

AMENDMENT
TO
DECLARATION OF COVENANTS AND RESTRICTIONS
FOR DALTON WOODS

This instrument is made by and entered into by Dalton Woods Homeowners' Association of Ocala, Inc., a not for profit corporation, (the Association) pursuant to Article Ten (X), Section 1 and 2 of the Declaration of Covenants and Restrictions for Dalton Woods, effective as of 1/17/2004.

WITNESSETH:

WHEREAS, Article Ten, Section 1 of the Declaration of Covenants and Restrictions for Dalton Woods, recorded in Official Records Book 2833, page 1929 et. seq. in the Public Records of Marion Country, Florida, as amended, provides that the Declaration may be amended by the affirmative vote or written consent of at least two-thirds (2/3) of the Members; and

WHEREAS, at least two-thirds of the Members of the Association have voted in the affirmative, pursuant to Article Ten, Section 1 of the Declaration of Covenants and Restrictions for Dalton Woods;
and

WHEREAS, the St. Johns River Water Management District has given their written approval, pursuant to Article Ten, Section 2 of the Declaration of Covenants and Restrictions for Dalton Woods; and

WHEREAS, the purpose of this amendment is to amend the Original Declaration and the Amendment to the Original Declaration October 31, 2000, pursuant to Article Ten, Sections 1 and 2 of the Declaration of Covenants and Restrictions for Dalton Woods;

NOW THEREFORE, the Association hereby amends the Declaration as follows:

1. Article I, Section 13 of the Declaration of Covenants and Restrictions for Dalton Woods is hereby deleted in its entirety: "~~Environmental Easement shall mean and refer to any Environmental Easement identified on the face of the Plat.~~"

2. Article II, Section 20 of the Declaration of Covenants and Restrictions for Dalton Woods, Tree Removal Restrictions is hereby amended to read: "No tree may be removed from ~~the Environmental Easement~~ or any portion of the Natural Retention Area, as designated on the face of the Plat."

3. Article II Section 24 of the Declaration of Covenants and Restrictions for Dalton Woods , Grassed Areas and Yards is hereby amended to read "All lots shall, upon completion of a Dwelling Unit and prior to any person occupying the Dwelling Unit, be fully landscaped and grassed in accordance with plans submitted to, and approved by, the ARB except for any portion of the Lot located within the ~~Environmental Easement or~~ Natural Retention Area."

4. Article III, Section 6 (b) of the Declaration of Covenants and Restrictions for Dalton Woods Environmental Easement is hereby deleted in its entirety. (Exhibit A attached)

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

IN WITNESS WHEREOF, the undersigned have set their hands and seals effective the

17 day of January, 2004

Signed, sealed and delivered in
our presence as witnesses:

— Dalton Woods Homeowners' Association
of Ocala. Inc.

- signed -

David Stydahar, President

EXHIBIT A

ARTICLE III. Section 6 (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 Marion County Comprehensive Plan Conservation Element. An easement is herein granted to the Association to enforce the limitations of 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.
- (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 resident of Dalton Woods."

AMENDMENT TO DECLARATION
OF
COVENANTS AND RESTRICTIONS
FOR
DALTON WOODS

DAVID R ELLSPERHANN
CLERK OF MARION COUNTY
BK 02863 PG 0136
FILE NUM 2000104335
RECORDED 11/03/2000 08:29:11 AM
RECORDING FEES 15.00
RECORDED BY D Miller

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.

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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.

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- (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:

-signed -

ROBERT P. DRAKE, INDIVIDUALLY AND AS
TRUSTEE

AMENDMENT TO DECLARATION
OF
COVENANTS AND RESTRICTIONS
FOR
DALTON WOODS

DAVID R ELLSPERMANH
CLERK OF MARION COUNTY
DE 02957 PG 0527
FILE NUM 2001049768
RECORDED 05/21/2001 09:48:35 AM
RECORDING FEE \$ 10.00
RECORDED BY D Miller

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR DALTON WOODS is made and entered into as of the 14. day of May 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 18. Article II, Section 18, of the Original Declaration shall be amended to read as follows:

Section 18. Unit Air Conditioners. No air conditioning units may be mounted to windows or walls unless the location, method of installation and appearance has been approved in writing by the ARB. It is the intention of this provision to authorize the ARB to approve or disapprove such air conditioning units in its sole discretion, on purely aesthetic grounds or any other grounds. All other air conditioning units shall be located in the Rear Yard or Side Yard and shall be effectively screened by plant matter or opaque fencing approved by the ARB.

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 14 day of May, 2001.

Signed and delivered in our presence as witnesses:

-signed -

ROBERT P. DRAKE, INDIVIDUALLY AND AS TRUSTEE

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 paved road (i.e. adjacent to other lots) shall be deemed Rear

Setbacks. Comer 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 8 day of June, 2001.

Signed and delivered in our presence as witnesses:

-signed -

ROBERT P. DRAKE, INDIVIDUALLY AND AS TRUSTEE

AMENDMENT TO DECLARATION
OF
COVENANTS AND RESTRICTIONS
FOR
DALTON WOODS

DAVID R ELLSPERMANN
CLERK OF MARION COUNTY
BK 03017 PG 0229
FILE NUM 2001091680
RECORDED 09/10/2001 07:56:04 AM
RECORDING FEES 10.50
RECORDED BY D Miller

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR DALTON WOODS is made and entered into as of the 30 day of August, 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, as previously supplemented or amended, 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 30. Article II, Section 30, of the Original Declaration shall be amended to read as follows:

Section 30. Containers and Fuel Tanks. All garbage and trash containers, bottled gas tanks, water softeners and tanks for irrigation wells shall be located in the garage or, subject to approval of the ARB, in the Rear Yard or a Side Yard adjacent to the Dwelling Unit. Any garbage or trash containers, bottled gas tanks, or water softeners and tanks for irrigation wells located in the Rear Yard or Side Yard shall be located adjacent to the Dwelling Unit and shall be installed underground or within an area screened by a wall, hedge, landscaping or fence which is not visible from any street or adjoining property. Any such screened area shall be constructed or landscaped in such a manner as to be inaccessible to dogs or other animals and shall be in a form and of a material approved by the ARB.

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 30 day of August 2001.

Signed and delivered in our presence as witnesses:

-signed -

ROBERT P. DRAKE, INDIVIDUALLY AND AS TRUSTEE

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 19th 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:

1. **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:

BY: _____ -S-
ROBERT P. DRAKE, INDIVIDUALLY
AND AS TRUSTEE

DATE: 11/21/2003 03:10:41 PM
FILE #: 2003155232 OR BK/PG 03582/0415

ADDITIONAL RESTRICTIONS FOR DALTON WOODS, FIRST ADDITION

THIS ADDITIONAL RESTRICTIONS FOR DALTON WOODS, FIRST ADDITION, is made and entered into as of the 19th 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, which Declaration of Covenants and Restrictions for Dalton Woods has been extended to "Dalton Woods, First Addition", by Supplement to Declaration of Covenants and Restrictions for Dalton Woods recorded prior to this document in the 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 impose additional restrictions on the use of Lots within "Dalton Woods, First Addition."

NOW, THEREFORE, In consideration of the premises and covenants herein contained, the Declarant states as follows:

1. **PARKING OR STORING OF VEHICLES IN DALTON WOODS. FIRST ADDITION**
No motorcycle, boat, trailer, camper, travel trailer, recreational vehicle, mobile home, or other powered or non-powered vehicle, other than a private passenger vehicle, shall be parked or maintained on any Lot or public right-of-way except in an enclosed garage or other enclosed structure approved by the ARB. The provisions of Article II, Section 21 of the Declaration permitting the parking of motorcycles, boats, trailers, campers, travel trailers, recreational vehicles, mobile homes, or other powered or non-powered vehicles, other than private passenger vehicles, in Rear Yards if screened by a privacy fence or hedge approved by the ARB is not applicable to Lots within "Dalton Woods, First Addition."
2. **LIMITATIONS ON IRRIGATION WELLS.** No Lot within "Dalton Woods, First Addition" may have a well installed upon the same for irrigation purposes.
3. **LIMITATIONS ON GRADING.** No Lot within "*Dalton Woods, First Addition*" may be graded in a fashion inconsistent with the typical lot grading detail submitted to Marion County by the Declarant as part of the Improvement Plans for "*Dalton Woods, First Addition*", as prepared by John P. Daniels Engineering Inc, their Job No. 353-002.

IN WITNESS WHEREOF, the undersigned has set his hand and seal this 19th Day of November, 2003.

BY: _____-S-_____

ROBERT P. DRAKE, INDIVIDUALLY
AND AS TRUSTEE

Record: _____

Prepared By:

Jose H. Cortes, Jr, Esquire
Blanchard, Merriam, Adel & Kirkland, P.A.
Post Office Box 1869
Ocala, Florida 34478



Return To:

Jose H. Cortes, Jr, Esquire
Blanchard, Merriam, Adel & Kirkland, P.A.
Post Office Box 1869
Ocala, Florida 34478

DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY

DATE: 05/23/2006 03:32:44 PM

FILE #: 2006084063 OR BK 04447 PGS 0971-0972

RECORDING FEES 18.50

SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA

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

This Amendment to the Declaration of Covenants and Restrictions is made and entered into by Wesley Wilcox, President of Dalton Woods Homeowners' Association of Ocala, Inc. (the "Association") pursuant to Article X, Section 1 of the Declaration of Covenants and Restrictions for Dalton Woods this 17th day of May, 2006.

WITNESSETH:

WHEREAS, the Declaration of Covenants and Restrictions for Dalton Woods were executed by the Declarant on August 15, 2000 and recorded on August 24, 2000 in O.R. Book 2833, Page 1929;

WHEREAS, the Declaration of Covenants and Restrictions were amended in writing on October 31, 2000 by the Declarant and recorded on November 3, 2000 in O.R. Book 02865, Page 0156 of the Official Records of Marion County, Florida; on May 14, 2001 by the Declarant and recorded on May 21, 2001 in O.R. Book 02957, Page 0527 of the Official Records of Marion County, Florida; on June 8, 2001 by the Declarant and recorded on June 20, 2001 in O.R. Book 02974, Page 0204 of the Official Records of Marion County, Florida; and on August 30, 2001 by the Declarant and recorded on September 10, 2001 in O.R. Book 03017, Page 229 of the Official Records of Marion County, Florida;

WHEREAS, the Declaration of Covenants and Restrictions were supplemented in writing on November 19, 2003 by the Declarant and recorded on November 21, 2003 in O.R. Book 03582, Page 0413 of the Official Records of Marion County, Florida;

WHEREAS, additional restrictions were imposed for Dalton Woods, First Addition on November 19, 2003 and recorded on November 21, 2003 in O.R. Book 03582, Page 0415 of the Official Records of Marion County Florida;

WHEREAS, Article X, Section 1 of the Declaration of Covenants and Restrictions for Dalton Woods and Dalton Woods, First Addition provides that this Declaration may be amended only by the affirmative vote or written consent of the members having not less than two-thirds (2/3) of the votes of the membership.

WHEREAS, written consent of the members having not less than two-thirds of the vote of the membership was obtained by the Association's Board of Directors deleting Paragraph 1 (Parking or Storing of Vehicles in Dalton Woods, First Addition) and Paragraph 2 (Limitations on Irrigation Wells) of the additional restrictions for Dalton Woods, First Addition executed on November 19, 2003 and recorded on November 21, 2003 in O.R. Book 3582, Page 415 of the Official Records of Marion County, Florida.

NOW, THEREFORE, the Association hereby amends the Declaration as follows:


Paragraph 1 (Parking or Storing of Vehicles in Dalton Woods, First Addition) and Paragraph 2 (Limitations on Irrigation Wells) of the additional restrictions for Dalton Woods, First Addition executed on November 19, 2003, and recorded on November 21, 2003, in O.R. Book 3582, Page 415, of the Official Records of Marion County, Florida shall be deleted in its entirety and shall have no further force or effect.

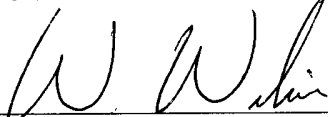
REAFFIRMATION: Except as herein modified, all terms, covenants, conditions, and restrictions of the original Declaration of Covenants and Restrictions, and any amendments thereto, are hereby reaffirmed and ratified.

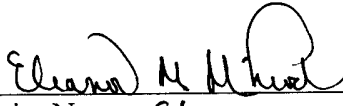
IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed as of the day and year first above written.

DALTON WOODS HOMEOWNERS'
ASSOCIATION OF OCALA, INC.

Signed and sealed in our presence as witnesses:


Print Name: Tom Huggins

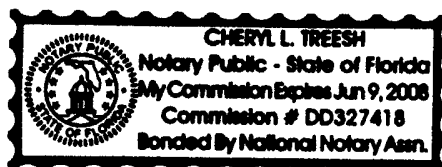

WESLEY WILCOX, President

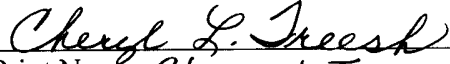

Print Name: Eleanor M. McLeod

STATE OF FLORIDA
COUNTY OF MARION

The foregoing Amendment to the Declaration of Covenants and Restrictions for Dalton Woods was acknowledged before me by Wesley Wilcox, President who is:

- (a) personally known to me OR
(b) _____ produced _____ as identification




Print Name: Cheryl L. Treesh
Notary Public, State of Florida