

This Instrument Prepared by and Return to:
Mary Ann Chandler, Esq.
Katzman Garfinkel & Berger
5297 West Copans Road
Margate, Florida 33063
(954) 486-7774

**CERTIFICATE OF AMENDMENT
TO THE
DECLARATION OF COVENANTS AND RESTRICTIONS
FOR
THE ENCLAVE AT MOSS PARK HOMEOWNERS' ASSOCIATION, INC.**

WE HEREBY CERTIFY THAT the attached Amendments to the Declaration of Covenants and Restrictions for **THE ENCLAVE AT MOSS PARK HOMEOWNERS' ASSOCIATION, INC.**, as originally recorded at Official Records Book 8193 at Page 2281, et. seq., of the Public Records of Orange County, Florida, were duly adopted at a meeting of the Members conducted on February 25, 2014, in the manner provided in the Declaration.

IN WITNESS WHEREOF, we have affixed our hands this 4th day of MARCH, 2014, at Orlando, Orange County, Florida.

WITNESSES

Sign Christian E. Pratt
Print Christian E. Pratt

Sign Gail Porter
Print GAIL PORTER

**THE ENCLAVE AT MOSS PARK
HOMEOWNERS' ASSOCIATION, INC.**

By: Roger L. Davis
Roger Davis, Secretary

STATE OF FLORIDA)
COUNTY OF ORANGE)

THE FOREGOING instrument was acknowledged before me this 4 day of MARCH 2014 by **Roger Davis**, as Secretary of **The Enclave at Moss Park Homeowners' Association, Inc.**, a Florida not-for-profit corporation.

 Personally Known
 X Produced Identification
FLDL
Type of Identification

NOTARY PUBLIC - STATE OF FLORIDA

Sign: Angela Fairconeture
Print: Angela Fairconeture
My commission expires: 11/06/2015



**AMENDMENTS TO THE DECLARATION OF COVENANTS
AND RESTRICTIONS FOR
THE ENCLAVE AT MOSS PARK HOMEOWNERS' ASSOCIATION, INC.**

SECTION 11 OF ARTICLE V OF THE DECLARATION FOR THE ENCLAVE AT MOSS PARK HOMEOWNERS' ASSOCIATION IS AMENDED, AS FOLLOWS:

(Additions shown by **underline**, deletions by **strikethrough**. Text without underline or strikethrough is original text and remains unchanged.)

Section 11. Subordination of the Lien to Mortgages. ~~The lien of the assessments provided for herein shall be a lien superior to all other liens save and except ad valorem tax liens and mortgage liens, provided said mortgage liens are first liens against the property encumbered thereby, subject only to ad valorem tax liens. The sale or transfer of any Lot pursuant to the foreclosure, or any proceeding in lieu thereof, shall extinguish the lien of such assessments as to payments which became due prior to such sale or transfer pursuant to the foreclosure.~~ **The rights of any and all Institutional Mortgagees holding first mortgages on any Lot in the community and their liability for unpaid assessments in the event of foreclosure or deed in lieu of foreclosure shall be determined in accordance with the provisions of Florida Statutes Chapter 720, as same may be amended or renumbered from time to time.** No sale or transfer shall relieve such Lot from liability for any assessments thereafter becoming due or from the lien thereof.

Except as provided above, all other terms and provisions of the Declaration of Covenants and Restrictions for The Enclave at Moss Park Homeowners' Association, Inc. shall remain unchanged and in full force and effect.

SECTION 3 OF ARTICLE XX OF THE DECLARATION IS AMENDED, AS FOLLOWS:

(Additions shown by **underline**, deletions by **strikethrough**. Text without underline or strikethrough is original text and remains unchanged.)

Section 3. Duration and Amendment. The covenants and restrictions of this Declaration shall run with and bind the land for a term of twenty (20) years from the date this Declaration is recorded, after which time, they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended by ~~an instrument signed by the Owners of sixty-six and two-thirds (66²/₃%) percent or more of the Lots, or by a~~ **the affirmative** vote of ~~ninety (90%) percent of a quorum at least two-thirds (2/3)~~ **of Owners present in person or by proxy at a duly called regular or special meeting of the members of the Association at which a quorum is established.** Notwithstanding the above, (i) there will be no amendment to the provision of this Declaration pertaining to the maintenance of Common Areas without the prior consent of the County; **and** (ii) ~~Developer will have the right to amend this Declaration~~

~~pursuant to Article VII and Article VIII without the consent of any Owners and/or Mortgagees; and (iii)~~ any amendment to these Covenants and Restrictions which alter any provision relating to the Master Surface Water Management System, beyond maintenance in its original condition, including the water management portions of the common areas, must have the prior approval of the District. Any amendment must be recorded

Except as provided above, all other terms and provisions of the Declaration of Covenants and Restrictions for The Enclave at Moss Park Homeowners' Association, Inc. shall remain unchanged and in full force and effect.

ARTICLE XX OF THE DECLARATION IS AMENDED TO ADD A NEW SECTION 7, AS FOLLOWS:

(Additions shown by underline, deletions by ~~strikethrough~~. Text without underline or strikethrough is original text and remains unchanged.)

Section 7. Governance by Florida Statutes. Notwithstanding any provisions of the Association's governing documents to the contrary, including, but not limited to, the Declaration of Covenants and Restrictions for The Enclave at Moss Park; the Articles of Incorporation of The Enclave at Moss Park Homeowners' Association, Inc.; and the Bylaws of The Enclave at Moss Park Homeowners' Association, Inc., the Association hereby adopts by reference all current provisions of Florida Statutes including, but not limited to, Chapter 720, governing Homeowners' Associations, as they exist as of the date of the recording of this amendment, as well as, all future amendments to Florida Statutes - it being the intent of the Association to be governed by all current provisions of Florida Statutes, as amended from time to time.

Except as provided above, all other terms and provisions of the Declaration of Covenants and Restrictions for The Enclave at Moss Park Homeowners' Association, Inc. shall remain unchanged and in full force and effect.