

MAS ASSOCIATES LLC
8501 ATLANTIC AVE
WILDWOOD, NJ 08260

This instrument was prepared by
And to be returned to
MAD ASSOCIATES, LLC
17 Cache Cay Drive
Vero Beach, FL 32963
(609) 729-8562

**SIXTH AMENDMENT TO AMENDED AND RESTATED
DECLARATION OF COVENANTS AND RESTRICTIONS FOR
HAWKS NEST AT AQUARINA**

THIS SIXTH AMENDMENT TO AMENDED AND RESTATED DECLARAION OF COVENANTS AND RESTRICTIONS FOR HAWKS NEST AT AQUARINA, is made and entered into this 20th day of February, 2019, by MAD ASSOCIATES, LLC, a Florida Limited Liability Company (“MAD Associates”)

WITNESSETH:

WHEREAS, the Declaration of Covenants and Restrictions for Hawks Nest at Aquarina, was recorded in Official Records Book 5423, Page 2691, as amended and restated by that certain Amended and restated Declaration of Covenants and Restrictions for Hawks Next at Aquarina recorded in Official Records Book 7102, Page 1374, Official Records Book 7170 Page 2684, Official Book 7865 Page 363 and Official Book 8273 Page 630 Public Records of Brevard County, Florida (collectively referred to as “Declaration”; and

WHEREAS, the plat for Hawks Nest at Aquarina was recorded in Plat Book 52, Page 85, Public Records of Brevard County, Florida (“Plat”); and

WHEREAS, Section 17.5 of the Declaration provides that the Declaration may be amended at any annual meeting or special meeting called for the purpose by at least two thirds (2/3) of the Voting Interests in the Association (As defined in the Declaration); and

WHEREAS, MAD Associates has requested and the Voting Interests and HOA has agreed to amend ARTICLE III Section 1 and Section III of the By-laws; and

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Declaration is hereby modified as follows:

1. All of the recitals above are true and accurate.
2. ARTICLE III Section 1 shall be deleted in its entirety and replaced with the following:
SECTION I. Annual Meetings. The annual meeting of the members shall be held during the month of February, at a time to be determined annually. If the day for the annual meeting of the members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday.
3. ARTICLE III Section 3 shall be amended as follows:
SECTION 3. Notice of Meetings. Written notice of each meeting of the members shall be given by, or at the direction of, the secretary or person authorized to call the meeting by mailing a copy of such notice, postage prepaid, at least fifteen (15) days prior to such meeting

to each member entitled to vote, or by transmitting such notice at least fifteen (15) days prior to such meeting to each member entitled to vote either by facsimile or e-mail transmission, addressed to the member's address last appearing on the books of the Association, or supplied by such member to the Association for the purposes of notice.

- 4. All other terms, provisions and conditions of the Declaration shall remain in full force and effect and unchanged except as set forth above.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the day set forth above.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

MAD ASSOCIATES, LLC
a Florida Limited Liability Company

Margaret A. Bozarth
Margaret A. Bozarth

By: Michael A. DiAntonio, Sr.
Michael A. DiAntonio, Sr., Manager

Bruce R. Richard
Bruce Richard

STATE OF)
COUNTY OF)

The foregoing instrument was acknowledged before me this 20th day of February, 2019 by Michael A. DiAntonio, Sr., as manager of MAD Associates, LLC, a Florida Limited Liability Company on behalf of said limited liability company who, is personally known to me.

Alice A. Biondi-Savino

Notary

ALICE A. BIONDI-SAVINO
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES 02/24/2020

JOINDER

HAWKS NEST AT AQUARINA HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation hereby agrees to accept all the benefits and all of the duties, responsibilities, obligations and burdens imposed upon it by the provisions of this Third Amendment to Amended and Restated Declaration of Covenants and Restrictions for Hawks Nest at Aquarina.

IN WITNESS WHEREOF, Hawks Nest at Aquarina Homeowners Association, Inc. has caused these presents to be signed in its name by its proper officer and its corporate seal to be affixed this 20th day of February, 2019.

WITNESSED BY:

HAWKS NEST AT AQUARINA
HOMEOWNERS ASSOCIATION,
INC., a Florida non-profit corporation

Margaret A. Bozarth
Margaret A. Bozarth

By: Michael A. DiAntonio, Sr.
Michael A. DiAntonio, Sr, President

Bruce Richard
Bruce Richard

STATE OF)
COUNTY OF)

The foregoing instrument was acknowledged before me this 20th day of February, 2018 by Michael A. DiAntonio, Sr., as president of Hawks Nest at Aquarina Homeowners Association, Inc., a Florida non-profit corporation who, is personally known to me.

Alice A. Biondi-Savino
Notary

ALICE A. BIONDI-SAVINO
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES 02/24/2020