

3

This instrument prepared by and after recording return to:

James H. McNeil, Jr., Esq.  
Akerman, Senterfitt  
420 South Orange Avenue, Suite 1200  
Orlando, Florida 32801

JK

Rec. 27.00

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
TURNING LEAF HOMEOWNERS ASSOCIATION (OF NASSAU COUNTY), INC.**

**THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR TURNING LEAF HOMEOWNERS  
ASSOCIATION (OF NASSAU COUNTY), INC. ("First Amendment") is made this \_\_\_\_\_  
day of October, 2007, by MARONDA HOMES, INC. OF FLORIDA, a Florida corporation,  
whose address is 3993 West First Street, Sanford, Florida 32771 ("Declarant").**

**RECITALS**

A. Declarant platted the property commonly known and referred to as Turning Leaf, said plat having been recorded in Plat Book 7, Pages 275 through 279, inclusive, Public Records of Nassau County, Florida (the "Turning Leaf Plat").

B. Declarant placed of Public Record those certain Declaration of Covenants, Conditions and Restrictions for Turning Leaf Homeowners Association (Of Nassau County), Inc., recorded October 2, 2006 in Official Records Book 1448, Pages 1608 through 1662, inclusive, Public Records of Nassau County, Florida (the "Declaration"). All capitalized terms used in this First Amendment without definition shall have the same meanings given to such terms in the Declaration.

C. Pursuant to Article XII of the Declaration, Declarant desires to amend the Declaration as specifically set forth in this First Amendment.

**NOW, THEREFORE,** Declarant, for itself and its successors and assigns, by the execution and recording in the Public Records of Nassau County of this First Amendment, does hereby declare that the Declaration shall be amended as provided herein.

1. Recitals. The foregoing recitals are true and correct and, by this reference, are hereby incorporated into this First Amendment.

2. Effective Date and Plat Reference. The date that the Declaration was executed and the recording information of the Turning Leaf Plat was inadvertently omitted from the first page of the Declaration. Declarant hereby confirms that the execution date of the Declaration is September 28, 2006 and the Turning Leaf Plat was recorded by the Clerk of the Circuit Court, Nassau County, on September 27, 2006 in Plat Book 7, Pages 275 through 279, inclusive, Public

Records of Nassau County, Florida.

3. Vehicles. Notwithstanding any other provision set forth in the Declaration, Section 7 of Article X is hereby amended to provide that trailers, boats, campers, and motorized or non-motorized recreational vehicles are allowed on the Property provided that they are located in the rear of each Owner's Lot that is enclosed with a fence and not visible from any right-of-way.

4. Temporary Structures. Section 9 of Article X is hereby deleted in its entirety and replaced with the following:

Section 9. Temporary Structures. No building or structure of a temporary or portable character such as trailers, tents or shacks shall be permitted, unless approved by the ARB. Temporary improvements used solely in connection with the construction of approved permanent improvements are allowed provided that they are removed immediately upon completion of such construction. Neither Declarant nor any residential builder doing business in the Property shall be prohibited from erecting or maintaining temporary dwellings, model homes and other structures for development and marketing purposes, provided such are in compliance with the appropriate governmental requirements, and further provided that any builder first obtains Declarant's written approval (or the ARB in the event that Turnover has occurred) of such temporary dwelling, home or structure prior to installing or constructing same, such approval to be granted or denied by Declarant in Declarant's sole discretion.

5. No Further Amendments. In the event of any inconsistencies between the terms and provisions of this First Amendment and the terms and provisions of the Declaration, the terms and provisions of this First Amendment shall control. Otherwise the Declaration is unmodified and remains in full force and effect. From and after the date of execution and recording of this First Amendment, any and all references to the Declaration shall be deemed to refer to the Declaration as amended by this First Amendment.

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

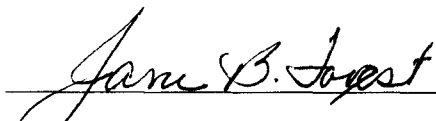
Signed, sealed and delivered  
in the presence of:

**"DECLARANT"**

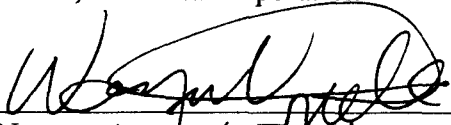
**MARONDA HOMES, INC. OF  
FLORIDA**, a Florida corporation

  
\_\_\_\_\_

Print Name: JOEL HUEY

  
\_\_\_\_\_

Print Name: Jane B. Forest

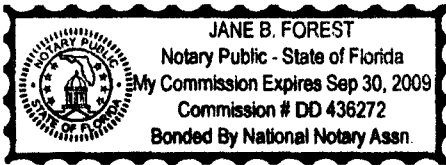
By:   
\_\_\_\_\_

Print Name: Wayne VonDreele

Its: President

STATE OF FLORIDA  
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of October, 2007, by Wayne Von Dreele, as President of Maronda Homes, Inc. of Florida, a Florida corporation. He is  personally known to me or  has produced \_\_\_\_\_ as identification.



Jane B. Forest  
Signature of Person Taking Acknowledgment  
Print Name: Jane B. Forest  
Title: Notary Public  
Serial No. (if any): DD436272  
Commission Expires: Sept. 30, 2009