

5 MIN. RETURN

**THIRD AMENDMENT
TO
COVENANTS & RESTRICTIONS
OF
HILLSIDE**

The original Covenants and Restrictions of Hillside were recorded with the Clerk of the Court, Clay County on April 16, 1999 in Book 1787, Pages 0260 through 0266.

An amendment to Line 20 of the original Covenants & Restrictions of Hillside was recorded with the Clerk of the Court, Clay County on April 14, 2004 in Book 2357, Pages 0461 and 0462. This line was expanded to include terminology and dialogue with regard to collection of damages and attorney's fees.

An amendment to Line 27 of the original Covenants & Restrictions of Hillside was never recorded with the Clerk of the Court, Clay County. The initial amount for Association Dues was One Hundred Eighty Dollars (\$180.00) and this amount was adjustment by the Board of Directors to One Hundred Ninety Eight Dollars (\$198.00) per year. The Board of Directors on November 9, 2004 approved the amendment and the membership on January 15, 2005 adopted the amendment. The number of votes cast for the amendment was sufficient for approval. The new assessment rate went into effect on February 15, 2005.

KNOW ALL PEOPLE BY THESE PRESENTS:

HILLSIDE HOMEOWNERS ASSOCIATION OF CLAY COUNTY, INC., a Florida Corporation, hereinafter called the ASSOCIATION.

NOW, THEREFORE, for and in consideration of the benefit of itself and all persons claiming by, through or under it, the ASSOCIATION does hereby impose upon all lots in HILLSIDE the following amendments to the Covenants & Restrictions to run with the title to said lots.

LINE 23 of the original document as recorded in Book 1787; Page 0264 is amended and shall read as follows:

AMENDED

Hedges, fences or walls may not be built or maintained on any portion of any lot except on the rear or interior side lot line and no closer to the front of the lot than the front line of the main residence; no closer than twenty (20) feet to a side street, when the residence is situated on a corner lot. No fence or wall shall be erected nor hedge maintained higher than six (6) feet from the normal surface of the ground. If the fence is to be located in a easement for drainage, then there shall be provided a minimum of eighteen (18) inches between the natural ground and the bottom of the fence. Fence structure posts may be installed in the drainage easement but at

intervals of not less than eight (8) feet. The smooth side of the fence shall be facing away from the home. All horizontal boards (stingers) facing the inside of the yard. Per Florida Statute, this is a mandatory requirement if the homeowner has a pool.

Tan, Beige, Natural Wood Tone, or White are the ONLY acceptable colors for PVC/Vinyl Fencing in this Community.

Along the rear of lots 18-22 and 25-31 and 50-51 the only type fence allowed on the rear of the lot shall be a green vinyl chain link fence no higher than four (4) feet. The lot owners of lots 18-22 and 25-31 and 50-51 shall be responsible for the maintenance of the drainage easement behind their lot to the water edge. This is to include cutting and maintenance of the lake bank to the Water's edge.

ORIGINAL

Hedges, fences or walls may not be built or maintained on any portion of any lot except on the rear or interior side lot line and no closer to the front of the lot than the front line of the main residence; no closer than twenty (20) feet to a side street, when the residence is situated on a corner lot. No fence or wall shall be erected nor hedge maintained higher than six (6) feet from the normal surface of the ground. If the fence is to be located in a easement for drainage, then there shall be provided a minimum of eighteen (18) inches between the natural ground and the bottom of the fence. Fence structure posts may be installed in the drainage easement but at intervals of not less than eight (8) feet. The smooth side of the fence shall be facing away from the home. All horizontal boards (stingers) facing the inside of the yard. Per Florida Statute, this is a mandatory requirement if the homeowner has a pool.

PVC/Vinyl fencing shall be white only.

Along the rear of lots 18-22 and 25-31 and 50-51 the only type fence allowed on the rear of the lot shall be a green vinyl chain link fence no higher than four (4) feet. The lot owners of lots 18-22 and 25-31 and 50-51 shall be responsible for the maintenance of the drainage easement behind their lot to the water edge. This is to include cutting and maintenance of the lake bank to the Water's edge.

The Board of Directors on March 20, 2007 approved the amendment and the membership at a Special Community Meeting on April 28, 2007 adopted the amendment. The number of votes cast in FAVOR of this amendment was twenty nine (29). The number of votes OPPOSING this amendment was Zero (0). A sufficient number of votes were obtained from the membership for approval.

LINE 27 of the original document as recorded in Book 1787; Page 0265 is amended and shall read as follows:

AMENDED

Effective January 01, 2008 dues shall be Two Hundred Twenty Dollars (\$220.00) per year and shall be fixed annually thereafter by the Board of Directors in an amount not to exceed ten percent (10%) greater than the prior year's assessment.

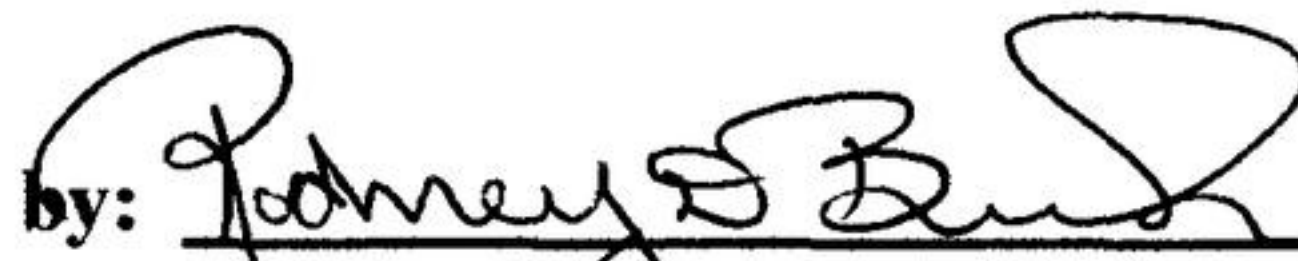
ORIGINAL

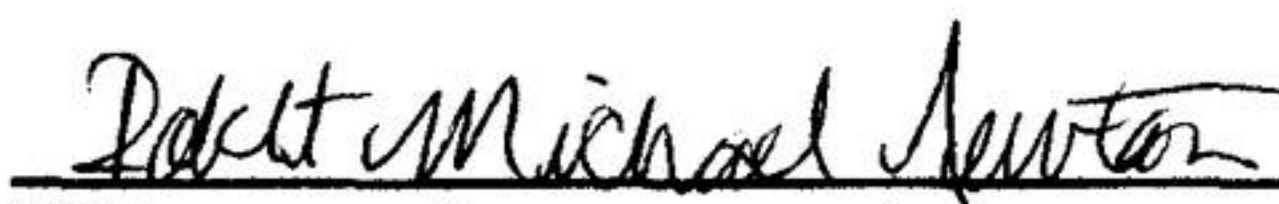
Initial dues shall be One Hundred Eighty Dollars (\$180.00) per year and shall be fixed annually thereafter by the Board of Directors in an amount not to exceed ten percent (10%) greater than the prior year's assessment.

The Board of Directors on March 20, 2007 approved the amendment and the membership at a Special Community Meeting on April 28, 2007 adopted the amendment. The number of votes cast in FAVOR of this amendment was twenty eight (28). The number of votes OPPOSING this amendment was one (1). A sufficient number of votes were obtained from the membership for approval.

IN WITNESS WHEREOF, THE HILLSIDE HOMEOWNERS ASSOCIATION OF CLAY COUNTY, INC., a Florida Corporation has caused these Covenants and Restrictions to be changed, amended or altered, and executed hereto this 21st day of AUGUST 2007.

**HILLSIDE HOMEOWNERS ASSOCIATION OF
CLAY COUNTY, INC.**

by: 
Rodney D. Breher, It's President


Witness ROBERT MICHAEL NEWTON.


Witness

STATE OF FLORIDA

COUNTY OF CLAY

The preceding amendment to the Covenants & Restrictions of Hillside were sworn to and subscribed before me this 21ST day of August, 2007 by RODNEY D. BREHER President for HILLSIDE HOMEOWNERS ASSOCIATION OF CLAY COUNTY, INC., a Florida Nonprofit Corporation, on behalf of the Corporation.

☒ Type ID Produced Florida Drivers License

☐ Personally known to me & did (did not) take an oath.

Nancy Casey
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES:



Nancy Casey
Commission # DD591540
Expires September 4, 2010
Bonded Troy Fain - Insurance, Inc. 800-385-7019

Prepared By, Record & Return to:
Hillside HOA Secretary
PO Box 1107
Middleburg, FL 32050-1107