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Ocala, FL 34471



DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY

DATE: 06/20/2001 03:41:25 PM

FILE NUM 2001062288 OR BK/PG 02974/0204

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RECORD: \$ _____

Return to:

Tim D. Haines
125 N.E. 1st Avenue, Ste. 1
Ocala, FL 34470

This Instrument Prepared by:

Tim D. Haines/jp
Hart & Gray
125 NE 1st Avenue, Ste. 1
Ocala, FL 34470

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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 8 day of June, 2001 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 II. Section 27. Article II, Section 27, of the Original Declaration shall be amended to read as follows:

Section 27. Setback Requirements of Building Locations. All Dwelling Units shall be setback at least as far as required by County Building and Zoning Code, or any setbacks as shown on the face of the Plat. Notwithstanding the foregoing, the minimum setbacks for non-corner lots shall be as follows:

- (a) Front Setback 50 feet (from edge of pavement)
- (b) Side Setback 15 feet (from lot line)
- (c) Rear Setback 25 feet (from lot line)
- (d) Driveway Setback 3 feet from Side Lot Line

For any corner lot the ARB shall designate one lot line fronting on a paved road as the Front Setback, and one lot line fronting on a paved road as a Side Setback. The two lot lines not fronting on a

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paved road (i.e. adjacent to other lots) shall be deemed Rear Setbacks. Corner lots shall have the following minimum setbacks:

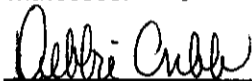
- (a) Front Setback 50 feet (from edge of pavement)
- (b) Side Setback 30 feet (from edge of pavement)
- (c) Rear Setback 25 feet (from lot line)
- (d) Driveway Setback . . . 3 feet from any side or rear lot line

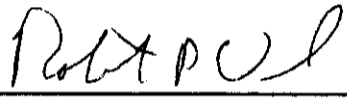
Notwithstanding the foregoing, the ARB may grant variances from the above setback requirements in accordance with Article VII, Section 9.

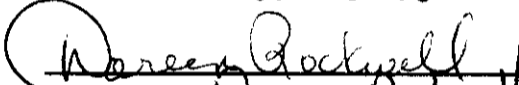
REAFFIRMATION. Except as is herein modified all terms, covenants, and conditions of the Original Declaration are hereby reaffirmed and ratified.

IN WITNESS WHEREOF the undersigned has set his hand and seal this ___ day of June 2001.

Signed and delivered in our presence as witnesses:


Print Name: Debbie Crabb


ROBERT P. DRAKE, INDIVIDUALLY AND AS TRUSTEE

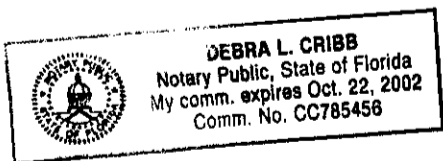

Print Name: DOREEN ROCKWELL

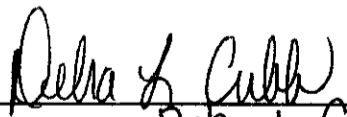
**STATE OF FLORIDA
COUNTY OF MARION**

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 8 day of June 2001.




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