



CFN 2004R0024377  
 OR Bk 21966 Pgs 0193 - 1987 (6pgs)  
 RECORDED 01/12/2004 15:51:58  
 HARVEY RUVIN, CLERK OF COURT  
 MIAMI-DADE COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY

PATRICIA KIMBALL FLETCHER, ESQ.  
 PATRICIA KIMBALL FLETCHER, P.A.  
 DUANE MORRIS LLP  
 200 SOUTH BISCAYNE BOULEVARD, SUITE 3400  
 MIAMI, FLORIDA 33131

**SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF  
 MASTER COVENANTS FOR KEYS GATE**

THIS SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF MASTER COVENANTS FOR KEYS GATE (this "**Second Amendment**") is made by M&H HOMESTEAD, LTD., a Florida limited partnership ("**Declarant**"), and joined in by KEYS GATE COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation ("**Association**").

RECITALS

A. Declarant recorded that certain Amended and Restated Declaration of Master Covenants for Keys Gate on September 10, 2003 in Official Records Book 21630, Page 3698 of the Public Records of Miami-Dade County, Florida (the "**Original Declaration**") respecting the community known as Keys Gate (the "**Community**").

B. Thereafter, the Original Declaration was amended by that certain First Amendment to Amended and Restated Declaration of Master Covenants for Keys Gate recorded in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_ of the Public Records of Miami-Dade County, Florida (the "**First Amendment**"). The Original Declaration together with the First Amendment shall hereinafter be referred to as the "**Declaration**."

C. Section 4.2 of the Declaration permits Declarant to amend the Declaration as it deems appropriate without the joinder or consent of any other person or entity whatsoever prior to the Turnover Date (as defined in the Declaration).

D. Section 5.3 of the Declaration permits Declarant, prior to the Turnover Date (as defined in the Declaration), to withdraw any portion of the Community from the applicability of the Declaration; provided however, that such withdrawal is not unequivocally contrary to the overall uniform scheme of the development of the Community.

E. The Turnover Date (as defined in the Declaration) has not yet occurred.

F. Declarant desires to amend the Declaration as set forth herein.

NOW THEREFORE, Declarant hereby declares that every portion of Keys Gate is to be held, transferred, sold, conveyed, used and occupied subject to the covenants, conditions and restrictions hereinafter set forth.

1. **Recitals.** The foregoing Recitals are true and correct and are incorporated into and form a part of this Second Amendment.

2. **Capitalized Terms.** All initially capitalized terms not defined herein shall have the meaning set forth in the Declaration, except that the defined term "Declaration" is hereby modified as follows:

"**Declaration**" shall mean the Original Declaration, the First Amendment and this Second Amendment, together with all amendments and modifications thereof.





**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPERTY WITHDRAWN  
FROM APPLICABILITY OF DECLARATION**

MIA\118981.1

**EXHIBIT "A"**  
**VENETIA SHORES**

A portion of Tracts 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15 & 16 Block 2, "MIAMI LAND AND DEVELOPMENT COMPANY", according to the Plat thereof, as recorded in Plat Book 5, Page 10 of the Public records of Miami-Dade County, Florida, in the Northwest 1/4 of Section 29, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the West 1/4 corner of said Section 29; thence North 89 degrees 26 minutes 35 seconds East along the South line of the Northwest corner of said Section 29, for a distance of 2712.42 feet to a point on the East line of the Northwest 1/4 of said Section 29, also being the center of said Section 29; thence North 00 degrees 29 minutes 41 seconds West, along said East line for a distance of 580.00 feet to the Point of Beginning of the hereinafter described parcel of land; thence South 89 degrees 30 minutes 31 seconds West, along a line parallel with and 2089.93 feet South of the North Line of the Northwest 1/4 of said Section 29, for 707.00 feet; thence North 49 degrees 56 minutes 34 seconds West for a distance of 886.17 feet; thence South 88 degrees 17 minutes 12 seconds West for a distance of 176.40 feet to a point on the arc of a circular curve to the left, concave to the Southwest, a radial line to said point bears North 66 degrees 17 minutes 42 seconds East; the next described four (4) courses and distances being along the Northeasterly Boundary Line of Tract "C", of Valencia Gardens, according to the plat thereof, as recorded in Plat Book 159, at Page 160 of the Public Records of Miami-Dade County, Florida; 1) thence Northwesterly along the arc of said curve, having for its elements a radius of 120.00 feet, through a central angle of 57 degrees 12 minutes 50 seconds for an arc distance of 119.83 feet to a point of reverse curvature of a circular curve to the right, concave to the Northeast; 2) thence Northwesterly along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 64 degrees 18 minutes 53 seconds for an arc distance of 28.06 feet to a point of reverse curvature of a circular curve to the left, concave to the Southwest; 3) thence Northwesterly along the arc of said curve, having for its elements a radius of 3035.00 feet, through a central angle of 15 degrees 26 minutes 51 seconds for an arc distance of 818.26 feet to a point of reverse curvature of a circular curve to the Right, concave to the Northeast; 4) thence Northwesterly along the arc of said curve, having for its elements a radius of 2000.00 feet, through a central angle of 12 degrees 10 minutes 54 seconds for an arc distance of 425.22 feet to a point on a non-tangent line; thence North 70 degrees 07 minutes 46 seconds East for a distance of 136.66 feet; thence North 00 degrees 29 minutes 29 seconds West for a distance of 230.14 feet; thence North 89 degrees 30 minutes 31 seconds East, along a line parallel with and 24.00 feet South of the North Line of the Northwest 1/4 of said Section 29, for a distance of 1711.01 feet; thence South 00 degrees 29 minutes 41 seconds East, along the West line of the East 1/2 of said Tract 1, for a distance of 863.68 feet; thence North 89 degrees 30 minutes 31 seconds East along a line parallel with and 887.68 feet South of the North line of said Northwest 1/4 of said Section 29, for a distance of 338.99 feet to a point on the East line of the Northwest 1/4 of said Section 29; thence South 00 degrees 29 minutes 41 seconds East along said East line for a distance of 1202.25 feet to the Point of Beginning.

TOGETHER WITH those certain access easements in favor of the above-described lands over and across the "Road" known as SW 13<sup>th</sup> Avenue (Valencia Gardens Drive) as shown on the Plat of VALENCIA GARDENS recorded at Plat Book 159, at Page 60 for ingress and egress to and from Palm Drive as shown at Official Records Book 13410, at Page 154, which easements were created and granted in that certain Easement Agreement filed February 19, 2003 in Official Records Book 21036 at Page 4910 and that certain Easement and Reverter Agreement filed December 28, 2001 at Official Records Book 20107, at Page 17.

All of the above described land situated, being and lying in The City of Homestead, Miami-Dade County, Florida.

20847P 1518

## EXHIBIT "A"

A Parcel of Land being a portion of Tract 6, Block 2, of "PLAT OF LANDS BELONGING TO THE MIAMI LAND AND DEVELOPMENT COMPANY", according to the plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Dade County, Florida, in the N.W. 1/4 of Section 29, Township 57 South, Range 39 East, Miami-Dade County, Florida. More particularly described as follows:

Commence at the Northwest Corner of the Northwest 1/4 of Section 29, Township 57 South, Range 39 East; Thence N89deg 30min 31secE, along the North Line of said Section 29 for 661.61 feet; thence S00deg 29min 29secE for 15.00 feet to the POINT OF BEGINNING of the hereinafter described Parcel of land; thence continue S00deg 29min 29secE for 239.43 feet; thence S70deg 07min 46secW for 136.56 feet to a point of intersection of a circular curve; thence Northwesterly along said circular curve to the right, concave to the Northwest, having a radius of 2000.00 feet, where a Radial Line bears N70deg 07min 17secE, through a central angle of 00deg 46min 05sec for an arc distance of 26.81 feet to a point of tangency; thence N19deg 06min 41secW for 173.49 feet; thence N24deg 14min 27secE for 85.51 feet to a point of intersection of a circular curve, also being the South Right-of-way Line of PALM DRIVE (S.W. 344th Street as recorded in Official Records Book 13410, Page 154, Dade County, Florida); thence Northeasterly along said South Right-of-way line and along said circular curve to the left, concave to the Northwest, having a radius of 1290.66 feet, where the Radial Line bears S23deg 29min 49secE, through a central angle of 01deg 53min 50sec for an arc distance of 42.74 feet; thence N89deg 30min 31secE along a Line 15.00 feet South of and parallel with the North Line of Northwest 1/4 of said Section 29, said Line also being the South Right-of-way Line of the "Florida City Canal", as recorded in Official Records Book 8763, Page 1275, Dade County, Florida, for 118.11 feet to the POINT OF BEGINNING. Containing 1.000 acres more or less.

RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA  
RECORD VERIFIED  
HARVEY RUVIN  
CLERK CIRCUIT COURT

Fire Station Site