



PREPARED BY AND TO BE RETURNED TO:
Robert S. Freedman, Esquire
CARLTON FIELDS JORDEN BURT, P.A.
4221 W. Boy Scout Boulevard, Suite 1000
Tampa, Florida 33607
(813) 223-7000

**FIFTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF RESERVE AT SAWGRASS**

This Fifth Amendment to Declaration of Covenants, Conditions and Restrictions of Reserve at Sawgrass (this “**Amendment**”) is made and executed as of the dates noted below, with the latest date constituting the effective date hereof, by **Beazer Homes, LLC**, a Delaware limited liability company (“**Developer**”), with an office at 151 Southhall Lane, Suite 200, Maitland, FL 32751, and **Reserve at Sawgrass Homeowners Association, Inc.**, a Florida corporation not-for-profit (“**Association**”).

Recitals

(A) Beazer Homes, LLC, a Delaware limited liability company, successor by conversion to Beazer Homes Corp., is the Developer under that certain Declaration of Covenants, Conditions and Restrictions of Reserve at Sawgrass recorded on November 25, 2013, in Official Records Book 10668, Page 6145, public records of Orange County, Florida, as has been or may be amended and/or supplemented from time to time (collectively, the “**Declaration**”).

(B) The Association is the entity charged with operation and maintenance of the Community and other duties as prescribed in the Declaration.

(C) Pursuant to Section 4.iv of the Declaration, Owners holding not less than two-thirds (2/3) of the total votes of the Association must consent to the annexation of real property other than the Additional Property.

(D) Developer is exploring the addition of certain adjacent real property more particularly described in **Exhibit D-1** attached hereto and made a part hereof to the scope of the “**Additional Property**” (as defined in the Declaration) and has sought the consent of the Owners to do so.

(E) At a duly-called and noticed meeting of the Association membership held on March 1st, 2018, at which a quorum was present, Owners holding not less than two-thirds (2/3) of the total votes of the Association consented and agreed to the expansion of the Additional Property to include the real property described in **Exhibit D-1** attached hereto and made a part hereof.

NOW, THEREFORE, the Developer and the Association hereby agree and covenant as follows:

1. **Recitals.** The above recitals of facts are true and correct and, by this reference, are made a part of the operative terms of this Amendment.
2. **Definitions.** Capitalized terms used but not defined herein shall have the same meanings in the Declaration.
3. **Amendments to Declaration.**
 - a. Section 1.iii of the Declaration is hereby deleted in its entirety and replaced with the following:
 - “ii. “Additional Property” shall mean that certain real property described collectively in **Exhibit D** and **Exhibit D-1** attached hereto and by this reference made a part hereof, which Developer may, but is not obligated to, improve and, by annexation, subject to this Declaration.
 - b. **Exhibit D-1** to the Declaration is hereby created and is constituted by that certain **Exhibit D-1** attached hereto and made a part hereof.
4. **Conflict.** In the event of a conflict between the terms and provisions of this Amendment and the terms and provisions of the Declaration, this Amendment will control.
5. **Ratification.** The Declaration, as amended by this Amendment, remains in full force and effect.
6. **Effective Date.** This Amendment is effective upon the date it is recorded in the public records of Orange County, Florida.

[Signatures and Certificates follow beginning on next page.]

IN WITNESS WHEREOF, Developer has executed this Amendment on this 19th day of April, 2018.

WITNESSES:

BEAZER HOMES, LLC,
a Delaware limited liability company

Name: Melissa Miller
Print Name: Melissa Miller

By: [Signature]
Name: Jeff Wachner
Title: Division President

Name: [Signature]
Print Name: Chad Minor

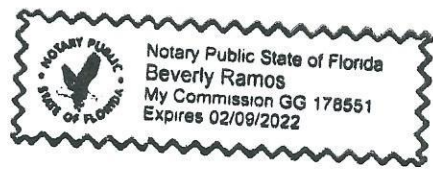
(Corporate Seal)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 19th day of April, 2018, by Jeff Wachner, as Division President of **BEAZER HOMES, LLC**, a Delaware limited liability company, on behalf of the company. He is personally known to me or has produced _____ as identification.

My Commission Expires:
(AFFIX NOTARY SEAL)

[Signature]
(Signature)
Name: Beverly Ramos
(Legibly Printed)
Notary Public, State of Florida
GG 178551
(Commission Number, if any)



IN WITNESS WHEREOF, the Association, by and through its President and attested by its Secretary, has executed this Amendment on this 19th day of April, 2018.

WITNESSES:

Reserve at Sawgrass Homeowners Association, Inc., a Florida corporation not-for-profit

Name: [Signature]
Print Name: Chad Minor

By: [Signature]
Name: Jeremy Camp
Title: President

Name: [Signature]
Print Name: Daniel Lemus

Name: [Signature]
Print Name: Chad Minor

Attested to by: [Signature]
Name: Melissa Miller
Title: Secretary

Name: [Signature]
Print Name: Daniel Lemus

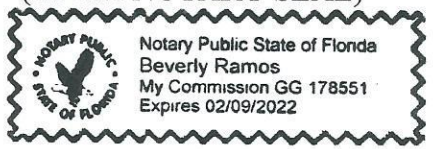
(Corporate Seal)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 19th day of April, 2018, by Melissa Miller and Jeremy Camp, as President and Secretary, respectively, of Reserve at Sawgrass Homeowners Association, Inc., a Florida corporation not-for-profit, on behalf of the corporation. They are personally known to me or have produced _____ as identification.

My Commission Expires:

(AFFIX NOTARY SEAL)



[Signature]

(Signature)
Name: Beverly Ramos
(Legibly Printed)

Notary Public, State of Florida

GG 178551

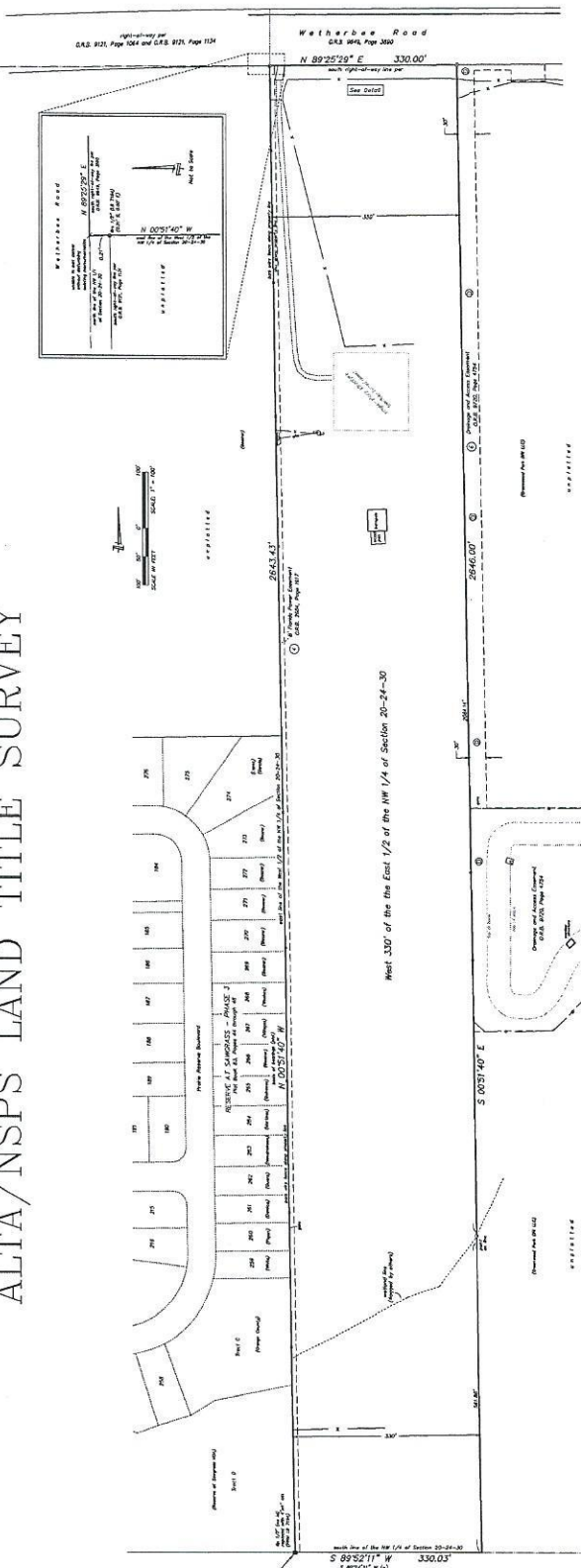
(Commission Number, if any)

Exhibit D-1

West 330 feet of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 20, Township 24 South, Range 30 East, Orange County, Florida

ALTA/NSPS LAND TITLE SURVEY

ALTA/NSPS LAND TITLE SURVEY Section 20, Township 24 South, Range 30 East Change County, Florida
 Long Property BECKER HORNS
 PLAT No. 228
 1275 E. Palmetto Street, Dunedin, FL 34620
 GPM BANKING - BELLTOP ASSOCIATES, INC.
 1275 E. Palmetto Street, Dunedin, FL 34620
 1275 E. Palmetto Street, Dunedin, FL 34620



Legal Description:
 Parcel 330' West of the East 1/2 of the Northwest 1/4 of Section 20, Township 24 South, Range 30 East, Change County, Florida.

Surveyor's Notes:

1. Bearings are based on an assumed bearing of N 89°25'29" E along the north line of the Northwest 1/4 of Section 20, Township 24 South, Range 30 East.
2. The survey includes bearings, distances, courses, and lots.
3. Lots shown herein were not subjected to a plat, map, or other public record. The survey is based on the original survey of the land shown herein.
4. The location of the land shown herein is based on the original survey of the land shown herein.
5. The survey is based on the original survey of the land shown herein.
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16. The survey is based on the original survey of the land shown herein.
17. The survey is based on the original survey of the land shown herein.

- Legend:**
- ① Survey boundary
 - ② Survey corner
 - ③ Survey line
 - ④ Survey area
 - ⑤ Survey easement
 - ⑥ Survey encroachment
 - ⑦ Survey right-of-way
 - ⑧ Survey utility line
 - ⑨ Survey fence
 - ⑩ Survey structure
 - ⑪ Survey monument
 - ⑫ Survey marker
 - ⑬ Survey monument
 - ⑭ Survey monument
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 - ⑯ Survey monument
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Item No.	Item/Type	Description	Comment	Action/Date
1	Survey Boundary	Survey Boundary	Survey Boundary	Survey Boundary
2	Survey Corner	Survey Corner	Survey Corner	Survey Corner
3	Survey Line	Survey Line	Survey Line	Survey Line
4	Survey Area	Survey Area	Survey Area	Survey Area
5	Survey Easement	Survey Easement	Survey Easement	Survey Easement
6	Survey Encroachment	Survey Encroachment	Survey Encroachment	Survey Encroachment
7	Survey Right-of-Way	Survey Right-of-Way	Survey Right-of-Way	Survey Right-of-Way
8	Survey Utility Line	Survey Utility Line	Survey Utility Line	Survey Utility Line
9	Survey Fence	Survey Fence	Survey Fence	Survey Fence
10	Survey Structure	Survey Structure	Survey Structure	Survey Structure
11	Survey Monument	Survey Monument	Survey Monument	Survey Monument
12	Survey Marker	Survey Marker	Survey Marker	Survey Marker
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100	Survey Monument	Survey Monument	Survey Monument	Survey Monument

Point of Beginning:
 The corner of the NW 1/4 of Section 20-24-30.

Scale:
 1" = 100'

North Arrow:
 True North

Surveyor's Signature:
 [Signature]

Date:
 [Date]

Scale:
 1" = 100'

North Arrow:
 True North

Surveyor's Signature:
 [Signature]

Date:
 [Date]