

INSTR # 2001330585 OR BK 11133 PG 0812

RECORDED 10/15/2001 04:14 PM RICHARD ARE CLERK OF COURT HILLSBOROUGH COUNTY DEPUTY CLERK 5 Edson

FIRST SUPPLEMENT AND FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SPRING MEADOW

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Spring Meadow was recorded on July 14, 1998, in Official Records Book 9134, Page 825, of the public records of Hillsborough County, Florida (the "Declaration"), and

WHEREAS, Article X, Section 7 of the Declaration allows WCI Communities, Inc, a Delaware corporation, formerly known as Florida Design Communities, Inc (the "Developer"), in its sole discretion and without the need for consent or approval of any other person or entity other except the mortgage holder, to amend the Declaration to make additional land subject to the scheme of said Declaration and to bring such land within the jurisdiction and control of the Spring Meadow at Walden Lake Homeowners Association, Inc, and

WHEREAS, the Developer desires to amend the Declaration to subject additional land to the terms, conditions, covenants, restrictions and easements of the Declaration, and

WHEREAS, Article X, Section 5 of the Declaration allows the Developer to amend the provisions of the Declaration without the consent of any other party until such time as transfer of control of the Association (as defined in the Declaration) has occurred, which event has not occurred as of the effective date hereof, and

WHEREAS, the Developer desires to amend Article I, Section 27 of the Declaration to provide for accuracy as a result of the addition to the Property as made hereby,

NOW, THEREFORE, this instrument hereby provides that the Developer, for itself and its successors, grantees and assigns, hereby makes, declares and publishes its intention to subject and does hereby subject the real property described hereinafter to all terms, provisions, covenants, conditions, restrictions and easements contained in the Declaration, with terms, provisions, covenants, conditions, restrictions and easements to run with said property and be binding upon the owners of said property, as follows

The real property which is, and shall be, held, transferred, sold, conveyed, and occupied subject to the Declaration is located in the County of Hillsborough, State of Florida, and is more particularly described in the description attached hereto as Exhibit A and incorporated by reference as fully as if specifically repeated herein. Said property shall hereafter be included within the "Property" as defined and referenced in the Declaration

The real property described above shall be subject to all of the terms, provisions, conditions, covenants, restrictions and easements contained in the Declaration, as amended. Notice is hereby given that such subdivision property is commonly known as Juniper Place, although it is subject to the provisions of the Declaration pertaining to a development known as Spring Meadow.

FURTHERMORE, by this instrument, the Developer hereby amends Article I, Section 27 of the Declaration to read as follows (CODING <u>double-underlined text</u> has been added and strikeout text has been deleted)

Phase Two, as same is recorded in Plat Book 90 at page 37, public records of the County, as may be amended from time to time, together with the plat of Walden Lake Unit 37.

Phase Two, as same is recorded in Plat Book 90 at page 37, public records of the County, as may be amended from time to time.

IN WITNESS WHEREOF, this instrument was executed by the undersigned this <u>28</u> day of September, 2001

WITNESSES:

WCI COMMUNITIES, INC., a Delaware corporation formerly known as Florida Design Communities, Inc.

By

Charles E Brasington Senior Vice President

Rame Elizabeth Bailey

(SEAL)

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 28 day of September, 2001, by Charles E Brasington, as Senior Vice President of WCI COMMUNITIES, INC, a Delaware corporation formerly known as Florida Design Communities, Inc, on behalf of the corporation, as Developer of Spring Meadow He is personally known to me

My Commission Expires

(AFFIX NOTARY SEAL)

Rose Bylagton-Reid

Notary Public, State of Florida

CC 863675

(Commission Number, if any)

(Legibly Printed)

TPA#1692723 01

THE Exhibit A TOR BK 11133 PG 0814

A tract of land in the NW 4 of Section 7, Township 29 South, Range 22 East, Hillsborough County, Florida, being more particularly described as follows

Commencing at the Northwest corner of the Northwest ¼ of said Section 7, Township 29 South, Range 22 East, thence S 00°24′29" W, a distance of 331 80 feet along the East line of said Northwest ¼ of Section 7, thence departing said line N 89°28′26" W, a distance of 30 00 feet to the westerly right-of-way line of Mud Lake Road and the point of beginning, thence continue N 89°28′26" W, a distance of 630 26 feet to a point on the easterly boundary of Walden Lake Unit 37, Phase One, as recorded in Plat Book 87, Page 92, Public Records of Hillsborough County, Florida, thence along said easterly boundary N 40°05′45" W, a distance of 135 75 feet to a point on the southerly right-of-way line of Griffin Boulevard, said point being on a non-tangent curve concave to the Southeast having a radius of 750 02 feet, and a central angle of 40°43′31", thence easterly along said curve 533 11 feet, said curve having a chord of 521 95 feet which bears N 70°24′43" E, thence continuing along said right-of-way line S 89°13′37" E, a distance of 227 94 feet to a point of intersection of with the aforesaid westerly right-of-way line of Mud Lake Road, thence along said right-of-way line S 00°24′29" W a distance of 281 54 feet to the point of beginning

Containing 3 91 acres more or less

CONSENT OF MORTGAGEE REGARDING RECORDATION OF FIRST SUPPLEMENT AND FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SPRING MEADOW

Fleet National Bank, f/k/a BankBoston, NA, a national banking association, as Agent for the Banks (the "Mortgagee"), the holder of that certain Second Consolidated, Amended and Restated Mortgage and Security Agreement and Notice of Future Advance dated as of April 26, 2000, and recorded on April 28, 2000, in Official Records Book 10159, Page 1, of the Public Records of Hillsborough County, Florida (the "Mortgage"), which Mortgage constitutes a lien upon the real property described in the First Supplement and First Amendment to Declaration of Covenants, Conditions and Restrictions for Spring Meadow dated September 28, 2001 (the "Declaration"), hereby consents to WCI Communities, Inc, a Delaware corporation (the "Developer"), subjecting the real property described therein to the provisions of the Declaration

Notwithstanding the execution of this consent, nothing herein shall be construed to render the Mortgagee responsible or liable for the performance of any of the covenants or undertakings of the Developer under the Declaration nor shall this consent affect the priority of the Mortgage lien and interest of the Mortgagee

of the Mortgagee	
Dated this <u>28</u> day of Septemb	per, 2001
WITNESSES	Fleet National Bank, f/k/a BankBoston, N.A., a national banking association
Auristlau	By S-Salto
Name <u>AUVIA ANARR</u>	Steven P Selbo, Director
Cleyfellion	(SEAL)
	OR BK 11133 PG 0815
STATE OF GEORGIA COUNTY OF DEKALB- Cobb	
The foregoing instrument was acknowledged Steven P Selbo, as Director of Fleet National lassociation, who either is personally known to me	d before me this <u>∂</u> 8 day of September, 2001, by Bank, f/k/a BankBoston, NA, a national banking or □ has produced
	as identification
My Commission Expires 1/19/02	Name Angela M. Collins Name Angela M. Collins
(AFFIX NOTARY SEAL)	Name Angela M. Collins
M. Of the second	(Legibly Printed) Notary Public, State of Georgia
NOTARL Z	Notary I ubite, State of Georgia
Co COUNTIER	(Commission Number, if any)
TPA#1692723 01 My Commission Expires Isnuary 19, 2002	