

Prepared By and Return to  
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MB  
35.50



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Okeechobee, FL 34972

Rec'd 35.50  
+ 1.00  

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36.50

**Amendment  
to  
Declaration of Covenants and Restrictions  
for  
HIGHLAND LAKES RESERVE**

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THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR HIGHLAND LAKES RESERVE ("Amendment") is made this 28<sup>th</sup> day of January, 2014, by **FL Land Partners, LLC** ("Declarant"), a Delaware limited liability company, whose address is 665 Simonds Road, Williamstown, MA 01267.

RECITALS:

- A. Declarant executed and recorded that certain Declaration of Covenants and Restrictions for Highland Lakes Reserve recorded on December 6, 2006, in Official Records Book 2029, Page 208, of the Public Records of Highlands County, Florida (hereinafter referred to as the "Declaration").
- B. On or about September 26, 2008, Lots 1-10 of Highland Lakes Reserve were combined into a single Lot 1 by replat recorded in Plat Book 17 at Page 7, Public Records of Highlands County, Florida (hereinafter referred to as the "Replat").
- C. Declarant desires to amend the Declaration as set forth herein to adjust the minimum square footage of residences within certain lots within the subdivision, to adjust the garage requirements on certain Lots/Parcels and to clarify the development rights for the Replat.
- D. The Declaration provides at Article XVII, two-thirds of the votes in the Association may change or amend any provision by executing a written instrument in recordable form setting forth such amendment.
- E. The Declaration provides at Article III, Section 3.3B. that the Declarant as the sole Class "B" member shall be entitled to seven votes for each Parcel owned. Based upon this, Declarant holds, and signifies by execution of this Amendment, consent to and vote in approval of the Amendment to the Declaration herein described.

DECLARATIONS:

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Declaration is hereby amended as follows:

1. Recitals; Definitions. The recitals stated above are incorporated herein by this reference. Capitalized terms used in this Amendment shall have the same meanings as set forth in the Declaration.

2. That Article X, Section 10.5(i) shall be amended to read:

(i) If constructed, no ground floor of a Residential Dwelling shall contain less than one thousand six hundred square feet (1,600 sq. ft.) of air conditioned living area, excluding attached garages (but including living space above attached garages), green houses, screened porches, covered patios or entry ways and outbuildings and such Dwellings shall have at least a one (1 car garage of a minimum two hundred and twenty square feet (220 sq. ft.).

Provided however, for Lots, 116 through 144, inclusive, no ground floor of a Residential Dwelling shall contain less than two thousand square feet (2,000 sq. ft.) of air conditioned living area, excluding attached garages (but including living space above attached garages), green houses, screened porches, covered patios or entry ways and outbuildings and such Dwellings shall have at least a two (2 car garage of a minimum four hundred and forty square feet (440 sq. ft.).

3. Provisions in the Declaration to the contrary notwithstanding, Lot 1 of the Replat (formerly Lots 1-1 0) may be hereafter re-subdivided or developed to accommodate not more than 10 Residential Dwellings, attached or detached. The Owner of each Residential Dwelling shall be entitled to one vote in the Association and subject to one Assessment for each such Residential Dwelling regardless of the number of Lots or Parcels utilized to construct such Residential Dwellings.

4. That all other provisions of the Declaration not amended herein shall remain in full force and effect.

[Remainder of the page intentionally blank]

IN WITNESS WHEREOF, the Declarant has caused this Amendment to the Declaration to be executed as of the day and year first above written.

Signed, sealed and delivered in our presence:

FL LAND PARTNERS, LLC, a Delaware limited liability company

BY: NATIONAL LAND PARTNERS, LLC a Delaware limited liability company, Manager  
BY: AMERICAN LAND PARTNERS, INC. a Delaware Corporation, Manager

Josephine M. Hert  
1st Witness-Signature

JOSEPHINE M. HERT  
1st Witness-Print Name

Kathi Mosier  
2nd Witness-Signature

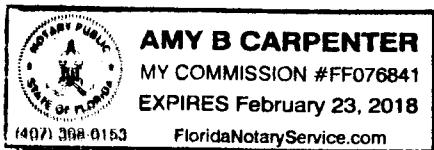
KATHI MOSIER  
2nd Witness-Print Name

BY: Alan L. Murray  
Alan L. Murray, Authorized Agent

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me this 28 day of January, 2014 by ALAN L. MURRAY, Authorized Agent for American Land Partners, Inc., on behalf of the corporation. He  is personally known to me or  has produced \_\_\_\_\_ as identification.

[Notary Seal]



Amy B Carpenter  
Notary Public

Printed Name: Amy B. Carpenter

My Commission Expires: Feb 23, 2018

**Joinder and Consent by Mortgage Holder**

**TD BANK**, as the holder of a mortgage dated April 5, 2011, and recorded in Official Record Book 2283 at Page 1658, Public Records of Highlands County, Florida, encumbering the Property described in the foregoing Amendment, by the execution herein, hereby joins into and consents to the Amendment to the Declaration of Covenants and Restrictions for **HIGHLAND LAKES RESERVE** on the Property described in the Amendment and further covenants and agrees that the lien of the Mortgage is and shall be subordinate to the Amendment as if the Amendment had been executed and recorded prior to execution, delivery or recordation of the mortgage.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

*Charles J. Ciovacco*  
Witness Signature

Charles J. Ciovacco  
Witness Print Name

*John W. Dixon*  
Witness Signature

John W. Dixon  
Witness Print Name

TD BANK  
By: *David A. Bronson*  
David A. Bronson  
Vice President

STATE OF New Hampshire

COUNTY OF Rockingham

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of January, 2014, by David A. Bronson as Vice President of TD BANK, on behalf of such company, who is personally known to me, or has produced \_\_\_\_\_ as identification.

*Christine Hill*  
Notary Public,  
My Commission Expires:

**CHRISTINE HILL**  
NOTARY PUBLIC  
State of New Hampshire  
My Commission Expires  
February 6, 2018

