

Official Records Citrus County FL, Angela Vick, Clerk of the Circuit Court & Comptroller
 #2018006975 BK: 2880 PG: 781 2/13/2018 9:24 AM 1 Receipt: 2018006255
 RECORDING \$44.00

Prepared by and return to:

 Steven Fischer
 2500 Weston Road, Suite 311
 Weston, FL 33331

**FIFTH AMENDMENT TO THE
 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
 HIGH RIDGE VILLAGE HOMEOWNER'S ASSOCIATION, INC.**

THIS FIFTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGH RIDGE VILLAGE HOMEOWNER'S ASSOCIATION, INC., ("**Fifth Amendment**") is made and entered into this 8 day of February, 2018 by HILLSIDE PROPERTIES, LLC, a Florida limited liability company (the "**Developer**"), and HIGH RIDGE VILLAGE HOMEOWNER'S ASSOCIATION, INC. a Florida not for profit corporation (the "**Association**") for the following uses and purposes

RECITALS

- A. Developer has previously executed that certain Declaration of Covenants, Conditions and Restrictions for High Ridge Village Homeowner's Association, Inc., dated September 27, 2005, recorded in O.R. Book 1984, Page 1818, Public Records of Citrus County, Florida, as amended by that certain Amendment #1 to Covenants and Restrictions for High Ridge Village, dated February 20, 2007, recorded in O.R. Book 2098, Page 2449, as amended by that certain Amendment #3 to Covenants and Restrictions for High Ridge Village, dated March 17, 2008, recorded in O.R. Book 2204, Page 1160, as amended by that certain Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions for High Ridge Village Homeowners' Association, Inc., dated August 1, 2016, recorded in O.R. Book 2774, Page 806 (the "**Declaration**"), in connection with that certain residential subdivision known as High Ridge Village and more particularly described therein (the "**Subdivision**").
- B. Parties hereto desire to amend various covenants contained within that certain Declaration of Covenants, Conditions and Restrictions for High Ridge Village Homeowner's Association, Inc.

WHEREAS, Declarant owns at least one Lot subject to the Declaration; and

WHEREAS, pursuant to Article IX, Section 75 the Declarant has the unilateral right to amend the Declaration.

NOW, THEREFORE, the Declarant, on behalf of the Members, their successors in interest and assigns, through its execution and recording of this Fifth Amendment in the Public

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Records of Citrus County, Florida, does hereby declare that the Declaration is hereby amended as follows:

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

2. Definitions. Notwithstanding anything to the contrary set forth in the Declaration:

a. "Builder" means any person or entity that purchases Lots from the Declarant or a Successor Developer for the purpose of constructing Dwellings on such Lots for sale to third party purchasers. Reed Homes of Central Florida, Inc., Adams Homes of Northwest Florida, Inc., and D.R. Horton, Inc. (the "Designated Builders") are approved and designated Builders for the High Ridge Village Homeowner's Association.

b. "Institutional Mortgage" means any party named as an obligee under any Mortgage and any holder of a mortgage or instrument transferring any interest in the Property as security for the performance of an obligation, or the successors and/or assigns of such Person.

3. Designated Builder Rights. Notwithstanding anything to the contrary set forth in the Declaration, each Designated Builder shall have rights, remedies and easements necessary to develop, construct, market or sell Dwelling Units on Lots in High Ridge Village, including those rights and exemptions set forth in Sections 63 and 64 of the Declaration. In addition, all Designated Builders, their employees, contractors, vendors, materialman and invitees, including without limitation sales brokers and prospective third party purchases, shall have the right to access and enter High Ridge Village through any gate or other access control during the hours of 7 am to 7 pm daily when the Builder is constructing and selling Dwelling Units.

4. Approval of Builder Plans. As of the date of this Fifth Amendment, all plans submitted by any Designated Builder shall be deemed approved by the A.R.B. if such plans are submitted to and approved by a Successor Developer. Once a Designated Builder's Plans are so approved, such approval may not subsequently be rescinded, modified or conditioned by the A.R.B.

5. Article V, Section 35 of the Declaration is hereby amended to add the following:

Notwithstanding the foregoing, all signs used by an Designated Builder to advertise the Lot(s) and models during construction and sales of Dwelling Units shall be allowed on any Lot owned by such Designated Builder as well as on model homes and sales centers and at designated locations on the Common Areas to be approved by the Developer or the Association.

6. Article V, Section 44 of the Declaration is hereby amended to add the following:

Commercial vehicles used by Designated Builders, their employees, contractors, vendors, materialman and invitees may be parked in the Subdivision or on any street that the Designated Builder is working in from 7 am to 7 pm.

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7. Article V, Section 45 of the Declaration is hereby amended to add the following:

Notwithstanding the foregoing, initial construction of a Dwelling Unit on a Lot by a Designated Builder must be completed within twelve (12) months following installation of the concrete building slab for the Dwelling Unit constructed on the Lot, unless the community is impacted by a natural disaster or other event which causes delay of construction, in which event the Dwelling Unit must be completed within eighteen (18) months following installation of the concrete building slab. Designated Builders shall however, comply with the last sentence of the Section.

8. No Further Amendments. In the event of any inconsistencies between the terms and provisions of this Fifth Amendment and the terms and provisions of the Declaration, the terms and provisions of this Fifth 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 Fifth Amendment, any and all references to the Declaration shall be deemed to refer to the Declaration as amended by this Fifth Amendment.

9. Severability. The invalidity or unenforceability of any particular provision of this Fifth Amendment shall not affect the other provisions hereof, and this Fifth Amendment shall be construed in all respects as if the invalid or unenforceable provision were omitted.

[Signature page follows]

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IN WITNESS WHEREOF, the Parties hereto have executed this Fifth Amendment to
Declarations of Covenants, Conditions and Restrictions for High Ridge Village Homeowner's
Association, Inc. effective as of this 8 day of February, 2018.

Signed, Sealed and Delivered in
The Presence of:

WITNESSES:

[Signature]
Printed Name Fred Sadoff

[Signature]
Printed Name Daniel Martin

HILLSIDE PROPERTIES, LLC., a Florida
Limited Liability Company

By: [Signature]
Name: Steven Fischer
Title: Manager

STATE OF FLORIDA
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 8 day of
February, 2018 by Steven Fischer, as Manager of Hillside
Properties, LLC, a Florida limited liability company, on behalf of the Company, who () is
personally known to me or () produced _____ as
identification.

[Signature] Daniel Martin
Notary Public (seal)



Daniel Alejandro Martin
Commission #FF964168
Expires: February 28, 2020
Bonded thru Aaron Notary

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HIGH RIDGE VILLAGE
HOMEOWNER'S ASSOCIATION, INC.

[Signature]
Printed Name Fred Sadoff

By: [Signature]
Name: Steven Fischer
Title: President

[Signature]
Printed Name Daniel Martin

STATE OF FLORIDA
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 8 day of February, 2018 by Steven Fischer, as Manager of High Ridge Village Homeowners' Association, Inc., a Florida not for profit corporation, on behalf of the Company, who () is personally known to me or () produced _____ as identification.

[Signature] Daniel Martin
Notary Public (seal)

