

**SEVENTH AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR GATEWAY CENTRE**

THIS SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR GATEWAY CENTRE (this "**Seventh Amendment**") is made and executed effective as of this 26<sup>th</sup> day of August, 2011, by HARDY HUNTLEY - GATEWAY, LLC, a Florida limited liability company (together with its successors and assigns, "**Declarant**").

A. By virtue of that certain Declaration of Covenants, Conditions, and Restrictions for Gateway Centre (the "**Original Declaration**") dated December 24, 1986, recorded in O.R. Book 6391, Page 411, of the Public Records of Pinellas County, Florida, Gateway Centre Joint Venture, a Florida general partnership ("**Previous Declarant**") as predecessor in interest to Declarant with respect to Gateway Centre, placed upon that certain real property located in Pinellas County, Florida ("**Gateway Centre**") described in the Original Declaration, certain covenants, conditions and restrictions as described in the Original Declaration.

B. The Original Declaration was amended by that certain (i) Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**First Amendment**") dated May 18, 1989, recorded in O.R. 7005, Page 355 of the Public Records of Pinellas County, Florida, by Previous Declarant, and (ii) Second Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Second Amendment**") dated March 13, 2002, recorded in O.R. Book 11887, Page 1132 of the Public Records of Pinellas County, Florida, by Declarant, and (iii) Third Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Third Amendment**") dated March 18, 2002, recorded in O.R. Book 11896, Page 1994 of the Public Records of Pinellas County, Florida, by Declarant (iv) Second Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Fourth Amendment**") dated July 15, 2003, recorded in O.R. Book 12899, Page 1 of the Public Records of Pinellas County, Florida, by Declarant and (v) Fifth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Fifth Amendment**") dated March 17, 2009, recorded in O.R. Book 16524, Page 2355 of the Public Records of Pinellas County, Florida, by Declarant and (vi) Sixth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Sixth Amendment**") dated January 27, 2011, recorded in O.R. Book 17276, Page 966 of the Public Records of Pinellas County, Florida, by Declarant (the Original Declaration, as amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment, being hereinafter referred to as the "**Declaration**").

C. Declarant who is entitled to cast at least seventy-five (75%) of the outstanding voting rights of the Gateway Centre Property Owners Association ("**Association**"), desires to amend the Declaration as provided herein.

D. The Board of Directors of Gateway Centre Property Owners Association desires to consent to and approve the terms and provisions of this Seventh Amendment.

**AGREEMENT**

NOW, THEREFORE, for and in consideration of \$10.00 in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declaration is hereby amended and modified as follows:

1. **Building Setback and Landscape Buffer.** Subject to the terms and conditions set forth herein, the Declaration is hereby modified to permit a building setback of Twenty (20) feet on property abutting that portion of Grand Avenue dedicated on August 25<sup>th</sup>, 2011, as described in Exhibit "A", attached herein. Additionally, the Forty-Three (43) feet Landscape Easement required as a part of the Design Criteria of the Original Declaration, that abuts a portion of Grand Avenue described in Exhibit "A", attached herein, shall be measured from the edge of existing asphalt, as measured as of the date hereof, not the right-of-way.

This Seventh Amendment shall in no way relieve any owner of any applicable property from obtaining all necessary governmental permits and approvals and complying with all governmental regulations and requirements including, but not limited to those of the City of Pinellas Park.

2. **Capitalized Terms.** All capitalized terms used but not specifically defined in this Seventh Amendment will have the meanings set forth in the Declaration for such term.

EXECUTED to be effective as of the date set forth above.

Signed, sealed and delivered in the presence of:

Witness Signature: [Signature]

Printed Name: Peter E. Craghton

DECLARANT:

HARDY HUNTLEY – GATEWAY, LLC, a Florida limited liability company

Witness Signature: [Signature]

Printed Name: Cynthia A. Gilbert

By: [Signature]

Name: Hardy H. Huntley

Title: Manager

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of August, 2011, by Hardy H. Huntley, Manager of HARDY HUNTLEY – GATEWAY, LLC, a Florida limited liability company, on behalf of said company. Said manager is personally known to me or produced a valid driver's license as identification.

NOTARY PUBLIC – STATE OF FLORIDA

[Signature]  
Printed Name: Cynthia A. Gilbert  
Commission No. [Blank]  
Expiration Date: [Blank]



**Exhibit "A"**

**LEGAL DESCRIPTION:**

Tract 3, 4, 5 and 6, COVENTRY PLAZA, as recorded in Plat Book 76, Pages 60 through 62, of the public records of Pinellas County, Florida

Together with:

Parcels 1 through 12, GATEWAY CENTRE BUSINESS PARK, as recorded in Plat Book 97, Pages 1 through 13, of the public records of Pinellas County, Florida

**CONSENT OF BOARD OF DIRECTORS**

The Board of Directors of Gateway Centre Property Owners Association hereby consents to and approves the terms and provisions of this Seventh Amendment, such consent and approval being granted in satisfaction of any applicable requirements of the Declaration.

BOARD OF DIRECTORS OF GATEWAY  
CENTER PROPERTY OWNERS ASSOCIATION

Executing solely in their representative capacities  
and not in their individual capacities:

By: \_\_\_\_\_

Hardy H. Huntley

By: \_\_\_\_\_

Peter E. Creighton

By: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of August, 2011 by Hardy H. Huntley and Peter E. Creighton, collectively as members of the Board of Directors of the GATEWAY CENTRE PROPERTY OWNERS ASSOCIATION, on behalf of said association. Said board members are personally known to me or each produced a valid driver's license as identification.

NOTARY PUBLIC - STATE OF FLORIDA

Printed Name: \_\_\_\_\_

Commission No. \_\_\_\_\_

Expiration Date: \_\_\_\_\_



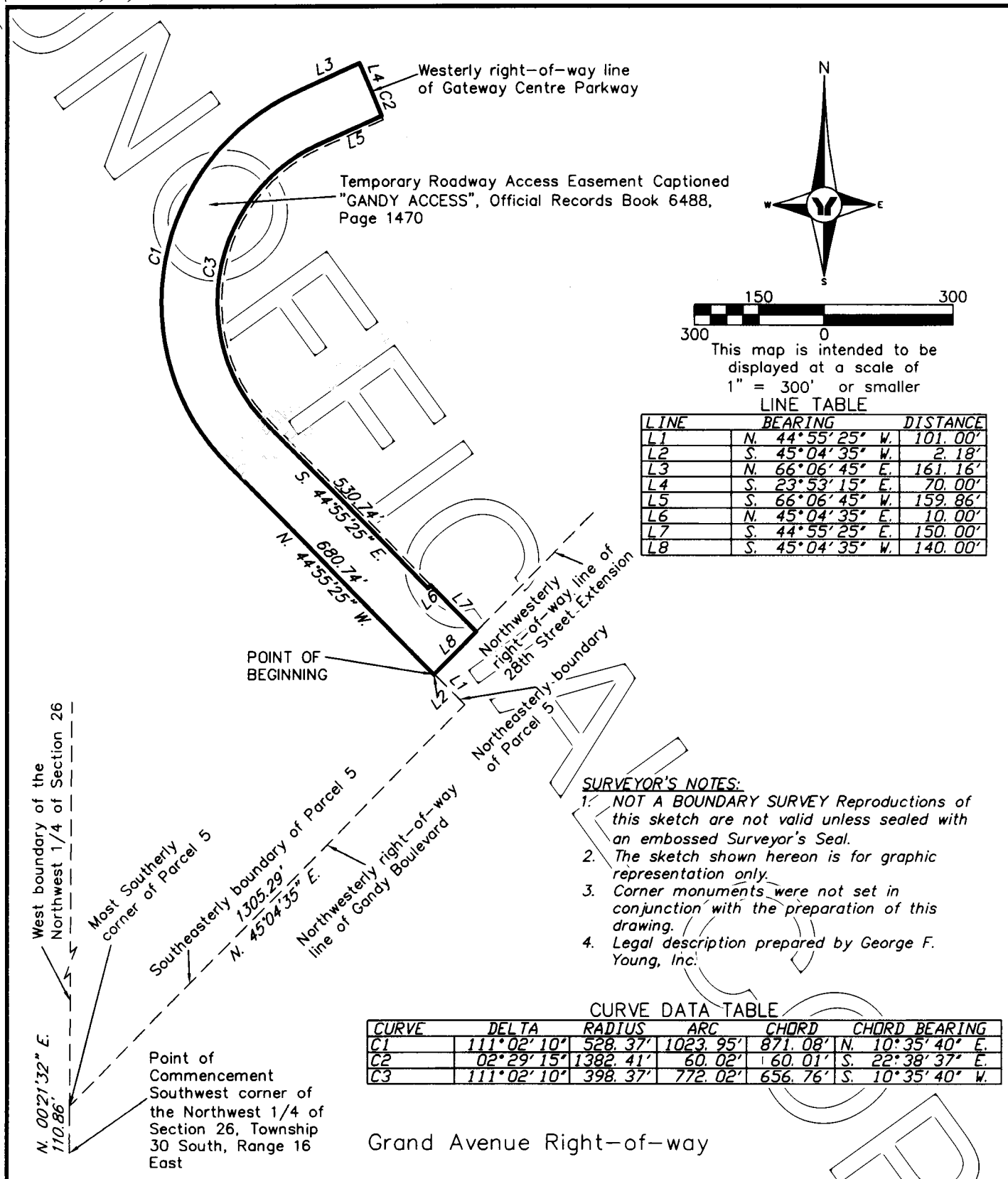
Exhibit "A"

DESCRIPTION (A portion of the right-of-way for Grand Avenue as presently located per that certain Temporary Roadway Access Easement Captioned "GANDY ACCESS" as described in Official Records Book 6488, Page 1470 of the Public Records of Pinellas County, Florida)

A Parcel of land lying in the Northwest 1/4 of Section 26, Township 30 South, Range 16 East, Pinellas County, Florida, being a portion of Parcel 5 of GATEWAY CENTER BUSINESS PARK as per the map or plat thereof recorded in Plat Book 97, Page 1 of the Public Records of Pinellas County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 26; thence on the West boundary of the Northwest 1/4 of said Section 26, North  $00^{\circ}21'32''$  East, a distance of 110.86 feet to the most Southerly corner of said Parcel 5, said point being on the Northwestern right-of-way line of Gandy Boulevard as shown on said plat of GATEWAY CENTER BUSINESS PARK; thence the following two (2) courses on the Southeasterly and Northeasterly boundaries of said Parcel 5: (1) on said Northwestern right-of-way line, North  $45^{\circ}04'35''$  East, a distance of 1305.29 feet; (2) North  $44^{\circ}55'25''$  West, a distance of 101.00 feet; thence departing the boundaries of said Parcel 5, South  $45^{\circ}04'35''$  West, a distance of 2.18 feet to the POINT OF BEGINNING; thence North  $44^{\circ}55'25''$  West, a distance of 680.74 feet to a point of curvature; thence Northerly 1023.95 feet along the arc of a curve to the right, said curve being concave Easterly, having a radius of 528.37 feet, a central angle of  $111^{\circ}02'10''$ , and a chord bearing and distance of North  $10^{\circ}35'40''$  East, 871.08 feet to a point of tangency; thence North  $66^{\circ}06'45''$  East, a distance of 161.16 feet to a point on the Westerly right-of-way line of Gateway Centre Parkway as shown on said plat of GATEWAY CENTER BUSINESS PARK; thence the following two (2) courses on said Westerly right-of-way line: (1) South  $23^{\circ}53'15''$  East, a distance of 70.00 feet to a point of curvature; (2) Southeasterly 60.02 feet along the arc of a curve to the right, said curve being concave Southwesterly, having a radius of 1382.41 feet, a central angle of  $02^{\circ}29'15''$ , and a chord bearing and distance of South  $22^{\circ}38'37''$  East, 60.01 feet; thence departing said Westerly right-of-way line, South  $66^{\circ}06'45''$  West, a distance of 159.86 feet to a point of curvature; thence Southerly 772.02 feet along the arc of a curve to the left, said curve being concave Easterly, having a radius of 398.37 feet, a central angle of  $111^{\circ}02'10''$ , and a chord bearing and distance of South  $10^{\circ}35'40''$  West, 656.76 feet to a point of tangency; thence South  $44^{\circ}55'25''$  East, a distance of 530.74 feet; thence North  $45^{\circ}04'35''$  East, a distance of 10.00 feet; thence South  $44^{\circ}55'25''$  East, a distance of 150.00 feet to a point on the Northwestern right-of-way line of 28th Street Extension as shown on said plat of GATEWAY CENTER BUSINESS PARK; thence on said Northwestern right-of-way line and the Southwesterly extension thereof, South  $45^{\circ}04'35''$  West, a distance of 140.00 feet to the POINT OF BEGINNING.

The above described parcel contains 5.226 acres more or less, or 227,659 square feet more or less.



PREPARED FOR: Douglas Development Services, Inc. 101 S. New York Ave. Suite 210 Winter Park FL 32789		<b>Gateway Center</b> <b>Sketch of Description</b> SECTION 26 TOWNSHIP 30 S., RANGE 16 E.		BY _____ DATE _____ DESCRIPTION _____
CREW CHIEF N/A DRAWN LSB 2/2/11 CHECKED WAS 2/2/11 FIELD BOOK N/A FIELD DATE N/A	INITIALS DATE 3/3/2011 L. Scott Brown PSM LS 5271	<b>George F. Young, Inc.</b> 1921 TAMPA EAST BOULEVARD TAMPA, FLORIDA 33619 PHONE (813) 223-1747 FAX (813) 229-0657 BUSINESS ENTITY LB21 ARCHITECTURE-ENGINEERING-ENVIRONMENTAL-LANDSCAPE-PLANNING-SURVEYING-UTILITIES GAINESVILLE-LAKEWOOD RANCH-ORLANDO-PALM BEACH GARDENS-ST. PETERSBURG-TAMPA-VENICE		JOB NO. / 11000700TS SHEET NO. 1 OF 1

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