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This Instrument Prepared by:
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DAVID R ELLSPERMANN
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**AMENDMENT TO DECLARATION
OF
COVENANTS AND RESTRICTIONS
FOR
DALTON WOODS**

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR DALTON WOODS is made and entered into as of the 31 day of October, 2000, by **ROBERT P, DRAKE, INDIVIDUALLY AND AS TRUSTEE** (hereinafter referred to as "*Declarant*").

WITNESSETH:

WHEREAS, Declarant is the developer of that certain real property located in Marion County, Florida, platted as "*Dalton Woods*" as per plat thereof recorded in Plat Book 5, at Page 160, Public Records of Marion County, Florida (hereinafter referred to as the "*Property*"); and

WHEREAS, the Declarant has previously subjected the Property to that certain Declaration of Covenants and Restrictions for Dalton Woods which Declaration of Covenants and Restrictions was recorded on August 24, 2000, in OR Book 2833, at Page 1929, Public Records of Marion County, Florida (hereinafter the "*Original Declaration*"); and

WHEREAS, the Declarant desires to amend the Original Declaration pursuant to Article X, Section 1, all as is more particularly set forth hereinafter.

NOW, THEREFORE, Declarant declares that the Original Declaration shall be amended as follows:

ARTICLE I. Definitions. Article I, Definitions, of the Original Declaration shall be amended to include a new Section 23 which shall read as follows:

Section 23. "Vegetative Natural Buffer" -- shall mean and refer to the following portions of the Property:

The South 20 feet of Lots 1 and 2, Block D; the East 20 feet of the West 40 feet of Lots 3 and 4, Block D; the West 25 feet of Lots 10 through 15, inclusive, Block D; the West 40 feet of Lots 22 through 24, inclusive, Block D, and that portion of Lot 9, Block D, lying west of a line 25 feet east of and parallel to the western boundary of Lot 10, Block D; less and except any portion of Lot 3, Block D, lying north of a line drawn parallel to, and 20 feet north of, the south boundary line of Lot 2, Block D, extended eastward to the east boundary line of Lot 3, Block D.

**AMENDMENT TO DECLARATION
OF
COVENANTS AND RESTRICTIONS
FOR
DALTON WOODS**

ARTICLE III. Section 6. Article III, Section 6 of the Original Declarations shall be amended and henceforth shall read as follows:

Section 6. Environmental Easement, Natural Retention Area, and Vegetative Natural Buffer.

- (a) **Natural Retention Area and Vegetative Natural Buffer.** The Natural Retention Area and the Vegetative Natural Buffer shall be set aside as a permanent vegetated natural buffer ("*Buffer*"). This Buffer is part of the Surface Water or Storm Water Management System permitted by the St. Johns River Water Management District. The purpose of the Buffer is to detain and treat stormwater prior to drainage offsite; therefore, the area must be maintained with a dense vegetative cover. Filling and replacement of impervious surface (other than fence posts) are prohibited within the Buffer. The Buffer shall be maintained in its natural state without alterations. No alterations of the Buffer shall be authorized without prior written authorization from the District. Any damage to the Buffer, whether caused by naturally or human induced phenomena shall be repaired and the Buffer returned to its former condition as soon as possible by the owners of the Lots upon which the damaged portion of the Buffer is located. The Association shall have a non-exclusive perpetual right and easement on every Lot for purposes of restoring the Buffer to its natural state, if deemed necessary by the Association.
- (b) **Environmental Easement.** The Environmental Easement is restricted in use pursuant to Marion County Land Regulations and Florida Statutes, in accordance with Florida Statutes §74.06 and Marion County Land Development Regulation Code 8.2.12.12 D(5), and Policy 3.2 of the Marion County Comprehensive Plan Conservation Element. An easement is herein granted to the Association to enforce the limitations on the use of the Property within the Environmental Easement. The following are prohibited in the Environmental Easement:
- (i) Construction or replacing of buildings, roads, billboards, or other advertising, utilities, or other structures on or above the ground.
 - (ii) Dumping or placing of soil or other substance or material as landfill or dumping or placing of trash, waste, or unsightly or offensive materials.
 - (iii) Removal or destruction of trees, shrubs, or other vegetation.

AMENDMENT TO DECLARATION
OF
COVENANTS AND RESTRICTIONS
FOR
DALTON WOODS

- (iv) Service use except for purposes to permit the land or water area to remain predominantly in its natural condition.
- (v) Activities detrimental to drainage, flood control, water conservation, or erosion control, soil conservation or acts or uses detrimental to such retention of land or water areas.

None of the above restrictions, however, will prevent the Owner of any portion of the Environmental Easement, or the Association, from mowing weeds, or removing plant debris, or removing dead trees or hazardous trees or plants, or other maintenance required to promote the health, safety and welfare of the residents of Dalton Woods.

REAFFIRMATION. Except as is herein modified all terms, covenants, and conditions of the Original Declaration are hereby reaffirmed and ratified.

IN WITNESS WHEREOF the undersigned has set his hand and seal this 31 day of October, 2000.

Signed and delivered in our presence as witnesses:

Debbie Crubb
Print Name: Debbie Crubb

Doreen Rockwell
Print Name: Doreen Rockwell

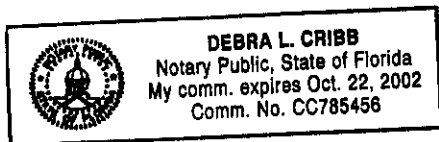
Robert P. Drake
ROBERT P. DRAKE, INDIVIDUALLY AND AS TRUSTEE

STATE OF FLORIDA
COUNTY OF MARION

The foregoing AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR DALTON WOODS was acknowledged before me by ROBERT P. DRAKE, INDIVIDUALLY AND AS TRUSTEE, who is:

- Personally known by me, OR
- Produced a driver's license as identification.

Dated: this 31 day of October, 2000.



Debra L. Crubb
Print Name: Debra L. Crubb
Notary Public, State of Florida
Commission number _____
Commission expires _____