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Prepared By and Return to
John D. Cassels, Jr. Esq.
Cassels & McCall
P.O. Box 968
Okeechobee, Florida 34973



CASSELS & MCCALL
400 NW 2ND ST
OKEECHOBEE, FL 34972

JB
Rec 35.50

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

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR HIGHLAND LAKES RESERVE ("Amendment") is made this 19 day of February, 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. On or about December 14, 2009, Declarant executed and recorded an amendment to the Declaration in Official Records Book 2219, Page 357, of the Public Records of Highlands County, Florida (hereinafter referred to as the "First Amendment").
- D. On or about February 4, 2014, Declarant executed and recorded an amendment to the Declaration in Official Records Book 2415, Page 115, of the Public Records of Highlands County, Florida (hereinafter referred to as the "Second Amendment").
- E. Declarant desires to simplify and consolidate the First Amendment and Second Amendment to ensure compliance with the land use codes of the City of Sebring by further amending 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.

- F. 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.
- G. 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 Residential Dwelling on Lots 1 through 115 shall contain less than one thousand eight hundred square feet (1,800 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. Any two (2) story Residential Dwelling shall contain a minimum of one thousand six hundred square feet (1,600 sq. ft.) of air conditioned living area on the ground or first floor. All Residential Dwellings shall have at least a one (1) car garage of a minimum two hundred and twenty square feet (220 sq. ft.).

If constructed, no ground floor of a Residential Dwelling on Lots, 116 through 144, inclusive, 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.).

If constructed, no ground floor of a Residential Dwelling on Lots 145 through 166 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.).

3. Provisions in the Declaration to the contrary notwithstanding, Lot 1 of the Replat (formerly Lots 1-1 0) may be hereafter subdivided or developed to accommodate not more than 10 Residential Dwellings, attached or detached provided such subdividing or development is permitted by all applicable ordinances, codes and regulations of the City of Sebring, Florida. 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.

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

Donna Fullen
1st Witness-Signature
Donna Fullen
1st Witness-Print Name

BY: *Gino Talento*
Gino Talento, Authorized Agent

Michael T Emmons
2nd Witness-Signature
Michael T Emmons
2nd Witness-Print Name

State of Florida
County of Palm Beach

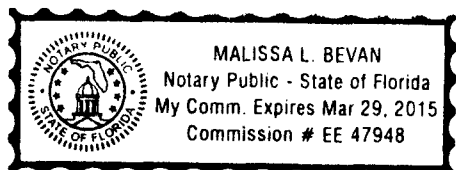
The foregoing instrument was acknowledged before me this 19 day of February, 2014 by Gino Talento, Authorized Agent for American Land Partners, Inc., on behalf of the corporation. He is personally known to me or has produced _____ as identification.

[Notary Seal]

Malissa L Bevan
Notary Public

Printed Name: Malissa L Bevan

My Commission Expires: 3-29-15



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

Gary Gletow
Witness Signature

Gary Gletow
Witness Print Name

TD BANK
By: *David A. Bronson*

STATE OF New Hampshire

COUNTY OF Rockingham

The foregoing instrument was acknowledged before me this 12th day of February, 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 NH driver license as identification.

Christine Hill
Notary Public,
My Commission Expires:

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

