

THIS DOCUMENT PREPARED BY
AND RETURN TO:
Brian S. Hess, Esq.
CLAYTON & MCCULLOH
1065 Maitland Center Commons Boulevard
Maitland, Florida 32751

_____ the space above this line is reserved for recording purposes _____

**CERTIFICATE OF AMENDMENT TO
WINDERMERE GARDEN VILLAS AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, as President and Secretary of WINDERMERE GARDEN VILLAS HOMEOWNERS ASSOCIATION, INC. (hereinafter "Association"), pursuant to the Florida Statutes and the WINDERMERE GARDEN VILLAS AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, recorded in Official Records Book 1695, Page 703, of the Public Records of Citrus County, Florida, as amended and supplemented (hereinafter "Declaration"), hereby certify that the AMENDMENT TO WINDERMERE GARDEN VILLAS AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, which amendment is attached hereto and by reference made a part hereof (hereinafter "Amendment"), was duly adopted at a meeting of the members on the 10th day of December, 2016 (hereinafter the "Meeting").

Said Amendment was approved at the Meeting in accordance with the requirements of Article 14, Section 14.1.2.2 of the Declaration, as amended, by the affirmative vote of seventy-five percent (75%) of the membership and seventy percent (70%) of the Board of Directors. Proper notice was given for the Meeting pursuant to the By-Laws of the Association and the Florida Statutes. The Notice of the Meeting stated the purpose, time, date and location of the Meeting.

The Association is a homeowners association created pursuant to the laws of the State of Florida. With the exception of the attached Amendment, all other terms and conditions of the Declaration shall remain in full force and effect.

IN WITNESS HEREOF, the Association has caused these presents to be executed in its name, this 14th day of December, 2016.

Signed, sealed and delivered
in the presence of:

Christine M. Runion

(Sign - Witness 1)

Christine M. Runion

(Print - Witness 1)

James W. Crink

(Sign - Witness 2)

JAMES W. CRINK

(Print - Witness 2)

WINDERMERE GARDEN VILLAS
HOMEOWNERS ASSOCIATION, INC.

By: Clinton Reph

(Sign)

Clinton Reph

(Print)

President, Windermere Garden Villas
Homeowners Association, Inc.

Christine M. Runion Attest:

(Sign - Witness 1)

Christine M. Runion

(Print - Witness 1)

James W. Crink

(Sign - Witness 2)

JAMES W. CRINK

(Print - Witness 2)

Margaret Carlock

(Sign)

Margaret Carlock

(Print)

Secretary, Windermere Garden Villas
Homeowners Association, Inc.

STATE OF FLORIDA
COUNTY OF CITRUS

The foregoing was acknowledged before me this 14th day of December,
2016, by Clinton Reph, as President, and Margaret Carlock, as
Secretary, of WINDERMERE GARDEN VILLAS HOMEOWNERS ASSOCIATION, INC., a
Florida not for profit corporation, on behalf of the corporation, who are personally known to me
or who have produced _____ as identification.

NOTARY PUBLIC

Christine M. Runion (Sign)

Christine M. Runion (Print)

State of Florida, At Large
My Commission Expires:



**AMENDMENT TO WINDERMERE GARDEN VILLAS
AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

The following amendment(s) are made to unnumbered paragraphs on Page 2; Article 10, Section 10.1.3 and 10.1.4; Article 10, Section 10.7; and Article 14, Section 14.1.2.2 of the WINDERMERE GARDEN VILLAS AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, recorded in Official Records Book 1695, Page 703, *et. seq.*, of the Public Records of Citrus County, Florida (additions are indicated by underlining, deletions are indicated by ~~strikethrough~~, and omitted but unaltered provisions are indicated by ellipses):

...

(Official Records Book 1695, Page 705). The third unnumbered paragraph has two scrivener's errors which are to be corrected:

- 1) The reference to O.R. Book 816 is to be replaced by a reference to O.R. Book 812.
- 2) Exhibit "A", as referenced in the paragraph, is being attached as a part of this Amendment, as it was unintentionally excluded from recording with the Amended and Restated Declaration. Please note that Exhibit "A" consists of the Exhibit "A" to the original Declaration of Covenants, Conditions and Restrictions, recorded in Official Records Book 812, Page 220, *et. seq.*, of the Public Records of Citrus County, Florida, as well as the Amendment to Declaration of Covenants, Conditions and Restrictions of Windermere Garden Villas, recorded in Official Records Book 817, at Page 2077, *et. seq.*, of the Public Records of Citrus County, Florida, and the Revised Amendment to Declaration of Covenants, Conditions and Restrictions of Windermere Garden Villas, recorded in Official Records Book 873, at Page 1082, *et. seq.*, of the Public Records of Citrus County, Florida, which purport to add additional property to the property included within the original Exhibit "A".

...

(Official Records Book 1695, Page 705). The fourth unnumbered paragraph has one scrivener's error which is to be corrected:

- 1) The reference to O.R. Book 816 is to be replaced by a reference to O.R. Book 812.

...

10. USE RESTRICTIONS

The use of the property of the development shall be in accordance with the following provisions:

...

10.1 Dwellings

...

10.1.3 Nothing (~~except for the American flag measuring no more than 3'x5'~~) shall be hung, displayed or placed on the exterior walls, doors or windows of the dwelling or building without the prior written consent of the Board of Directors of the Association. Notwithstanding anything contained herein to be contrary, Owners or residents of a Lot may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and/or one portable, removable official flag, in a respectful manner, not larger than four and one-half (4 ½) feet by six (6) feet, which represents the United States Army, Navy, Air Force, Marine Corps or Coast Guard, or a POW-MIA flag.

10.1.4 Except as otherwise provided, No no clotheslines, or similar device or hanging of towels, etc. shall be allowed on the exterior of the dwelling, or any other part of the development. Notwithstanding anything herein to the contrary, clotheslines that are of a removable (or retractable) rack-type may be installed in the backyard of a Lot (e.g., outside of view from the front of a dwelling) provided that such clotheslines are removed or retracted when not in use. Clotheslines may be installed and used in an area of a Lot other than the backyard (as described above) with the prior written approval of the Association's Board of Directors. In any event, clothes and other objects will not be permitted to be placed or be present on any clotheslines between the times of sunset and sunrise on any given day. Notwithstanding anything to the contrary contained herein, nothing herein shall be construed to be in contradiction of Florida Statute §163.04 (2016), as amended from time to time.

...

10.7 Signs – ~~No signs shall be displayed from a unit or on the common areas except such signs as shall have advance written approval by the Association. This shall include "For Sale," "For Rent" or similar signs. No sign of any kind shall be displayed from a Lot except one "For Sale" or "For Rent" sign of dimensions not exceeding 14 inches wide by 10 inches tall, which shall only be displayed from the inside of a window located on a residence built on a Lot, and a reasonably-sized security sign within ten (10) feet of each entrance to the dwelling, as provided by Florida Statute 720.304(6). No signs may be placed on Common Area without the prior approval of the Board of Directors.~~

...

14. AMENDMENTS TO DECLARATION

Except as provided elsewhere herein, this Declaration may be amended in the following manner:

...

14.1 Notice

...

14.1.2 Resolution of adoption. – A resolution adopting a proposed amendment may be proposed by either the Board of Directors of the Association or by members of the Association. Directors and members not present by person or by proxy at the meeting considering the amendment may express their approval in writing, provided such approval is delivered to the secretary at or prior to the meeting. Except as elsewhere provided, the approvals of the membership and the Board of Directors shall be as follows:

...

14.1.2.2 All other amendments shall require a ~~seventy-five percent (75%)~~ vote of approval of ~~the membership and seventy (70%) of the Board of Directors;~~ two-thirds of all of the Lot Owners that are eligible to vote, at a meeting of the Members at which a quorum has been attained (e.g., once a quorum of those eligible Lot Owners attending in person or by proxy has been obtained at a regular/annual or special meeting of the Members of the Association, two-thirds of all Lot Owners eligible to vote [i.e., 2/3 of all Lot Owners eligible to vote] may amend this Declaration). Additionally, such amendment shall also require the approval of at least seventy percent (70%) of the Board of Directors.

...

EXHIBIT "A"

A parcel of land situated in Section 7, Township 19, Range 20, Citrus County, Florida being more particularly described as follows:

Begin at the Southeast corner of Lot 5, White Lake Subdivision, Unit No. 1 as recorded in Plat Book 3 at Page 92 of the Public Records of Citrus County, Florida, said point being on the South line of said plat also being the 1/4 Section line as indicated on said plat; thence N 89° 53' 08" W along said 1/4 section line a distance of 1245.52 feet to the East right-of-way of Ella Street as shown on the plat of Northside Addition to the City of Inverness as recorded in Plat Book 2, Page 11 of the Public Records of Citrus County, Florida; thence S. 00 deg. 08'55" W. along the said East right-of-way of Ella Street a distance of 980.63 feet to a point on the Northern right-of-way line of Railroad Street, said point being the most Northwestern corner of lands described in the Official Record Book 689, Page 1014, Public Records of Citrus County, also being 50 feet from measured at right angles to the Northern right-of-way line of the A.C.L. Railroad, thence S 51° 18'49" E along said North line of lands described in O.R. Book 689, page 1014 and parallel to said North line of the A.C.L. Railroad a distance of 796.61 feet to a point being the most Southwestern corner of lands described in Official Records Book 689, Page 1016, Public Records of Citrus County; thence along the Northwestern line of said lands N 44° 37'10" E a distance of 600.07 feet to the most Northwestern corner of said lands; thence S 51° 16'54" E a distance of 267.63 feet to a point on the Northwestern right-of-way line of County Road No. S - 581, said point being on the arc of a curve concaved Northwesterly, having a central angle of 3° 29'26", a radius of 523.69 feet a tangent of 15.96 feet a chord bearing and distance of N 01° 21'20" E 31.90 feet, thence Northeasterly along the arc of said curve a distance of 31.90 feet to the Point of tangent; thence N 00° 14'04" West along said right-of-way line of County Road S - 581, a distance of 1184.46 feet to the point of beginning.

Jennifer Vickers 04-11-89

1521

✓ This instrument prepared by:
Donald F. Perrin, Esq.
BRANNEN, STILLWELL & PERRIN, P.A.
Post Office Box 250
Inverness, FL 32651-0250
(904) 726 - 6767

AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
WINDERMERE GARDEN VILLAS

BK0817PG2077

COMES NOW, WINDERMERE GARDEN VILLAS HOMEOWNERS ASSOCIATION, INC. and states as follows:

WHEREAS, the original Declaration of Covenants, Conditions and Restrictions was recorded in Official Records Book 812, Page 220 of the public records of Citrus County, Florida; and

WHEREAS, the legal description attached to the original recorded Declaration through inadvertence and oversight of the Developer did not include all of the property intended to be covered by the Declaration; and

WHEREAS, the Developer is still the owner of more than seventy-five percent (75%) of the lots in the development and thus can approve an Amendment to the Declaration by its own vote.

NOW THEREFORE, the original Declaration of Covenants, Conditions and Restrictions of Windermere Garden Villas as recorded in Official Records Book 812, Page 220 of the public records of Citrus County, Florida is hereby amended to include the following described property as being property subject to the terms of the Declaration:

Lots 1 and 2, PARKER BROTHERS LAKESIDE SUBDIVISION, as recorded in Plat Book 2, page 92 of the public records of Citrus County, Florida.

IN WITNESS WHEREOF, the President of PREMIER INVESTMENT GROUP., INC., a Florida corporation, and the President of

Jennifer Vickers 06-06-89

WINDERMERE GARDEN VILLAS HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation have caused the execution of this Amendment this 30 day of MAY, 1989.

WITNESSES:

[Handwritten signature]

PREMIER INVESTMENT GROUP, INC.

By: *[Handwritten signature]*
Richard Dixon
President

[Handwritten signature]

WINDERMERE GARDEN VILLAS HOMEOWNERS ASSOCIATION, INC.

By: *[Handwritten signature]*
Richard Dixon
President

STATE OF FLORIDA
COUNTY OF CITRUS

The foregoing instrument was acknowledged before me this 30th day of May, 1989 by Richard Dixon, President of PREMIER INVESTMENT GROUP, INC., a Florida corporation, on behalf of said corporation.

[Handwritten signature]
Notary Public

My Commission Expires: NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: FEB. 18, 1991.
VOIDS THIS NOTARY PUBLIC SIGNATURE.

STATE OF FLORIDA
COUNTY OF CITRUS

The foregoing instrument was acknowledged before me this 30th day of May, 1989 by RICHARD DIXON, President of WINDERMERE GARDEN VILLAS HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation.

[Handwritten signature]
Notary Public

My Commission Expires: NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: FEB. 18, 1991.
VOIDS THIS NOTARY PUBLIC SIGNATURE.

Jennifer Vichens 06-06-89

585350

FILED & RECORDED
CITRUS COUNTY, FLORIDA
BETTY STRIFLER, CLERK

'89 JUN 5 AM 9 18

VERIFIED BY:

[Handwritten signature]
D.C.

BK0817952078

7/3/17
15.00
P. R. R.

Donald F. Pargin
Clerk of the Circuit Court
Citrus County, Florida

BK0873PG0441

REVISED AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WINDERMERE GARDEN VILLAS

COMES NOW, WINDERMERE GARDEN VILLAS HOMEOWNERS ASSOCIATION, INC., by and through its undersigned President and hereby files this Amendment to the original Declaration of Covenants, Conditions and Restrictions of WINDERMERE GARDEN VILLAS and states as follows:

1. The original Declaration of Covenants, Conditions and Restrictions of WINDERMERE GARDEN VILLAS was originally recorded in Official Records Book 812, Page 220, of the public records of Citrus County, Florida and was Amended by Amendment to Declaration of Covenants, Conditions and Restrictions recorded in Official Record Book 817, Page 2077, public records of Citrus County, Florida.

2. A meeting of the members of WINDERMERE GARDEN VILLAS HOMEOWNERS ASSOCIATION, INC. was held pursuant to due notice on August 21, 1990 at 7:00 p.m. A quorum of members was present at the meeting.

3. At the meeting, the following Amendments were made to the Declaration of Covenants, Conditions and Restrictions of WINDERMERE GARDEN VILLAS:

BK0873PG1082

a. The real property subject to the Declaration of Covenants, Conditions and Restrictions of WINDERMERE GARDEN VILLAS as set forth on Exhibit "A" of the original Declaration of Covenants, Conditions and Restrictions of WINDERMERE GARDEN VILLAS as recorded in Official Records Book 812, Page 220, public records of Citrus County, Florida is hereby amended to include the additional parcel of property set forth on the survey attached hereto. The property described on the survey exhibit attached hereto along with the original property set forth in the Exhibit "A" attached to the original Declaration of Covenants, Conditions and Restrictions of WINDERMERE GARDEN VILLAS shall constitute all of the property subject to the Declaration of Covenants, Conditions and Restrictions of WINDERMERE GARDEN VILLAS and all of said property shall be held, sold and conveyed subject to the Declaration of Covenants, Conditions and Restrictions of WINDERMERE GARDEN VILLAS as the originally recorded and as may be amended from time to time.

It is further agreed that the additional housing units which will be located on the property described on the attached exhibit will, because of yard size, etc., cause a larger expense to the owners' association for maintenance and thus the Association reserves the right in the future to charge a higher monthly assessment to these unit owners.

This instrument is re-recorded for the purpose of including the survey referred to herein.

BK0873PG0442

b. Page 5, Section 5, of the Declaration of Covenants, Conditions and Restrictions is hereby amended by adding paragraph 5.1.4 to read as follows:

"5.1.4. It shall be the responsibility of the Association to provide for the operation, maintenance and repair of the surface water management system located within the boundaries of the Windermere project including all drainage retention areas."

4. The original Amendment to Declaration of Covenants, Conditions and Restrictions of Windermere Garden Villas as recorded in Official Record Book 871, Page 1005, of the public records of Citrus County, Florida is hereby revised by this Amendment to include the Amendment set forth as item 3b above.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal on this 11th day of October, 1990.

WINDERMERE GARDEN VILLAS
HOMEOWNERS ASSOCIATION, INC.
By: Richard Dixon
Richard Dixon, President

BK0873PG1083

STATE OF FLORIDA
COUNTY OF CITRUS

BEFORE ME, a Notary Public in and for the State and County aforesaid, duly authorized to take acknowledgments, personally appeared RICHARD DIXON, the President of WINDERMERE GARDEN VILLAS HOMEOWNERS ASSOCIATION, INC., a Florida Non-Profit Corporation, to me well known and he acknowledged before me that he executed, sealed and delivered the foregoing Amendment to Declaration of Covenants, Conditions and Restriction of WINDERMERE GARDEN VILLAS for the uses and purposes therein expressed, as such officer, by authority and on behalf of said corporation, as the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Inverness, said County and State, this 11th day of October, 1990.

Angela Vick
Notary Public

My Commission Expires 06-11-92
64899
FILED & RECORDED
CITRUS COUNTY, FLORIDA
BETTY STRIFLER, CLERK
OCT 19 AM 11 11
VERIFIED BY: [Signature]

FILED & RECORDED
CITRUS COUNTY, FLORIDA
BETTY STRIFLER, CLERK
648602
OCT 17 AM 11 30
VERIFIED BY: [Signature]
D.C.

