

THIS INSTRUMENT PREPARED BY:
Charles R. Gardner
Attorney at Law
300 Lewis State Bank Building
Tallahassee, Florida 32301
(904) 222-6543

01614PC1956

DECLARATION OF PARTY WALL RESTRICTIONS

PARAGON BUILDERS, INC., a Florida Corporation, whose principal place of business is in Tallahassee, Leon County, Florida, the owner of that certain land located in Leon County, Florida, described in Exhibit "A", attached hereto and made a part hereof, by this instrument does make, declare, and impose upon the land described in Exhibit "A" for the benefit of all present and future owners of the land, the following conditions, restrictions, and limitations which shall be covenants running with the land, binding upon the owner, its successors and assigns, and all persons claiming any right, title, or interest in the land and all subsequent purchasers of the land, their heirs, personal representatives and assigns, the following party wall restrictions.

ARTICLE I

FACTS: The owner either has, or will construct on the property described in Exhibit "A", a series of townhouses which will adjoin each other by a common or "party" wall. The purpose of this restriction is to provide for the maintenance of that wall.

ARTICLE II

GENERAL: Each wall which is built as a part of the original construction of the townhomes upon the property described in Exhibit "A" and placed on the dividing line between the lots shall constitute a party wall, and, to the extent not inconsistent with the provisions of this article, the general rules of law regarding party walls and liability for property damage due to the negligence or willful acts or omission of the homeowners shall apply to those walls.

ARTICLE III

SHARING OF REPAIR AND MAINTENANCE: The costs of reasonable repair and maintenance of the party wall shall be shared by the owners who make use of the wall in equal proportions.

RECORDED IN THE PUBLIC
RECORDS OF LEON COUNTY, FLA.
Dec 30 11 51 AM 1961
PAUL F. HARTLEY, CLERK OF CIRCUIT COURT

565203

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ARTICLE IV

DESTRUCTION BY FIRE OR OTHER CASUALTIES: If a party wall is destroyed or damaged by fire or other casualties, any owner who has used the wall may restore it, and if the other owners thereafter make use of the wall, they shall contribute to the cost of restoration thereof in proportion to such use without prejudice, however, to the rights of any such owners to call for a larger contribution from the others under any rule of law regarding liability for negligence or willful acts or omissions.

ARTICLE V

WEATHERPROOFING: Notwithstanding any other provision of this article an owner who by his negligence or willful act causes the party walls to be exposed to the elements shall bear the whole cost of furnishing the necessary protection against such elements.

ARTICLE VI

RIGHT TO CONTRIBUTION RUNS WITH THE LAND: The right of any owner to contribution from any other owner under this article shall be pertinent to the land and shall pass to such owner's successors in title.

ARTICLE VII

ARBITRATION: In the event any dispute arises concerning the party wall, or under the provisions of these restrictions, each party shall choose one arbitrator, and the two arbitrators shall choose a third arbitrator, and the decision of the three arbitrators shall be binding upon the parties.

IN WITNESS WHEREOF, this instrument is executed this 28th day of December, 1981.

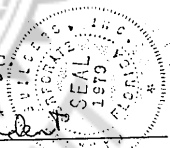
Signed, Sealed and
Delivered in the presence
of:

Sharon E. Morgan

Notker H. Morrison

PARAGON BUILDERS, INC.

C. G. Chant
By: Vic President
Its: _____



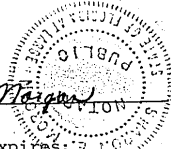
STATE OF FLORIDA,
COUNTY OF LEON.

OR 1014PG1958

The foregoing instrument was acknowledged before me
by C. G. Chentrik of PARAGON BUILDERS, INC.,
this 28th day of December, 1981.

Sharon E. Morgan
NOTARY PUBLIC

My Commission Expires: 3 1982
Notary Public, State of Florida at Large
My Commission Expires Nov. 13, 1982
Bonded by American Fire & Casualty Company



01014761959

EXHIBIT "A"

Lots 5, 6, 7, 8, and 9, LIBERTY HILLS,
as per map or plat thereof recorded in
Plat Book 8, Page 94, of the Public
Records of Leon County, Florida.



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Delivered in the presence
of:

Sharon E. Morgan

Notar Public

PARAGON BUILDERS, INC.

C. G. Charlton
By: Vic President
Its: _____



STATE OF FLORIDA,
COUNTY OF LEON.

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by C. G. Chentrik of PARAGON BUILDERS, INC.,
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