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Prepared by and Return to:
Martin & Martin, P.A.
200 Lake Morton Dr, Suite 200
Lakeland, FL 33801

# FIRST AMENDMENT TO THE DECLARATION OF RESTRICTIVE COVENANTS AND CONDITIONS FOR HIGHLANDS CREEK PHASE TWO SUBDIVISION

THIS FIRST AMENDMENT TO THE DECLARATION OF RESTRICTIVE COVENANTS AND CONDITIONS FOR HIGHLANDS CREEK PHASE TWO SUBDIVISION is made this 8TH day of December, 2015, by HIGHLANDS ENHANCEMENT, INC., a Florida Corporation whose address is POST OFFICE BOX 237, HIGHLAND CITY, FLORIDA 33846 ("Declarant").

WHEREAS, the Declaration of Restrictive Covenants and Conditions for Highlands Creek Phase Two Subdivision (the "Declaration") was recorded on April 17, 2015, at O.R. Book 9504, Pages 720 to 733, public records of Polk County, Florida; and

WHEREAS, Paragraph 24 of the Declaration provides that the Declaration may be amended by Declarant;

NOW THEREFORE, in accordance with the power to amend stated in Paragraph 24 of the Declaration, the Declarant hereby amends the Declaration as follows:

**Paragraph 6 shall be deleted and replaced in its entirety with the following:**

**6. Each residence shall be built on a lot so as to face, for front yard purposes, the lot line having the shortest frontage along a Platted Roadway within the Subdivision. For front yard purposes, no part or portion of any residence (or garage attached thereto) on any lot shall be erected closer than fifteen (15) feet from the right-of-way of a Platted Roadway within the Subdivision; nor closer than five (5) feet from any side-yard property line; nor closer than fifteen (15) feet from any rear-yard property line. All garage entrances for vehicles shall be setback a minimum of twenty (20) feet from the right-of-way line to ensure a minimum of two (2) off street non-enclosed parking spaces for vehicles. No security chain-link fencing may be placed on any lot in the Subdivision. All fence material must be either white privacy PVC or black picket aluminum material not to exceed six (6) feet in height and with a flat top-rail (decorative tops and spikes are not permitted.) There shall not be placed within the minimum front-yard building setback area fencing of any kind; all fencing shall be placed such that it is no greater than fifteen (15) feet forward of the rear corners of the home and shall extend perpendicular toward the side lot line. Further, no hedging along or near the boundary line of any lot shall be erected, constructed, placed or grown in excess of four (4) feet in height above normal ground level within the**

**minimum front-yard setback area. The Declarant and Owner for itself, its successors and assigns, reserves the right to erect a wall or fence around the perimeter of the subdivision consisting of material of its choice; such wall or fence to be owned and maintained by the Property Owners' Association.**

All other terms, conditions and provisions of the Declaration shall remain in full force and effect.

EXECUTED this 8TH day of December, 2015.

HIGHLANDS ENHANCEMENT, INC.

BY: C. DANE ROGERS,
AS ITS: PRESIDENT

STATE OF FLORIDA
COUNTY OF POLK

The foregoing FIRST AMENDMENT TO THE DECLARATION OF RESTRICTIVE COVENANTS AND CONDITIONS was acknowledged before me by C. DANE ROGERS, as President of Highlands Enhancement, Inc., who is personally known to me, this 8TH day of December, 2015.

Notary Public, State of Florida

GERALD E. LOU
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF151825
Expires 11/4/2018