

This instrument was prepared  
by ~~and should be returned to:~~

W. Lawrence Smith, Esquire  
Hill, Ward & Henderson, P.A.  
Barnett Plaza - Suite 3700  
101 East Kennedy Boulevard  
Tampa, Florida 33602

03/20/1996 10:16  
Instrument # 96047796  
Book: 4088  
Page: 818

RETURN

KENNETH F. OSWALD  
ATTORNEY AT LAW  
AMERICAN SOUTHERN BUILDING  
SUITE 110  
600 COURTLAND STREET  
ORLANDO, FLORIDA 32804

**ASSIGNMENT OF DECLARANT'S RIGHTS, DUTIES AND  
OBLIGATIONS UNDER THE DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
THE PINES PLANNED COMMUNITY COMMERCIAL DEVELOPMENT**

THIS ASSIGNMENT is made as of the 23<sup>rd</sup> day of February, 1996 by WILLIAM J. VOGES as the TRUSTEE OF THE CHAPMAN S. ROOT REVOCABLE TRUST as the Declarant pursuant to that certain Amendment, Assignment and Assumption Agreement to Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 3088, Page 1374 of the Public Records of Volusia County, Florida, which amended that certain Declaration of Covenants, Conditions and Restrictions for the Pines Planned Commercial Development in Official Records Book 3088, Page 1341 of the Public Records of Volusia County.

**RECITALS:**

A. The Declaration of Covenants, Conditions and Restrictions for the Pines Planned Commercial Development recorded in Official Records Book 3088, Page 1341 of the Public Records of Volusia County, Florida ("Declaration") was executed and delivered by Brasada Development Corporation, a Florida corporation ("Brasada"), as the Declarant.

B. Brasada assigned all of its right, title and interest as Declarant under the Declaration to the Chapman S. Root Revocable Trust ("Declarant") pursuant to that certain Amendment, Assignment and Assumption Agreement to Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 3088, Page 1374 of the Public Records of Volusia County, Florida ("Amendment").

C. Declarant desires to assign all of its rights duties and obligations to the Pines Property Owners Association, Inc. ("Association"), and to convey, pursuant to a Quitclaim Deed of even date herewith, any and all portions of the Common Area together with other reserved or public areas and easements to the Association.

NOW, THEREFORE, in consideration of Ten and 00/100ths Dollars (\$10.00) and other valuable consideration, the sufficiency of which is hereby acknowledged, Declarant hereby assigns, conveys, appoints and declares the following all in accordance with the Declaration as amended by the Amendment:

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1. Declarant hereby assigns all of its rights, duties and obligations to the Association and hereby conveys title to any and all portions of the Common Area together with other reserved or public areas and easements designated by Declarant pursuant to Article II, Section 1 of the Declaration as amended by the Amendment.

2. Declarant hereby voluntarily converts all voting rights under the Declaration to a Class A membership pursuant to Section 3(b)(b) of the Declaration as amended by the Amendment.

3. Declarant hereby assigns all of its rights to appoint the Architectural Review Committee to the members of the Board of Directors of the Association pursuant to Article VI of the Declaration as amended by the Amendment.

[Signature Page on Next Page]

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IN WITNESS WHEREOF, the foregoing was entered into as of this 23 day of February, 1996.

**WITNESSES:**

Michael C. Myers  
A. Caryl Taylor

WILLIAM J. VOGES AS TRUSTEE OF  
THE CHAPMAN S. ROOT REVOCABLE  
TRUST

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 23rd day of February, 1996, by WILLIAM J. VOGES as Trustee of the Chapman S. Root Revocable Trust, on behalf of the Trust, and is personally known to me ~~xxx who has produced xxx identification xxx~~ 2

Notary Public

Sharon H. Romano

(Print, Type or Stamp Name)

My Commission Expires:



SHARON H. ROMANO  
My Comm Exp. 10/20/96  
Bonded By Service Ins  
No. CC237207  
X ☒ Fingerprint known ☐ Other I.D.

**[Signature Page to Assignment of Declarant's Rights,  
Duties and Obligations Under the Declaration of  
Covenants, Conditions and Restrictions for the  
Pines Planned Community Commercial Development]**

0.477296