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Prepared By & Return To: ✓
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BAXTER & STROHAUER, P.A.
1150 Cleveland Street, Suite 300
Clearwater, FL 33755

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

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

KNOW ALL MEN BY THESE PRESENTS:

That this Eleventh Amendment to Declaration of Covenants, Conditions and Restrictions of Brentwood Hills Subdivision is made and entered into this 2nd day of July, 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, 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

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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 498 through 502, O.R. Book 8377, Pages 1808 through 1810, O.R. Book 8510, Pages 1161 through 1164 and O.R. Book 8510, Pages 1165 through 1168, 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 2, 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, 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 2 is amended by adding the following sections:

Section 17. Compliance with Condition of Southwest Florida Water Management District Permit.

(a) It shall be the responsibility of each property Owner within Brentwood Hills Tract D/E, 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 D/E, 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 D/E, Unit 2, may construct or maintain any building, residence, or structure, or undertake or perform any activities in the wetlands,

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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 2:

Homebuilders in Tract D/E, Unit 2 shall only be required to have plans and specifications for specifically designed homes to be constructed in Tract D/E, Unit 2 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 2, is amended to read:

1. No residences in Tract D/E, 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 900 square feet.

E. Article IV, Section 4 (3) as to all lots in Tract D/E, Unit 2, 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 2:

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

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Amendment to Declaration of Covenants, Conditions and Restrictions of Brentwood Hills Subdivision, recorded in O.R. Book 7656, Pages 1548 through 1550 and Sixth, Seventh, Eighth, Ninth and Tenth Amendments thereto recorded in O.R. Book 7839, Pages 253 through 255, O.R. Book 8253, Pages 498 through 502, O.R. Book 8377, Pages 1808 through 1810, O.R. Book 8510, Pages 1161 through 1164, and O.R. Book 8510, Pages 1165 through 1168, 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)
Craig N. Strohauer
(Print)
[Signature]
(Sign)
Becky R. Jarrett
(Print)

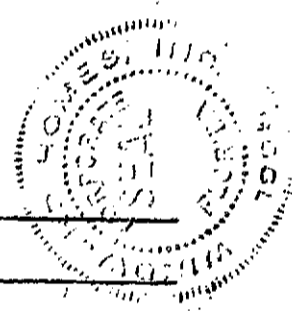
By: [Signature]
FREDERICK H. BURMAN, President
Authorized Agent pursuant to Power of Attorney and Authority to Act recorded in O.R. Book 8535, Page 1159, Public Records of Hillsborough County, Florida

Signed, Sealed and Delivered in the Presence of:

WINDWARD HOMES, INC.

[Signature]
(Sign)
Craig N. Strohauer
(Print)
[Signature]
(Sign)
Becky R. Jarrett
(Print)

By: [Signature]
Its: Pres.



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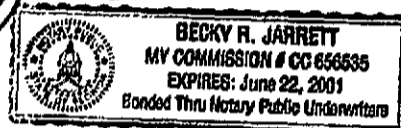
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STATE OF FLORIDA
COUNTY OF ~~Pasco~~ *Hillsborough*

I HEREBY CERTIFY that on this 22nd day of July, 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 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 ~~Wesley Chapel~~ County of ~~Pasco~~ State of Florida, the day and year last aforesaid.
Hillsborough

Becky R. Jarrett
NOTARY PUBLIC
My Commission Expires:

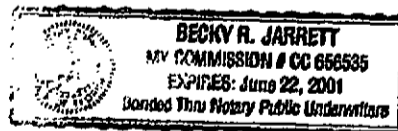


STATE OF FLORIDA
COUNTY OF *Hillsborough*

I HEREBY CERTIFY that on this 22nd day of July, 1997, before me personally appeared, David A. 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 Tampa County of *Hillsborough* State of Florida, the day and year last aforesaid.

Becky R. Jarrett
NOTARY PUBLIC
My Commission Expires:



red/scores/brentw/amend/eleven

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EXHIBIT "A"

LEGAL DESCRIPTION

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

As a point of reference commence at the Southwest corner of BRENTWOOD HILLS TRACT A, UNIT 2, PHASE 1, according to the Plat of Record as recorded in Plat Book 75, Page 31, of the Public Records of Hillsborough County, Florida, thence 54.67 feet along the arc of a curve to the left being the Northerly right-of-way line of Brentwood Hills Boulevard whose radius is 1177.91 feet, central angle is $02^{\circ}39'34''$ and has a chord bearing and distance of South $82^{\circ}48'55''$ West, 54.67 feet to the Point of Beginning; thence 441.93 feet along the arc of a curve to the left being the Northerly right-of-way line of Brentwood Hills Boulevard whose radius is 1177.91 feet, central angle is $21^{\circ}29'46''$ and has a chord bearing and distance of South $70^{\circ}44'15''$ West, 439.34 feet to the Southeast corner of BRENTWOOD HILLS, TRACT D/E, UNIT 1, as recorded in Plat Book 79, Page 40, of the Public Records of Hillsborough County, Florida; thence along the boundary line of said BRENTWOOD HILLS, TRACT D/E, UNIT 1 the following twenty-four (24) courses:

- 1) North $78^{\circ}57'07''$ West, 39.48 feet;
- 2) North $30^{\circ}57'07''$ West, 68.65 feet to a point of curvature of a curve to the right;
- 3) 39.56 feet along the arc of said curve whose radius is 25.00 feet, central angle is $90^{\circ}40'31''$ and has a chord bearing and distance of North $14^{\circ}23'09''$ East, 35.56 feet to a point of compound curvature;
- 4) 86.14 feet along the arc of said curve whose radius is 1297.91 feet, central angle is $03^{\circ}48'09''$ and has a chord bearing and distance of North $61^{\circ}37'29''$ East, 86.12 feet;
- 5) North $26^{\circ}28'27''$ West, 50.00 feet to a point on a non-tangent curve concave to the Southeast;
- 6) 15.27 feet along the arc of said curve whose radius is 1347.91 feet, central angle is $00^{\circ}38'57''$ and has a chord bearing and distance of South $63^{\circ}12'05''$ West, 15.27 feet;
- 7) North $30^{\circ}57'07''$ West, 100.21 feet to a point on a non-tangent curve concave to the Southeast;
- 8) 200.74 feet along the arc of said curve whose radius is 1447.91 feet, central angle is $07^{\circ}56'37''$ and has a chord bearing and distance of North $66^{\circ}35'02''$ East, 200.58 feet to a point of reverse curvature;
- 9) 83.93 feet along the arc of said curve whose radius is

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EXHIBIT "A" continued

150.00 feet, central angle is $32^{\circ}03'26''$ and has a chord bearing and distance of North $54^{\circ}31'37''$ East, 82.84 feet to a point of non-tangency;

- 10) North $30^{\circ}56'18''$ East, 61.89 feet;
- 11) North $22^{\circ}20'11''$ East, 15.36 feet;
- 12) North $00^{\circ}39'12''$ West, 85.86 feet;
- 13) North $89^{\circ}20'48''$ East, 57.47 feet;
- 14) North $00^{\circ}39'12''$ West, 50.00 feet;
- 15) South $89^{\circ}20'48''$ West, 20.00 feet;
- 16) North $00^{\circ}39'12''$ West, 100.00 feet;
- 17) South $89^{\circ}20'48''$ West, 363.92 feet to the point of curvature of a curve to the left;
- 18) 100.66 feet along the arc of said curve whose radius is 463.17 feet, central angle is $12^{\circ}27'07''$ and has a chord bearing and distance of South $83^{\circ}44'34''$ West, 100.45 feet;
- 19) North $10^{\circ}56'41''$ East, 124.12 feet to a point on a non-tangent curve concave to the Northeast;
- 20) 22.12 feet along the arc of said curve whose radius is 262.04 feet, central angle is $04^{\circ}50'12''$ and has a chord bearing and distance of South $75^{\circ}49'02''$ East, 22.11 feet;
- 21) North $11^{\circ}45'52''$ East, 50.00 feet to a point on a non-tangent curve concave to the Northeast;
- 22) 32.22 feet along the arc of said curve whose radius is 212.04 feet, central angle is $08^{\circ}42'19''$ and has a chord bearing and distance of North $73^{\circ}52'59''$ West, 32.19 feet;
- 23) North $20^{\circ}28'11''$ East, 91.94 feet;
- 24) North $89^{\circ}20'12''$ East, 40.58 feet of which 15.58 feet is the boundary of said BRENTWOOD HILLS TRACT D/E, UNIT 1 to the Southeast corner of the Northwest $1/4$ of said Section 25;

Thence North $89^{\circ}20'48''$ East, 669.13 feet along the North boundary line of the West $1/2$ of the Northwest $1/4$ of the Southeast $1/4$ of said Section 25 to the Northeast corner of the West $1/2$ of the Northwest $1/4$ of the Southeast $1/4$ of said Section 25 also being a point on the Westerly boundary line of BRENTWOOD HILLS TRACT A, UNIT 2, PHASE 2, as recorded in Plat Book 79, Page 73, of the Public Records of Hillsborough County, Florida; thence South $07^{\circ}51'54''$ West, 631.97 feet along the Westerly boundary line of said BRENTWOOD HILLS TRACT A, UNIT 2, PHASE 2 and said BRENTWOOD HILLS TRACT A, UNIT 2, PHASE 1; thence South $82^{\circ}56'43''$ West, 57.62 feet, thence South $01^{\circ}18'32''$ West, 31.89 feet; thence South $14^{\circ}08'58''$ East, 47.69 feet, thence South $01^{\circ}09'30''$ West, 94.29 feet to the Point of Beginning.