique Subdivision through the filing of Supplemental Declarations which would add lands to the jurisdiction of the Declaration by annexation, and subject these additional lands to the covenants, conditions, restrictions, easements and liens of the Declaration which provides for the orderly development of the property to assure quality standards for the enjoyment of the property and to promote the quality of life for the residents of the property. The Declarant has filed and recorded additional lands to the subdivision that being Phase II, Martinique.

C. Declarant has filed and obtained approval of a plat for Martinique Phase III, recorded at Book 19 Page 97-98 of the public records of Bay County FL, herein "Martinique Phase III". Declarant desires to submit and subject all lands and roads located in Martinique Phase III as Additional Property to the Declaration, said lands being more particularly described in the attached Exhibit A, herein "Property".

NOW, THEREFORE, for and in consideration of the above premises and for other good and valuable consideration, Declarant, for itself and its successors and assigns, hereby declares that all of the Property (Martinique Phase III) described herein shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions of the original Declaration and any amendments or supplements thereto and this Supplemental Declaration, which shall amend in part the Declaration, which are for the purpose of protecting the value and desirability of the Property, and which shall run with the title, land and Property and be binding on all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof and further imposes the easements referred to and described, which will be perpetual in duration.

1. Declarant hereby submits all of the real property, easements and roads which are depicted in Martinique Phase III Plat, recorded at Plat Book 19 Page 97-98 of the public records of Bay County, Florida ("Property") as "Additional Property" to the Declaration, as allowed under the terms and conditions of the Declaration. Declarant attaches hereto and incorporates herein as Exhibit A a legal description of the Martinique Phase III property which is being added as Additional Property in accordance with Article Two of the Declaration. This document shall be deemed a "Supplemental Declaration" as defined under the terms and conditions of said Declaration. The Property shall also be subject and subordinate to any and all Architectural Guidelines which are attached as exhibits to the Declaration as well as all supplements, amendments, additions, corrections or changes to the Declaration and/or Architectural Guidelines. Declarant, its successor and assigns, reserves all of its rights, easements, access and reservations as granted to Declarant in the Declaration. Declarant reserves access and easement over, across, under and through the Property described herein for all purposes deemed appropriate by Declarant, including but not limited to those rights and purposes specified in the original Declaration. Declarant reserves the right to submit additional real property to the Martinique Subdivision, as allowed under the Declaration.


2. All other terms and conditions of the Declaration and any supplement or amendments thereto shall remain in full force and effect, except as specifically amended or modified in this Supplement and Amendment to Declaration. In the event of a conflict in reading or interpreting the Declaration and this Supplement, this Supplement shall prevail. Each party hereto executes this Supplement to further affirm their agreement to

adding lands to the Martinique Subdivision and amending the Declaration, as stated above.

DATED THIS on the 5 day of April, 2004.

ANDREWS HILL, L.L.C.


Julie A. Wilson
Witness: JULIE A. WILSON
(Print Name)

BY: 
Neal Bennett,
AS IT'S: Managing Member

Charlotte Eubank
Witness: CHARLOTTE EUBANK
(Print Name)

MARTINIQUE OWNERS ASSOCIATION, INC.


Julie A. Wilson
Witness: JULIE A. WILSON
(Print Name)

BY: 
Neal Bennett
Managing Member

Charlotte Eubank
Witness: CHARLOTTE EUBANK
(Print Name)

ARCHITECTURAL REVIEW BOARD

Julie A. Wilson
Witness: JULIE A. WILSON
(Print Name)

BY: 
Neal Bennett,
Chairman

Charlotte Eubank
Witness: CHARLOTTE EUBANK
(Print Name)

STATE OF FLORIDA
COUNTY OF BAY

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgements, personally appeared Neel Bennett as President of Andrews Hill, L.L.C., a Florida limited liability company, and as President of Martinique Owners Association, Inc. and as Chairman of the Martinique Architectural Review Board, who is personally known to me, and who is known to me to be the person described in and who executed the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid on this 5 day of April, 2004.

Julie A. Wilson

Notary Public

Print Name: JULIE A. WILSON

My Commission Expires: JULY 26, 05



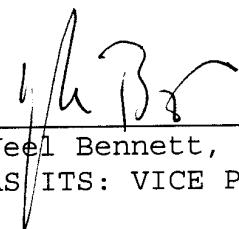
Julie A Wilson
My Commission DD045268
Expires July 26, 2005

PREPARED BY:
HARRISON, RIVARD, ZIMMERMAN & BENNETT
Derrick Bennett, Esq.
P.O. Box 2422
Panama City, FL 32401
(850) 767-5955
The legal description was provided
by Declarant and the preparer makes
no representations about the title
or ownership of the property nor
the title or marketability of the same

SEAHAVEN DEVELOPMENT, INC.

Charlotte Eubank
Witness: CHARLOTTE EUBANK
(Print Name)

Julie A. Wilson
Witness: JULIE A. WILSON
(Print Name)

BY: 
Neal Bennett,
AS ITS: VICE PRESIDENT

STATE OF FLORIDA
COUNTY OF BAY

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared Neel Bennett as Vice President of SEAHAVEN DEVELOPMENT, INC., who is personally known to me, and who is known to me to be the person described in and who executed the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid on this 12 day of APRIL, 2004.



Julie A Wilson
My Commission DD045288
Expires July 26, 2005

Julie A. Wilson
Notary Public
Print Name: JULIE A. WILSON
My Commission Expires: JULY 26, 2005

PREPARED BY:
HARRISON, RIVARD, ZIMMERMAN & BENNETT
Derrick Bennett, Esq.
P.O. Box 2422
Panama City, FL 32401
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EXHIBIT "A"

MARTINIQUE PHASE III A RESUBDIVISION OF A PORTION OF BLOCK 11, PORT LAGOON SUBDIVISION, BEING A RESUBDIVISION OF A PORTION OF GOVERNMENT LOTS 15 AND 16, SECTION 10, TOWNSHIP 4 SOUTH, RANGE 15 WEST, BAY COUNTY, FLORIDA, AND A RESUBDIVISION OF A PORTION OF FINISTERRE PHASE II, PLAT BOOK 18, PAGES 33 AND 34, BAY COUNTY, FLORIDA

COMMENCE AT THE NORTHWEST CORNER OF GOVERNMENT LOT 15, SECTION 10, TOWNSHIP 4 SOUTH, RANGE 15 WEST, BAY COUNTY, FLORIDA; THENCE S00°01'35"E ALONG THE WEST LINE OF SAID GOVERNMENT LOT 15 FOR 159.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE S00°01'35"E FOR 160.02 FEET TO THE NORTH R/W LINE OF KINGSTON CIRCLE (A 60 FOOT R/W); THENCE N89°55'10"W FOR 324.95 FEET; THENCE LEAVING SAID NORTH R/W LINE RUN N00°01'35"W FOR 119.95 FEET; THENCE N89°55'10"W FOR 454.12 FEET; THENCE S74°36'56"W FOR 25.30 FEET; THENCE S00°16'02"W FOR 107.66 FEET; THENCE N89°43'58"W FOR 40.89 FEET TO THE EASTERLY R/W LINE OF HOPETOWN LANE (A 60 FOOT R/W); THENCE S27°59'37"E ALONG SAID EASTERLY R/W LINE FOR 49.56 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 243.00 FEET FOR AN ARC DISTANCE OF 116.36 FEET (CHORD BEARING S14°16'32"E FOR 115.25 FEET) TO THE POINT OF A REVERSE CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 182.00 FEET FOR AN ARC DISTANCE OF 83.48 FEET (CHORD BEARING S13°41'52"E FOR 82.75 FEET) TO THE POINT OF A COMPOUND CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 75.00 FEET FOR AN ARC DISTANCE OF 60.98 FEET (CHORD BEARING S50°07'53"E FOR 59.32 FEET); THENCE LEAVING SAID CURVING EASTERLY R/W LINE RUN N45°49'27"E FOR 121.81 FEET; THENCE S54°29'40"E FOR 52.65 FEET; THENCE S41°57'34"E FOR 49.15 FEET; THENCE S41°57'34"E FOR 218.29 FEET; THENCE S66°03'09"E FOR 43.18 FEET; THENCE S89°55'10"E FOR 22.50 FEET; THENCE S00°04'50"W FOR 10.36 FEET; THENCE S89°55'10"E FOR 97.31 FEET; THENCE N00°01'35"W FOR 100.30 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 77.00 FEET, A CHORD BEARING OF S87°22'44"E AND A CHORD DISTANCE OF 6.83 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°04'52" FOR 6.83 FEET; THENCE S89°55'10"E FOR 253.18 FEET TO A POINT ON THE WEST LINE OF SAID GOVERNMENT LOT 15 AND THE WEST LINE OF FINISTERRE PHASE II RECORDED IN PLAT BOOK 18, PAGES 33 AND 34; THENCE S00°01'35"E ALONG SAID WEST LINE 154.03 FEET TO THE NORTH LINE OF LOTS 9, 10, AND 11, BLOCK B, OF SAID FINISTERRE PHASE II; THENCE N89°57'16"E ALONG SAID NORTH LINE FOR 236.07 FEET; THENCE LEAVING SAID NORTH LINE RUN N09°09'58"E FOR 110.54 FEET; THENCE N36°56'34"E FOR 170.74 FEET; THENCE N71°21'01"E FOR 38.28 FEET; THENCE S45°42'23"E FOR 62.57 FEET TO A POINT ON THE CURVING R/W LINE OF A CUL-DE-SAC; THENCE ALONG SAID CURVING R/W LINE CONCAVE TO THE SOUTH HAVING A RADIUS OF 50.00 FEET, A CHORD BEARING OF N79°27'22"E AND A CHORD DISTANCE OF 58.07 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 71°00'27" FOR 61.96 FEET; THENCE LEAVING SAID CURVING R/W LINE RUN N25°17'37"E FOR 110.20 FEET TO A POINT ON THE SOUTHERLY EDGE OF A SLOUGH; THENCE ALONG THE SOUTHERLY EDGE OF SLOUGH RUN N89°41'12"W FOR 41.17 FEET; THENCE N70°51'06"W FOR 181.63 FEET; THENCE N34°53'58"W FOR 78.28 FEET; THENCE LEAVING SAID SOUTHERLY EDGE OF SLOUGH RUN N27°03'17"W FOR 185.75 FEET; THENCE N00°06'59"E FOR 7.94 FEET; THENCE N42°48'54"W FOR 43.80 FEET; THENCE N89°53'16"W FOR 170.11 FEET TO THE POINT OF BEGINNING.