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- RICHARD AKE  
CLERK OF CIRCUIT COURT  
HILLSBOROUGH COUNTY  
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Prepared By & Return To:  
Gary N. Strohauer, Esq.  
BAXTER & STROHAUER, P.A.  
1150 Cleveland Street, Suite 300  
Clearwater, FL 34615

SEVENTH AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
OF BRENTWOOD HILLS SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS:

That this Seventh Amendment to Declaration of Covenants, Conditions and Restrictions of Brentwood Hills Subdivision is made and entered into this 16<sup>th</sup> day of August, 1996, by SCARBOROUGH-SEMBLER JOINT VENTURE, a Florida general partnership, comprised of Scarborough Constructors, Inc., a Florida corporation, and Weyerhaeuser Real Estate Company, a Washington corporation, hereinafter referred to as Declarant, and WINDWARD HOMES, INC., hereinafter referred to as Developer.

W I T N E S S E T H:

WHEREAS, Declarant is the record owner of the real property described in Article I of this Amendment to Declaration; and

WHEREAS, Declarant intends to convey the property described in Article I to Developer and Developer intends to develop the same as part of Brentwood Hills Subdivision; and

WHEREAS, Declarant and Developer desire to provide for the preservation of values and amenities in said community and for the maintenance of the common lands and improvements and drainage facilities; and to this end, desire to subject the property to the covenants, restrictions, easements, charges and liens established by the Brentwood Hills Declaration of Covenants, Conditions and Restrictions dated February 28, 1989 recorded in O.R. Book 5632, Pages 1158 through 1182 of the Public Records of Hillsborough County, Florida as the same have been subsequently amended; and

WHEREAS, Declarant has the authority under the aforesaid Brentwood Hills Declaration of Covenants, Conditions and Restrictions to file this document binding the property herein described to said Brentwood Hills Declaration of Covenants, Conditions and Restrictions.

NOW THEREFORE, Declarant hereby declares that the real property described in ARTICLE I hereof shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens (sometimes referred to as "Covenants and Restrictions") set forth in the Brentwood Hills Declaration of Covenants, Conditions and Restrictions recorded in O.R. Book 5632, Pages 1158 through 1182, as amended by amendments thereto recorded in O.R. Book 5658, Pages 559 through 562, O.R. Book 6404, Pages 073 through 075, O.R. Book 7061, Pages 1092 through 1094, O.R. Book 7389, Pages 1307 through 1308, O.R. Book 7656, Pages 1548 through 1550, and O.R. Book 7839, Pages 253 through 255, all of the Public Records of Hillsborough County, Florida.

ARTICLE I. The following described property is included as additions to the property subject to the Brentwood Hills Declaration of Covenants, Conditions and Restrictions:

BRENTWOOD HILLS TRACT D/E, Unit 1, as is more fully described on Exhibit "A" attached hereto, which property will be platted in Hillsborough County, Florida.

ARTICLE II. The properties described in ARTICLE I above shall be fully subject to all of the covenants, restrictions, charges,

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easements and liens set forth in the above referenced Declaration of Covenants, Conditions and Restrictions of Brentwood Hills, except as to those properties, the same are modified and amended as follows:

A) ARTICLE VI of the Declaration of Covenants, Conditions and Restrictions as to all lots contained within Brentwood Hills Tract D/E, Unit 1 is amended by adding the following sections:

Section 17. Compliance with Condition of Southwest Florida Water Management District Permit No.

(a) It shall be the responsibility of each property Owner within Brentwood Hills Tract D/E, Unit 1, at the time of construction of a building, residence or structure, to comply with the construction plans for surface water management system pursuant to Chapter 40D-4, Florida Administrative Code, approved and on file with the Southwest Florida Water Management District.

(b) It is the responsibility of each Owner of a Lot within Brentwood Hills Tract D/E, Unit 1, not to remove native vegetation (including cattails) that become established within the wet detention ponds abutting their property. Removal includes dredging, the application of herbicide, and cutting. Lot Owners should address any questions regarding authorized activities within the wet detention pond area to the Southwest Florida Water Management District, Brooksville Permitting Department.

(c) No Owner of property within Brentwood Hills Tract D/E, Unit 1, may construct or maintain any building, residence, or structure, or undertake or perform any activities in the wetlands, buffer areas and upland conservation areas described in the approved permit and recorded Plat of the subdivision, unless prior approval is received from the Southwest Florida Water Management District, Tampa Permitting Department pursuant to Chapter 40D-4, Florida Administrative Code.

B. Article VIII, Section 4 is amended by adding the following paragraph:

Any amendment to this Declaration that would affect the surface water management systems, including lakes, retention areas, culverts and related appurtenances must have the prior written approval of the Southwest Florida Water Management District.

C. The following language is added to Article VI, Section 1, as to all Lots in Tract D/E, Unit 1:

Homebuilders in Tract D/E, Unit 1 shall only be required to have plans and specifications for specifically designed homes to be constructed in Tract D/E, Unit 1 approved by the Architectural Committee prior to the construction of the first of such homes. Once a particular set of plans and specifications is approved, such approval shall be deemed given for all subsequent home construction which is similar in all material respects.

D. Article VI, Section 4 (1), as to all lots in Tract D/E, Unit 1, is amended to read:

1. No residences in Tract D/E, Unit 1, shall be erected or allowed to remain on any lot unless the square foot area of the main residence, exclusive of screened porches, garages, storage rooms and carports shall equal or exceed 900 square feet.

E. Article IV, Section 4 (3) as to all lots in Tract D/E, Unit 1, is amended to read:

3. All single family detached dwellings shall have at least a one car enclosed garage and a concrete drive that will provide off street parking for at least a total of two vehicles.

F. The following language is added to Article VI, Section 8, paragraph 4, as to all lots in Tract D/E, Unit 1:

All fences constructed shall be of shadow box or board on board design and shall be constructed of ultrawood pressure treated lumber or a comparable wood product that is warranted by the manufacturer for a minimum of fifty years.

ARTICLE III. Except as herein modified and amended, the Declaration of Covenants, Conditions and Restrictions for Brentwood Hills subdivision as recorded in O.R. Book 5632, Pages 1158 through 1182, as amended by the First, Second, Third and Fourth Amendments thereto recorded in O.R. Book 5658, Pages 559 through 562, O.R. Book 6404, Pages 073 through 075, O.R. Book 7061, Pages 1092 through 1094, O.R. Book 7389, Pages 1307 through 1308, and Amendment to Declaration of Covenants, Conditions and Restrictions of Brentwood Hills Subdivision, recorded in O.R. Book 7656, Pages 1548 through 1550 and O.R. Book 7839, Pages 253 through 255, inclusive, of the Public Records of Hillsborough County, Florida shall remain in full force and effect as first written.

IN WITNESS WHEREOF, the Declarant, SCARBOROUGH-SEMBLER JOINT VENTURE, and the Developer, WINDWARD HOMES, INC., have caused this instrument to be executed by their duly authorized officers and their corporate seal to be hereunto affixed all as of the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

SCARBOROUGH-SEMBLER JOINT VENTURE BY:

SCARBOROUGH CONSTRUCTORS, INC., a Florida corporation

*[Signature]*  
(Sign)

Gary N. Strobaner  
(Print)

*[Signature]*  
(Sign)

KIMBERLY CUNNINGHAM  
(Print)

By: *[Signature]*  
FREDERICK H. BURCAW, President  
Authorized Agent pursuant to  
Power of Attorney and Authority  
to Act recorded in O.R. Book  
7075, Page 456, Public Records  
of Hillsborough County, Florida

Signed, Sealed and Delivered in the Presence of:

WINDWARD HOMES, INC.

*[Signature]*  
(Sign)

Gary N. Strobaner  
(Print)

*[Signature]*  
(Sign)

DONALD S. HART, JR.  
(Print)

By: *[Signature]*

Its: President

STATE OF FLORIDA  
COUNTY OF PASCO

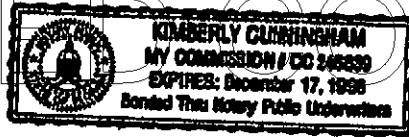
I HEREBY CERTIFY that on this 10th day of August, 1996, before me personally appeared, FREDERICK H. BURCAW, President of SCARBOROUGH CONSTRUCTORS, INC., a Florida corporation, to me personally known to be the person described in and who executed the foregoing conveyance and he acknowledged the execution thereof to be his free act and deed as such officer, for the uses and purposes therein mentioned; and that he affixed thereto the official seal of said corporation, and declared said instrument to be the act and deed of said corporation.

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WITNESS my hand and official seal at Wesley Chapel, County of Pasco, State of Florida, the day and year last aforesaid.

THIS IS NOT A  
CERTIFIED COPY

*Kimberly Cunningham*  
NOTARY PUBLIC  
My Commission Expires:



STATE OF FLORIDA  
COUNTY OF Pinellas

*personally*  
*RP.* I HEREBY CERTIFY that on this 16<sup>th</sup> day of August, 1996, before me personally appeared, David Nader, President of WINDWARD HOMES, INC., a Florida corporation, to me known to be the person described in and who executed the foregoing conveyance and he acknowledged the execution thereof to be his free act and deed as such officer, for the uses and purposes therein mentioned; and that he affixed thereto the official seal of said corporation, and declared said instrument to be the act and deed of said corporation.

WITNESS my hand and official seal at Clearwater, County of Pinellas, State of Florida, the day and year last aforesaid.

*[Signature]*  
NOTARY PUBLIC  
My Commission Expires:



GARY N. STROHAIER  
MY COMMISSION # CC327848 EXPIRES  
December 5, 1997  
BONDED THRU TROY FAH INSURANCE, INC.

# THIS IS NOT A EXHIBIT "A" LEGAL DESCRIPTION CERTIFIED COPY

## BRENTWOOD HILLS TRACT D/E, UNIT 1

A parcel of land located in the Northwest 1/4, Southwest 1/4 and the Southeast 1/4 of Section 25, Township 29 South, Range 20 East, Hillsborough County, Florida being more particularly described as follows:

As a point of reference commence at the Southeast corner of the Southeast 1/4 of said Section 25; thence North 00°11'43" East, 1484.22 feet along the Easterly boundary of the Southeast 1/4 of said Section 25; thence North 89°48'17" West, 486.00 feet along the Southerly right-of-way line of Brentwood Hills Boulevard to the point of curvature of a curve to the right; thence 1090.70 feet along the arc of said curve being the Southerly right-of-way line of Brentwood Hills Boulevard whose radius is 2896.79 feet, central angle is 21°34'23" and has a chord bearing and distance of North 79°01'06" West, 1084.27 feet to the point of reverse curvature; thence 537.04 feet along the arc of said curve being the Southerly right-of-way line of Brentwood Hills Boulevard whose radius is 1113.91 feet, central angle is 27°37'24" and has a chord bearing and distance of North 82°02'37" West, 531.85 feet; thence departing said Southerly right-of-way line North 05°51'19" West, 64.00 feet to a point on the Northerly right-of-way line of Brentwood Hills Boulevard being the Southwest corner of BRENTWOOD HILLS TRACT A, UNIT 2, PHASE 1 as recorded in Plat Book 75, Page 31 of the Public Records of Hillsborough County, Florida; thence North 05°51'19" West, 124.99 feet along the Westerly boundary of said BRENTWOOD HILLS TRACT A, UNIT 2, PHASE 1; thence North 07°51'54" East, 680.73 feet along the Westerly boundary of said BRENTWOOD HILLS TRACT A, UNIT 2, PHASE 1 and as extended to the Northeast corner of the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of said Section 25; thence South 89°20'48" West, 669.13 feet along the North boundary of the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of said Section 25 to the Southeast corner of the Northwest 1/4 of said Section 25; thence South 89°20'12" West, 40.58 feet to the POINT OF BEGINNING; thence South 20°28'11" West, 91.94 feet to a non-tangent curve concave to the Northeast; thence 9.36 feet along the arc of said curve whose radius is 212.04 feet, central angle is 02°31'44" and has a chord bearing and distance of South 70°47'41" East, 9.36 feet thence South 10°56'41" West, 174.42 feet to a non-tangent curve concave to the Southeast; thence 100.65 feet along the arc of said curve whose radius is 463.17 feet, central angle is 12°27'05" and has a chord bearing and distance of North 83°44'34" East, 100.46 feet to a point of tangency; thence North 89°20'48" East, 363.92 feet; thence South 00°39'12" East, 100.00 feet; thence South 89°20'48" West, 37.47 feet; thence South 00°39'12" East, 85.86 feet; thence South 22°20'11" West, 15.36 feet; thence South 30°56'18" West, 61.89 feet to the point on a curve concave to the Northwest; thence 83.93 feet along the arc of said curve whose radius is 150.00 feet, central angle is 32°03'26" and has a chord bearing and distance of South 54°31'37" West, 82.84 feet to a point of reverse curvature; thence 200.74 feet along the arc of said curve concave to the Southeast whose radius is 1447.91 feet, central angle is 07°56'37" and has a chord bearing and distance of South 66°35'02" West, 200.58 feet; thence South 30°57'07" East, 100.21 feet to a point on a curve concave to the Southeast; thence 75.34 feet along the arc of said curve whose radius is 1347.91 feet, central angle is 03°12'09" and has a chord bearing and distance of South 61°16'32" West, 75.33 feet; thence South 31°36'09" East, 50.01 feet to a point on a curve concave to the East; thence 39.00 feet along the arc of said curve whose radius is 25.00 feet, central angle is 89°22'26" and has a chord bearing and distance of South 75°38'20" West, 35.16 feet to a point on the Northeasterly boundary of BRENTWOOD HILLS TRACT "G" as recorded in Plat Book 67, Page 25 of the Public Records of Hillsborough County, Florida; thence South 30°57'07" East, 94.95 feet along the aforesaid Northeasterly boundary to a point on the Northerly right-of-way line of Brentwood Hills Boulevard; thence South 59°05'46" West, 50.00 feet along the Northerly boundary of Brentwood Hills Boulevard; thence North 30°57'07" West, 225.00 feet to a point on the Northeasterly boundary of said BRENTWOOD HILLS TRACT "G"; thence South 59°02'53" West, 30.00 feet along the Northerly boundary of the aforesaid TRACT "G"; thence North 30°57'07" West, 176.94 feet along the Northerly boundary of the aforesaid TRACT "G"; thence South 59°02'53" West, 362.17 feet along the Westerly boundary of the aforesaid TRACT "G" to a point on the Easterly right-of-way line of Mount Carmel Road; thence 83.73 feet along the arc of a curve to the right whose radius is 676.20 feet, central angle is 07°05'42" and has a chord bearing and distance of North 03°32'11" West, 83.68 feet to the point of tangency being the Easterly right-of-way line of Mt. Carmel Road; thence North 00°00'40" East, 713.07 feet to the point of curvature of a curve to the right; thence 637.50 feet along the arc of said curve whose radius is 1105.92 feet, central angle is 33°01'41" and has a chord bearing and distance of North 16°31'31" East, 628.71 feet to the point of tangency being the Easterly right-of-way line of Mt. Carmel Road; thence North 33°02'21" East, 357.38 feet to the point of curvature of a curve to the right, thence departing Mt. Carmel Road 36.53 feet along the arc of said curve whose radius is 25.00 feet, central angle is 83°42'41" and has a chord bearing and distance of North 74°55'41" East (calculated) 33.36 feet to a point of reverse curvature, thence 45.77 feet along the arc of said curve whose radius is 125.00 feet, central angle is 20°58'40" and has a chord bearing and distance of South 73°44'18" East, 45.51 feet to a point of reverse curvature, thence 36.77 feet along the arc of said curve whose radius is 25.00 feet, central angle is 84°15'59" and has a chord bearing and distance of South 42°05'39" East, 33.54 feet to a point that is 25.00 feet Westerly of the East boundary of the Northwest 1/4 of said Section 25; thence South 00°02'21" West, 214.26 feet along a line 25.00 feet West of and parallel to the East boundary of the Northwest 1/4 of said Section 25, thence South 01°29'18" West, 615.93 feet to the POINT OF BEGINNING

Contains 18.045 acres, more or less