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C. Developer desires to amend the Declaration pursuant to the rights reserved to the Developer under Article XII, Section 12 of the Declaration.

NOW THEREFORE, Developer, pursuant to the reserved rights under the Declaration, hereby amends the Declaration in the following manner:

1. Use of Property.

Article VIII, Section 2 Minimum Square Footage is amended to read in its entirety as follows:

Section 2 – Minimum Square Footage. No House or other structure shall be constructed on a lot which has a height exceeding thirty-five (35) feet above the elevation of the finished surface of the first floor of such dwelling. All Houses constructed on Lots in Asbury Preserve and Asbury Plantation shall have a minimum of two thousand (2,000) square feet of heated and air conditioned living space.

2. Use of Property.

Article VII, Section 7-Fences is amended to read in its entirety as follows:

Section 7 – Fences. Hedges, fences or walls may not be built or maintained on any portion of any Lot except on the rear or side Lot line and not closer to the front of the Lot than five feet behind the front line of the main residence. No fence or wall shall be erected nor hedge maintained higher than six feet (6') from the normal surface of the ground. Notwithstanding the previous sentence, if a fence is erected in a drainage swale, the Architectural Review Board shall be allowed to approve a fence height of up to eight feet (8') above the normal surface of the ground within the drainage swale. The only authorized fence materials are black aluminum or black cast iron metal fencing or beige vinyl fencing for all lots. No fence or wall shall be erected until quality, style, color, design and location shall have been first approved by the Architectural Review Board.

3. Limitation.

Except as amended by this Third Amendment, the Declaration has not been otherwise amended and remains in full force and effect.

[Signatures to Begin on Next page]

IN WITNESS WHEREOF, the Developer has caused its duly authorized officer to execute this Third Amendment as of the date first above written.

Signed, seal and delivered
In the presence of:

Sign: Kathleen C. McKenney
Print Name: Kathleen C. McKenney
Sign: Bert C. Simon
Print Name: BERT C. SIMON

DEVELOPER:

Asbury Plantation Holdings, Inc.
A Florida Corporation

By: Necdet Senhart
Necdet Senhart, President

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing instrument was personally acknowledged before me this 12th day of May, 2010 by NECDET SENHART who stated that she/he is PRESIDENT of Asbury Plantation Holdings, Inc., a Florida corporation, further stated that she/he was duly authorized in such capacity to execute the foregoing for and on behalf of the corporation, and that he had done so for the purposes therein mentioned and set forth. NECDET SENHART is personally known to me.

Bert C. Simon
Notary Public BERT C. SIMON
State of Florida at large
My commission expires:

