

RETURN TO:  
GAYLE DAVIDSON, DEVELOPMENT REVIEW COORDINATOR  
MARION COUNTY ENGINEERING DEPT.  
412 S. E. 25th AVENUE  
OCALA, FL 34471-2317

RECORD \$ \_\_\_\_\_

RECORDING FEES 10.50

PREPARED BY:

Tim D. Haines  
GRAY, ACKERMAN & HAINES, P.A.  
125 NE 1<sup>st</sup> Avenue, Suite 1  
Ocala, FL 34470

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SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA

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

**THIS SUPPLEMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR DALTON WOODS** is made and entered into as of the 19<sup>th</sup> day of November, 2003, by **ROBERT P. DRAKE, INDIVIDUALLY AND AS TRUSTEE** (hereinafter referred to as "*Declarant*").

**WITNESSETH:**

**WHEREAS**, Declarant is or was the owner of certain real property located in Marion County, Florida, platted as "*Dalton Woods*", as per plat thereof recorded in Plat Book 5, Page 160, Public Records of Marion County, Florida, and is the owner of those certain tracts of land which have been platted as "*Dalton Woods, First Addition*" recorded in Plat Book 7, Pages 167 - 168, inclusive, Public Records of Marion County, Florida (all of which said property as platted shall hereinafter be referred to as the "*Property*"); and

**WHEREAS**, the Declarant has previously filed a Declaration of Covenants and Restrictions for Dalton Woods which was recorded on August 24, 2000, in OR Book 2833 at Page 1929, Public Records of Marion County, Florida, and subsequently amended by Amendment to Declaration of Covenants and Restrictions for Dalton Woods recorded November 3, 2000, in OR Book 2865 at Page 0156, Public Records of Marion County, Florida, and by Amendment to Declaration of Covenants and Restrictions for Dalton Woods recorded May 21, 2001, in OR Book 2957 at Page 0527, Public Records of Marion County, Florida; and by Amendment to Declaration of Covenants and Restrictions for Dalton Woods recorded June 20, 2001, in OR Book 2974, at Page 0204, Public Records of Marion County, Florida; and by Amendment to Declaration of Covenants and Restrictions for Dalton Woods recorded September 10, 2001 in OR Book 3017, at Page 0229, Public Records of Marion County, Florida (said Declaration of Covenants and Restrictions for Dalton Woods as previously amended hereinafter the "*Declaration*"); and

**WHEREAS**, Declarant wishes to supplement the Declaration to extend the Declaration to include "*Dalton Woods, First Addition*."

**NOW, THEREFORE**, in consideration of the premises and covenants herein contained, the Declarant supplements the Declaration as follows:

- SUPPLEMENTAL DECLARATION.** Pursuant to Article III of the Declaration, the Declarant declares that the real property described as the Property subject to the Declaration shall be all of that property platted as Dalton Woods as per plat thereof recorded in Plat Book 5, at Page 160, Public Records of Marion County, Florida, and Dalton Woods, First Addition, as per plat thereof recorded in Plat Book 7, Pages 167 - 168, inclusive, Public Records of Marion County, Florida, and such further additions thereto that may hereafter be made pursuant to Article III of the Declaration, and the same shall be held, transferred, conveyed, and occupied, subject to the covenants, restrictions, and liens set forth in the Declaration, as it has previously been amended, including amendments pursuant to the terms of this document, and as it may from time to time be further supplemented or amended, and such covenants, restrictions, easements, and liens shall run with the real property and shall be

binding on all parties having any right, title, or interest in the Property, or any additions thereto as described herein, including heirs, personal representatives, successors and assigns.

2. **AMENDMENT TO ARTICLE III.** Article III is hereby amended to include a new Section 10 which shall read as follows:

**Section 10. Access and Utility Easement.** Declarant retains the right to grant an easement over, upon, and across Lot 15, Block A, "Dalton Woods, First Addition", or otherwise create a private right-of-way thereon, for purposes of granting access to adjacent real property, and extending electrical, gas, telephone, cable TV and other utilities to said adjacent real property, over, upon and across said Lot 15 to the existing road rights-of-way and utility easements within the Property. The adjacent property benefitted by such easement or private right-of-way may be developed for no more than two (2) single family residences, and mobile homes shall be prohibited thereon. Declarant shall have the right to vacate or abrogate the plat of Dalton Woods, First Addition, if necessary to use Lot 15, Block A for the purposes set forth herein. Notwithstanding any such abrogation, however, Lot 15 shall continue to be deemed a "Lot" for purposes of paying assessments pursuant to the Declaration. By acceptance of a Deed to any Lot within the Property, each Owner consents to the use of Lot 15, Block A, for the purposes set forth herein and to any abrogation or vacation of the Plat required to so use the Lot, and to the grant of any easement necessary or advisable, including an easement across the Common Areas of the Property as determined by Declarant, for said use of the Lot.

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

**IN WITNESS WHEREOF**, the Declarant has caused this instrument to be executed as of the day and year first above written.

Signed and sealed in our presence as witnesses:

Debbie Crabb  
Print Name: Debbie Crabb

Doreen Rockwell  
Print Name: DOREEN ROCKWELL

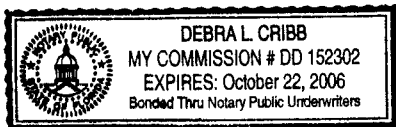
By: Robert P. Drake  
ROBERT P. DRAKE, INDIVIDUALLY  
AND AS TRUSTEE

STATE OF FLORIDA  
COUNTY OF MARION

The foregoing SUPPLEMENT TO THE 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 19 day of November, 2003.



Debra L. Crabb  
Print Name: Debra L. Crabb  
Notary Public, State of Florida  
Commission number \_\_\_\_\_  
Commission expires \_\_\_\_\_

FILE: 2003155231  
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