

Prepared By:
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**FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR MAGNOLIA GLEN PHASE ONE**

STATE OF FLORIDA
COUNTY OF SANTA ROSA

MAGNOLIA GLEN PROPERTY OWNERS' ASSOCIATION, INC., a Florida not-for-profit corporation ("**Association**"), by and through its undersigned officer, certifies that,

WITNESSETH:

WHEREAS, the Declaration of Covenants, Conditions, Restrictions and Easements for Magnolia Glen Phase One, was recorded on February 9, 2021, in Official Records Book 4069, Page 243 of the public records of Santa Rosa County, Florida (the "**Declaration**"); and

WHEREAS, in accordance with Article XII, Sections 12.4 (a) and (b) of the Declaration, the Declaration may be amended by an instrument signed by the Declarant without the joinder of any party if the amendments comply with certain requirements and standards; and

WHEREAS, the proposed amendments contained in the First Amendment to the Declaration satisfy the requirements and standards set forth in Article XII, Sections 12.4 (a) and (b) of the Declaration; and

WHEREAS, in accordance with Article XII, Sections 12.4 (a) and (b) of the Declaration, the Declarant has signed by Declarant without the joinder of any party; and

WHEREAS, all provisions of the Declaration not amended hereby shall remain in full force and effect.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declaration is amended as follows: 1

Article III, Section 3.4, Subparagraph (e) is hereby amended to read as follows:

(e) Pools, and Play Facilities, ~~and Lighting.~~ Swimming pools, hot tubs, and whirlpools may be erected by a licensed contractor on a Lot in a completely fenced rear yard. All swimming pools, hot tubs, and whirlpools must be well maintained. Play facilities, recreation structures, platforms, dog houses, or other structures of a similar kind or nature must be installed in the rear of the dwelling and be well maintained. Attached basketball goals are allowed and may be visible from the street. Portable basketball goals are allowed and may be visible from the

1 Underlined words are being added; stricken words are being deleted.

street so long as they are kept in good condition. However, portable basketball goals shall never be placed in the roadway or street.

Article III, Section 3.4, Subparagraph (n) is hereby amended to read as follows:

(n) Fences and Drainage Easements. All fences, hedges, walls or the like constructed upon any Lot shall comply with all applicable regulations of the relevant Governmental Authorities. All fences shall be privacy fences and constructed with ~~of~~ pressure-treated wood (dog ear pickets in an edge-to-edge configuration), or vinyl (dark brown, white, or tan, only) and must not exceed six (6) feet in height. A three (3) inch clearance shall exist at the bottom of the fence. Fences shall remain natural in color. No solid stains or painted fences shall be allowed. No fence may be constructed closer to the street than ten (10) feet behind or to the rear of the front face of the front corner of the dwelling (excluding garage). If a corner Lot, no fence may be constructed any closer to the side street than the building setback required from the side street by the Plat. The rear Lot line shall be defined as being approximately parallel to the rear corners of the home and perpendicular to the boundary of the side Lot lines. The Architectural Review Committee shall have the ability to override the ten (10) foot rule or style of the fence if there is an issue with anything that affects the overall aesthetic of the Subdivision.

Article III, Section 3.4, Subparagraph (q) is hereby amended to read as follows:

(q) Destruction or Damage to Subdivision Improvements. Owners will be responsible for any and all damage caused to Common Property or Subdivision improvements including, but not limited to, curbs, gutters, water hydrants, sidewalks, gate, power poles, or fences erected by anyone, whether such damage is caused by the Owner or the Owner's employees, agents, invitees, guests, contractors, or subcontractors. Owners will, during construction, create such barricades or fencing as is required to prevent erosion of soils onto Common Property, public roads, or other Lots and police the areas of trash caused by those constructing improvements to the Owner's Lot. Any liability incurred under this provision will be both a personal obligation and an Individual Lot Assessment on such Owner's Lot.

Article III, Section 3.4, Subparagraph (z) is hereby amended to read as follows:

(z) Permanent Outside Storage Building. One outside storage building of no more than 900 square feet feet may be constructed or placed on the Lot. All buildings placed onsite or constructed upon any Lot shall comply with all applicable regulations of the relevant Governmental Authorities.

- i. All storage buildings shall be single-story with no plumbing.
- ii. Construction shall be of wood, brick, vinyl siding or cement-based siding and the roof constructed using fiberglass shingles. All materials used shall match the dwelling. The color shall be pleasing and in character with the Subdivision.
- iii. No metal or plastic buildings shall be permitted ~~and no building shall be moved onto the Lot from another location.~~
- iv. Storage containers are permissible but must not be visible from the

roadway or adjacent Lots and in compliance with the Santa Rosa County Land Development Code and the Florida Building Code.

IN WITNESS WHEREOF, the Declarant has executed this First Amendment this 30th day of June, 2022.

WITNESSES:

Lisa L. Burns
Print Name: Lisa L. Burns

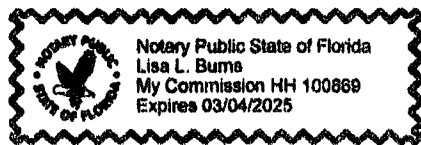
Patricia M. Luciani
Print Name: Patricia M. Luciani

TIMBERLAND CONTRACTORS, LLC,
a Florida limited liability company

[Signature]
Its: MANAGER

STATE OF FLORIDA
COUNTY OF FLORIDA

The foregoing instrument was acknowledged before me, by means of [] physical presence or [] online notarization, this 30th day of JUNE, 2022, by Christopher K. Walters of Timberland Contractors, LLC, a Florida limited liability company.



Lisa L. Burns
NOTARY PUBLIC
Print Name: Lisa L. Burns

Personally Known
OR
 Produced Identification; Type of Identification Produced _____

COPY