

Prepared by and return to:

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2240 Belleair Road
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Recording cross reference:
O.R. Book 9685, Page 3914

**SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS
FOR
ANCLOTE RESERVE**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ANCLOTE RESERVE (“Amendment”) is made effective on December 11, 2018, by HOMES BY WEST BAY, LLC, a Florida limited liability company (“**Developer**”), with reference to the following facts:

WITNESSETH:

A. Developer is the “Developer” under that certain Declaration of Covenants, Conditions, and Restrictions for Anclote Reserve, recorded in Official Records Book 9685, Page 3914, et seq., of the Public Records of Pasco County, Florida (as heretofore supplemented and amended, referred to herein collectively as the “**Declaration**”).

B. Pursuant to Article X, Section 1., of the Declaration, until Turnover, Developer may unilaterally amend the Declaration for any reasonable purpose.

C. As of the date of this Amendment, Turnover has not occurred and Developer desires to amend the Declaration, as more specifically set forth in this Amendment.

NOW, THEREFORE, Developer hereby amends the Declaration in the following respects and declares that all of the Property shall be held, sold and conveyed subject to the terms and conditions of the Declaration, as amended hereby:

1. Fences; Walls. Article III, Section 6(a) is hereby amended and restated in its entirety as follows [*strikethrough indicating deletions, and underlining indicating additions*]:

a. General. Except as to items initially approved by the Developer, no fences or walls of any kind shall be placed or installed on the Property without the written approval of the Design Review Committee. The foregoing includes the right to regulate the size, location, style and color of all fences and walls, and to require styles and colors compatible with other fences and improvements. Hedges or dense vegetation are encouraged as a preferred method for privacy screening. Chain link or other forms of wire fences shall not be permitted. Unless otherwise approved by the Design Review Committee, all fences installed within the Property by anyone other than Developer must be

made of black powder-coated aluminum and shall not be less than four feet (4') nor exceed ~~four~~ five feet (4 5') in height, except fences that are adjacent to retention areas, natural areas, trails, parks, wetlands, lakes or ponds, which may only be four feet (4') in height. In cases of a Lot with 5-foot high side Lot line fences and a 4-foot high rear Lot line fence, the final segment of the side Lot line fences connecting to the rear Lot line fence must step down from five feet (5') to four feet (4') in height. In any event, no fences or walls will be permitted in a location that will prevent the Developer's, the CDD's, or the Association's use, as applicable, of access easements granted in this Declaration, by recorded instrument, or on any Plat for the purpose of accessing any portion of the Surface Water Management System, or any ponds, lakes, marshes or wetlands, whether part of the Surface Water Management System or otherwise.


2. Capitalized Terms; Effect of Amendment. Any capitalized terms used in this Amendment, which are not defined herein, shall have the meanings ascribed to them in the Declaration. Except as expressly modified by this Amendment, the Declaration shall remain unmodified and unamended, and Developer hereby ratifies and reaffirms same.

[Signature page follows.]

[Signature Page – Second Amendment to Declaration]

IN WITNESS WHEREOF, Developer has executed this Amendment as of the date first stated above.


WITNESSES:



Signature of Witness #1

TIMOTHY GREEN

Typed/Printed Name of Witness #1



Signature of Witness #2

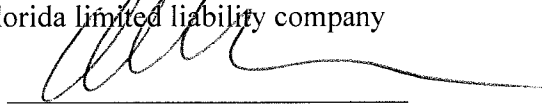
Paula Roberts

Typed/Printed Name of Witness #2

DEVELOPER:

HOMES BY WEST BAY, LLC,
a Florida limited liability company

By:



Wilhelm A. Nunn, President

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 11th day of December, 2018, by Wilhelm A. Nunn, as President of Homes by West Bay, LLC, a Florida limited liability company. He / is personally known to me or / ___ / has produced _____ as identification.



Notary Public, State of Florida

Print Name

My Commission Expires:

(SEAL)

