

DECLARATION AND ESTABLISHMENT
OF
CONDITIONS, RESERVATIONS AND RESTRICTIONS
FOR
PHEASANT WALK SECTION FIVE

KNOW ALL MEN BY THESE PRESENTS:

Pheasant Run, Inc., a Florida corporation, hereinafter sometimes called Owner, being the Owner of all of the following described premises, situate within the County of Palm Beach, State of Florida, to wit:

(See Exhibit A attached hereto)

Said premises being also known as Pheasant Walk Section Five, as recorded in Plat Book 35, page 13 & 14 of the Public Records of Palm Beach County, Florida, has established a general plan for the improvement and development of such premises, and does hereby establish the covenants, conditions, reservations and restrictions upon which and subject to which all lots and portions of such lots shall be improved or sold and conveyed by as owner thereof. Each and every one of these covenants, conditions, reservations and restrictions is and all are for the benefit of each owner of land in such subdivisions, or any interest therein, and shall inure to and pass with each and every parcel of such subdivision, and shall bind the respective successors in the interest of the present owner thereof. These covenants, conditions, reservations and restrictions are and each thereof imposed upon such lots, all of which and with each and every parcel thereof, to wit:

DECLARATION OF
CONDITIONS, RESERVATIONS AND RESTRICTIONS
FOR
PHEASANT WALK, SECTION FIVE

Each. and. every paragraph 1 through 24 inclusive of the Declarations and Establishment of Conditions, Reservations and Restrictions for Pheasant Walk Section Two, as recorded on February 8, 1977, in Official Records Book 2638 at Page 967 of the Public Records of Palm.Beach County, Florida, are hereby incorporated by reference and hereby adopted as the covenants, conditions, reservations, and restrictions, for Pheasant Walk Section Five.

In addition to those above referenced restrictions 1-24, the following is hereby adopted as additional restrictions for Pheasant Walk Section Five:

25. Each homesite shall be equipped with a well which when used in conjunction with the sprinkler system required by restriction no. 5 shall be sufficient to fully and adequately water the homesite's lawn.

26. Color of Residence: All residences shall be painted in earth tones (shades of tan) and shaded of white or such Other color or colors as maybe approved in writing in advance by the Pheasant Walk Homeowners' Association Inc. In the event of non-compliance, Pheasant Walk Homeowners' Association Inc., reserves the right to paint the residence so as to conform with this restriction and assess the owner for the costs thereof.

IN WITNESS WHEREOF, PHEASANT RUN , INC., a Florida corporation has caused this instrument to be executed by its duly authorized officer and this corporate seal to be hereunto affixed this 8th day of December, 1978.

Attest:

Secretary

STATE OF: FLORIDA
COUNTY OF BROWARD

I HEREBY CERTIFY that on this day, before me, an officer duly authorized In the State and County aforesald, to take acknowledgments, personally appeared ERMINIO P. GIULIANO and ARTHUR V. STROCK, well known to me to be the President and Secretary respectively of the corporation named in the foregoing instrument, and that they acknowledged executing the same, freely and voluntarily under authority duly vested in them,, by said corporation and that the seal affixed hereto is the true corporate seal of said corporation.

WITNESS my hand and official seal In the County and State last aforesaid this 8th day of December, 1978.

PHEASANT WALK SECTION FIVE

A parcel of land in the South One-Half (S1/2) of said Section 36, more particularly described as follows:

Commencing at the Southwest corner of said Section 36; thence run on an assumed bearing of North 610.01 feet along the west line of said Section 36 to a point; thence run S 89°40'13" E 2479.57 feet along the south boundary of PHEASANT WALK SECTION TWO and PHEASANT WALK SECTION THREE, according to the plats thereof as recorded in Plat Book 32. Page 111 and Plat Book 33, Pages 15 and 16, respectively, of the Public Records of Palm Beach County, Florida, to the POINT OF BEGINNING; thence run N 0°19'47" E 110.02 feet along the east line of Lot 13, Block 9 of said PHEASANT WALK SECTION THREE to the northeast corner thereof; thence run S 89°40'13" E 10.26 feet along the south right-of-way line of Brandywine Drive as shown on said plat of PHEASANT WALK SECTION THREE to a point; thence run N 0°19'47" E 170.00 feet to the northeast corner of Lot 10, Block 10 of said PHEASANT WALK SECTION THREE, said corner being on the south line of Lot I of said Block 10; thence run S 89°40'13" E 66.63 feet along said south line of Lot 1 to the southwest corner of Lot 31, Block 10 of PHEASANT WALK SECTION FOUR, according to the plat thereof as recorded in Plat Book 34, Pages ONE and TWO of the Public Records of Palm Beach County, Florida; thence continue S 89°40'13" E 173.37 feet along the south line of Lots 37, 36 and 35 of said Block 10 to a point; thence run N 79°16'35" E 137.76 feet along the south of said Lot 35 to the southwesterly corner of Lot 17 of said Block 10; thence run S 72°15'47" E 119.21 feet along the southerly line of said Lot, 17 to a point on the west right-of-way line of Raintree Terrace as shown on said plat of PHEASANT WALK SECTION FOUR; thence run S 89°40'13" E 60.322 feet to a point on the east right-of-way line of said Raintree Terrace; thence run northeasterly along said east right-of-way line, being a curve to the right, having a radius of 270.00 feet, a central angle of 1°58'49" and whose chord bears N 7°53'49" E, for an arc distance of 9.33 feet to the southwest corner of Lot I, Block 16 of said PHEASANT WALK SECTION FOUR; thence run S 89°40'13" E 118.45 feet along the south line of said Lot II to the southeast corner thereof; thence run northeasterly along the east line of Lots 1, 2, 3 and 4 of said Block 16 the following courses and distances N 12°55'41" E 91.17 feet, N 14°07'52" E 90.78 feet, N 11°33'08" E 79.39 feet to the southwesterly corner of Lot 17 of said Block 16; thence run S 79°39'07" E 170.00 feet along the southerly line of said Lot 17 to a point on the east right-of-way line of Briar Patch Trail as shown on said plat of PHEASANT WALK SECTION FOUR; thence run northeasterly along said east right-of-way line, being a curve to the left, whose tangent is at right angles to last described course, having a radius of 2060.00 feet, a central angle 1°09'59", for an arc distance of 41.93 feet to the southwesterly corner of Lot I, Block 17 of said PHEASANT WALK SECTION FOUR; thence run S 80°49'06" E 109.64 feet along the southerly line of said Lot 1, being radial to last described curve, to the southeasterly corner thereof; thence run northerly along the east line of Lots 1 thru 6, inclusive, of said Block 17, the following courses and distances N 10°00'03" E 19.06 feet, N 7°34'55" E 83.07 feet, N 5°21'46" E 85.00 feet, N 3°07'06" E 85.00 feet, N 0°59'53" E 75.60 feet, North 94.40 feet to the southwest corner of Lot II of said Block 17; thence run East 110.00 feet along the south line of said Lot 11 to a point on the west right-of-way line of Oakwood Avenue as shown on said plat of PHEASANT WALK SECTION FOUR; thence run N 84°49'14" E 60.25 feet to a point on the east right-of-way line of said Oakwood Avenue; thence run East 110.00 feet along the south line of Lot 1, Block 18 of said PHEASANT WALK SECTION FOUR to the southeast corner of said Lot 1; thence run South 85.00 feet along the west line of Lot 10 of said Block 18 to a point, thence run S 0°40'38" W 85.00 feet along the west line of Lot 11 of said Block 18 to a point; thence run S 88°21'33" E 170.00 feet along the south line of said Lot 11 extended easterly to a point of intersection with a curve concave to the west; thence run southerly along the arc of a curve to the right whose chord bears S 4°18'53" W, having a radius of 2620.00 feet, a central angle of 52°51", for an arc distance of 244.53 feet to a point; thence run S 89°40'13" E 244.46 feet to a point; thence run S 0°19'47" W 170.00 feet to a point; thence run N 89°40'13" W 37.56 feet to a point; thence run S 0°19'47" W 220.00 feet to a point; thence run S 0°37'48" E 60.01 feet to a point; thence run S 0°19'47" W 110.02 feet to a point; thence run N 89°40'13" W 1685.26 feet along a line 610 feet north of and parallel to the south line of said

Section 36 to the POINT OF BEGINNING. Containing an area of 20.66 acres, more or less.

EXHIBIT A