

Prepared by and return to:
Jim Beier ✓
Homeowners Assoc. of Walden Place, Inc.
1803 Walden Place N.
Plant City, FL. 33566

6 2002 10 29 08:30 AM

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OR BK 12050 PG 1879

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RICHARD AKE CLERK OF COURT
HILLSBOROUGH COUNTY
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**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR HOMEOWNERS ASSOCIATION OF WALDEN
PLACE, INC., APPROVED AT SPECIAL MEETING, OCTOBER 21, 2002.**

1. Article VI-Section 5 Nuisances, Trees and Burning

Change the sentence "No tree shall be removed without the written approval of the Association."

Amend to read:

No live tree that exceeds 5 inches in trunk diameter may be removed without Association written approval. Requests for removal shall be made in writing to the Association Board and also requires a permit from the City of Plant City in accordance with applicable city ordinances. Dead trees of any size should be removed in a timely manner to avoid potential property damage if such a tree should fall or break off due to rot or storm conditions. Also, dead trees must be removed to maintain or enhance property appearance.

2. Article VI-Section 16 – Rubbish

Change the sentence "Trash, garbage, or other waste shall be put out on the curb side for pick up not earlier than the morning of the day of the pick up."

Amend to read:

Trash or garbage or other waste may be put out on the curbside for pick up in the late afternoon or evening prior to the day of pick up. Preferably, such material should be set out after dark rather than in daylight hours. Yard waste, shrubs, etc., may also be set out the afternoon or evening prior to the regular pick up day. However, in the event such yard material is of a large amount (such as many shrubs, large quantity of tree limbs, etc.) such material may be set out curb side the day it is accumulated with the provision that the homeowner contact the City of Plant City Sanitation Department to request a special pick up before or after the regular day of pick up. Also, in accordance with the City of Plant City ordinance acceptable size trash containers (not to exceed 32 gallons in size) may be used to contain garbage or other waste. Such waste must be enclosed in plastic bags when set in such containers and the container must include a lid. No loose waste material is permitted to be put in such containers. Containers should be removed from the curbside immediately after the collections and not be allowed to remain curbside more than 4 hours after collection. Garbage, not in containers, must be put in plastic bags for easy collection. Other trash should be contained in some manner (boxes, etc.) for easy collection.

3. Article VI – Section 18 – Signs

Change the sentence "No signs shall be displayed on any Lot with the exception of one FOR SALE or FOR RENT sign not exceeding 24" x 30".

Amend to read:

One FOR SALE or FOR RENT sign not exceeding 24" x 30" may be displayed on any Lot. No other signs, such as Contractor's signs may be displayed on any Lot with the exception of political signs promoting a political party or candidate for a specific office. Such signs are permitted provided they are not put out more than 60 days prior to a specific election and must be removed within 24 hours after said election.

4. Article VI – Section 19 – Lot Maintenance

Add the following to the end of the listed language.

Grass should not be allowed to grow to an unsightly length. Shrubs and plants should not have unsightly growth and dead material should be removed in a timely fashion. This is in compliance with City of Plant City ordinance regarding Lot Maintenance.

5. Article VI – Section 20 – Dwelling Maintenance

The dwelling on each lot should be maintained in such a manner as to provide acceptable appearance in balance with the neighborhood. Gutters, house siding and other portions of the dwelling that show peeling paint, rust or other deterioration, should be corrected in a timely fashion. Replacement or repair should conform to the provisions set forth in ARTICLE VII of this document. In general, the colors used for house painting or roofing shingles should be as close as possible to the existing colors on the dwelling. Requests for repair or replacement which alters or changes the appearance of the dwelling must be submitted in writing by the homeowner to the Architectural Control Committee (which is made up of the officers and directors of the Walden Place Homeowners Association) for approval. Such approval must also be in writing.

6. Article VI – Section 21 – Mail Boxes

Mailboxes should be in accordance in size and height with the accepted guidelines of the US Postal Service. Such boxes may be of any color and may be mounted on wooden, metal, stucco or brick foundations. Boxes may be made of metal, wood, rubber or plastic. "Theme" type boxes such as those depicting a tractor, specific animal or other unusual design are not permitted.

7. Article VI – Section 22 – Appeal Process

In the event there is a dispute between a homeowner and the Association Board regarding the enforcement of any of the Sections spelled out in ARTICLE VI, the following procedure may be applied to resolve the dispute in lieu of proceeding to legal action to enforce a Section. The homeowner may choose one member of a three (3)-member review committee to hear their appeal. The Board will also choose one member of the review committee. The third member of the committee will be selected by the other two members of the committee and will serve as the chairman to hear the appeal. All members of the committee must be homeowners of the Association and no member may be a current officer or director of the Association. A suitable time and

place will be determined by the chairman to hear the appeal. The homeowner may present any material to make their case. Likewise, the President of the Board will present its case. After the hearing the committee will adjourn in private to vote in favor of the homeowner or the Board's position. A simple majority will determine the outcome of the vote. The decision of the committee will be binding on both the Board and the homeowner unless further legal redress set forth in ARTICLE VII is in order.

8. Article VII – Sections 5, Procedure and Section 6, Standards

These two Sections are incorrectly numbered and should be numbered Section 4 Procedure and Section 5 Standards.

8. Article VIII, Section 1, Enforcement

Add the following paragraph.

In addition, the Association shall have the right and authority to impose fines for violations to the Declaration, subject to procedural requirements and maximum fines established by law. The Board of Directors of the Walden Place Homeowners Association may, from time to time delegate Covenant enforcement responsibility to the Walden Lake Community Association, Inc. (Master Association).

IN WITNESS WHEREOF, acting pursuant to the affirmative votes in person or by proxy of at least two-thirds (2/3's) of the members of the Association at a duly-noticed meeting, the Association has caused this Second Amendment to be executed by its duly authorized officers and to have its corporate seal affixed hereto this 28 day of October, 2002.

HOMEOWNERS ASSOCIATION OF
WALDEN PLACE, INC.
A Florida not-for-profit corporation

WITNESSES:

MARLENE J. MERRIN
Print Name MARLENE J. MERRIN

By: JAMES A. BEIER
Name: JAMES A. BEIER
Title: PRESIDENT

THOMAS N. DARAMUS
Print Name THOMAS N. DARAMUS

Attest: JAMI SACHS
Name: JAMI SACHS
Title: SECRETARY

MARLENE J. MERRIN
Print Name MARLENE J. MERRIN
THOMAS N. DARAMUS
Print Name THOMAS N. DARAMUS

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 28 day of October 2002, by JAMES A BEIER, as President and by, TAMI Schloss, as Secretary, respectively, of HOMEOWNERS ASSOCIATION OF WALDEN PLACE, INC., a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me or have produced as identification.

My Commission Expires:
(AFFIX NOTARY SEAL)



Marlene J. Merrin
Notary Public, State of Florida
Name: MARLENE J. MERRIN
(Legibly Printed)

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN MY OFFICE, WITNESS MY HAND AND OFFICIAL SEAL THIS 22 DAY OF January 2002



PAT FRANK
CLERK OF CIRCUIT COURT
BY Maxwell D.C.