

THIS IS NOT A

1997 APR -1 PM 1:18

97079690

CERTIFIED COPY

Prepared by & Return to:  
Gary N. Strohauser, Esq.  
BAXTER & STROHAUSER, P.A.  
1150 Cleveland Street, #300  
Clearwater, Florida 34615

RICHARD AKE  
CLERK OF CIRCUIT COURT  
HILLSBOROUGH COUNTY

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

KNOW ALL MEN BY THESE PRESENTS:

That this Amendment to Declaration of Covenants, Conditions and Restrictions of Brentwood Hills Subdivision is made and entered into this 24th day of March, 1997, 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.

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 desires 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, O.R. Book 7839, Pages 253 through 255, O.R. Book 8253, Pages 0498 through 0502, O.R. Book 8377, Pages 1808 through 1810, and

REC8510 9:1165

13

12

THIS IS NOT A

CERTIFIED COPY

O.R. Book 8510, Pages 1161 through 1164 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 F, UNIT 2, according to the map or plat thereof as the same is recorded in Plat Book 80, Pages 15-1 through 15-3, inclusive, of the Public Records of Hillsborough County, Florida

ARTICLE II. The properties described in ARTICLE I above shall be fully subject to all of the covenants, restrictions, charges, 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 F, Unit 2, is amended by adding the following sections:

Section 17. Compliance with Conditions of Southwest Florida Water Management District.

(a) It shall be the responsibility of each property Owner within Brentwood Hills Tract F, Unit 2, 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 F, Unit 2, 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 F, Unit 2, 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.

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

# THIS IS NOT A CERTIFIED COPY

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.

ARTICLE IV. Article VI, Section 4 (1), as to all lots in Brentwood Hills Tract F, Unit 2, is amended to read:

1. No residences in Tract F, Unit 2, 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 1,600 square feet.

ARTICLE V. The following Section 17 is added to Article VI, as to all Lots located within the property described in Article I hereof.

Exterior Finish. All residences constructed with exterior masonry walls shall have an approved stucco or other type of architectural finish. In no event shall painted concrete block wall be permitted.

ARTICLE VI. 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 Amendments thereto recorded in O.R. Book 5658, Pages 559 through 562 and 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, O.R. Book 7839, Pages 253 through 255, O.R. Book 8253, Pages 0498 through 0502, O.R. Book 8377, Page 1808 through 1810, and O.R. Book 8510, Pages 1161 through 1164, 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, has caused this instrument to be executed by its duly authorized officer and its corporate seal to be hereunto affixed all as of the day and year first above written.

Signed, Sealed and Delivered SCARBOROUGH-SEMBLER JOINT VENTURE  
in the Presence of: BY:

SCARBOROUGH CONSTRUCTORS, INC., a  
Florida corporation

By: Frederick H. Burcaw  
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

Mary J Taylor  
(Sign)

MARY J TAYLOR  
(Print)

Darlene S Sutton  
(Sign)

Darlene S Sutton  
(Print)

THIS IS NOT A  
CERTIFIED COPY

STATE OF FLORIDA  
COUNTY OF PASCO

I HEREBY CERTIFY that on this 24<sup>th</sup> day of March, 1997, before me personally appeared, FREDERICK H. BURCAW, President of SCARBOROUGH CONSTRUCTORS, INC., a Florida corporation, to me known to be the person described in and who executed the foregoing 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 Wesley Chapel, County of Pasco, State of Florida, the day and year last aforesaid.

Sign: Darlene S. Sutton

Print: Darlene S. Sutton  
NOTARY PUBLIC

My Commission Expires:



DARLENE S. SUTTON  
MY COMMISSION # 00488249 EXPIRES  
JUNE 6, 1999  
BONDED THROUGH TRICY FARM INSURANCE, INC.

DEF 8510 P1168