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Prepared by, record and return to:  
Laura Moffett  
S&S Enterprises, Inc.  
400 High Point Dr, Suite 500  
Cocoa, FL 32926

**Scott Ellis**

Clerk Of Courts, Brevard County

#Pgs: 3 #Names: 2  
Trust: 2.00 Rec: 25.00 Serv: 0.00  
Duty: 0.00 Excise: 0.00  
Mtg: 0.00 Int Tax: 0.00

**FIFTH AMENDMENT  
TO DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS, RESERVATIONS, LICENSES AND EASEMENT  
FOR ALAMANDA KEY**

THIS FIFTH AMENDMENT TO DECLARATION of Covenants, Conditions, Restrictions, Reservations, Licenses and Easements for Alamanda Key is made this 31st day of October, 2005, by Alamanda Key, L.L.C., a Florida limited liability company, whose address is 400 High Point Drive, Suite 500, Cocoa, FL 32926.

WHEREAS, Alamanda Key, LLC, as the Owner and the Developer of Alamanda Key and as the Declarant, recorded the subdivision plat of Alamanda Key – Phase 1 in Plat Book 52, Page 83, Public Records of Brevard County, Florida (herein referred to as “Alamanda Key” or “Alamanda Key – Phase 1”); and

WHEREAS, the Declarant Alamanda Key, LLC on February 16, 2005, did also record the Declaration of Covenants, Conditions, Restrictions, Reservations, Licenses and Easements for Alamanda Key in Official Records Book 5423, Page 2393, Public Records of Brevard County, Florida (herein: the “Original Declaration”); and

WHEREAS, on April 8, 2005, the Declarant, Alamanda Key, LLC, did record Key in Official Records Book 5449, Page 2977, Public Records of Brevard County, Florida the **First Amendment** to the Declaration of Covenants, Conditions, Restrictions, Reservations, Licenses and Easements for Alamanda (herein: the “First Amendment”); and

WHEREAS, on June 28, 2005, the Declarant, Alamanda Key, LLC, did enter into the **Second Amendment** to the Declaration of Covenants, Conditions, Restrictions, Reservations, Licenses and Easements for Alamanda Key, which Second Amendment is recorded in Official Records Book 5492, Page 8295, Public Records of Brevard County, Florida (herein: the “Second Amendment”); and

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WHEREAS, on June 30, 2005, the Declarant, Alamanda Key, LLC, did enter into the **Third Amendment** to the Declaration of Covenants, Conditions, Restrictions, Reservations, Licenses and Easements for Alamanda Key, which Third Amendment is recorded in Official Records Book 5492, Page 8301, Public Records of Brevard County, Florida (herein: the "Third Amendment"); and

WHEREAS, on October 25, 2005, the Declarant, Alamanda Key, LLC, did enter into the **Fourth Amendment** to the Declaration of Covenants, Conditions, Restrictions, Reservations, Licenses and Easements for Alamanda Key, which Fourth Amendment is recorded in Official Records Book 5557, Page 4462; Public Records of Brevard County, Florida (herein: the "Fourth Amendment"); and

WHEREAS, Alamanda Key, LLC, a Florida Limited Liability Company, is the Declarant referenced in the Declaration; and

WHEREAS, pursuant to Section 11.10, the Declarant has the absolute right to amend the Original Declaration as amended by the First, Second, Third, and Fourth Amendments; and

WHEREAS, the Declarant executes this Fifth Amendment to the Declaration for the purpose of evidencing the following amendments and modifications of the Original Declaration, as amended by the First Amendment, Second Amendment, and Third Amendment; and

NOW, THEREFORE, the Declarant, as the fee simple owner of real property depicted upon the plat of Alamanda Key – Phase 1 as recorded in Plat Book 52, Page 83, Public Records of Brevard County, Florida, and Alamanda Key – Phase 2, as recorded in Plat Book 54, Page 22, Public Records of Brevard County, Florida, and does hereby declare that the foregoing Subdivision shall be held, sold, and conveyed subject to the followings covenants, conditions, restrictions, easements, and reservations which are for the purpose of protecting the value and desirability of, and which will run with, the Subdivision and be binding on all parties having any right, title, or interest in the Subdivision or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner thereof:

**Article III, Section 3.20, Storm Shutters, second sentence is deleted in its entirety and replaced with the following language to allow white storm shutters:**

**"Only clear plastic storm shutters, white stormshutters, or storm shutters which are the same color as the building, shall be allowed."**



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IN WITNESS WHEREOF, the undersigned has caused this Amendment to the Declaration to be duly executed as of the date and year set forth below.

WITNESSES:

Kathleen D Kelly  
Susan C. Turner

**ALAMANDA KEY, LLC**  
a Florida limited liability company  
By S&S Enterprises, Inc.

By: T. A. Vani  
T. A. Vani, President

State of Florida  
County of Brevard

The foregoing instrument was acknowledged before me this 31<sup>ST</sup> day of October, by T. A. Vani, as President of S&S Enterprises, Inc., the Manager of Alamanda Key, L.L.C., who is personally known to me or who produced \_\_\_\_\_ as identification.

Laura M. Moffett  
Notary Public

