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 MARTHA O. HAYNIE, COMPTROLLER
 ORANGE COUNTY, FL
 04/13/2006 04:03:47 PM
 REC FEE 27.00

THIS DOCUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:

James E. L. Seay, Esquire
 Holland & Knight, LLP
 200 South Orange Avenue, Suite 2600
 Orlando, Florida 32801
 407-425-8500



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**FIRST AMENDMENT TO
 DECLARATION OF COVENANTS AND RESTRICTIONS FOR
 THE ENCLAVE AT MOSS PARK**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE ENCLAVE AT MOSS PARK is made and executed this ___ day of April, 2006, by BEAZER HOMES CORP., a Tennessee corporation (hereinafter referred to as "Developer").

W I T N E S S E T H:

WHEREAS, Developer, pursuant to that certain Declaration of Covenants and Restrictions for The Enclave at Moss Park dated July 5, 2005, and recorded on September 15, 2005, in Official Records Book 08193, Page 2281 of the Public Records of Orange County, Florida, (hereinafter referred to as the "Declaration"), did declare that certain real property more particularly described on Exhibit "A" to

the Declaration was to be subject to certain covenants, conditions, restrictions, reservations and easements more particularly set forth therein; and

WHEREAS, Section 3 of Article XX of the Declaration permits the Declaration to be amended by an instrument signed by the Owners of Sixty-six and two-thirds percent (66 2/3%) or more of the Lots; and

WHEREAS, the Developer is the Owner of more than Sixty-six and two-thirds (66 2/3%) of the Lots; and

WHEREAS, Developer desires to amend the Declaration in the manner hereinafter set forth.

NOW, THEREFORE, for and in consideration of the premises hereof, Developer does hereby declare that Section 4 of Article V of the Declaration shall be, and it is hereby, changed, amended, modified and restated as follows, to wit:

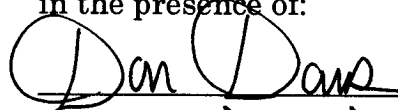
ARTICLE V

COVENANT FOR MAINTENANCE ASSESSMENTS

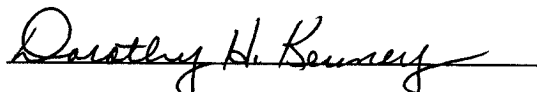
Section 4. Working Capital Contribution. In addition to assessments for Common Expenses, each Owner, at the time of acquiring title to a Lot, shall pay to the Association a contribution to a working capital fund of the Association in the amount of Five hundred and No/100 Dollars (\$500.00) for a single family home and the amount of Three hundred fifty and No/100 Dollars (\$350.00) for a Townhome, which shall be in addition to the Owner's responsibility for assessments for Common Expenses. The working capital fund shall be used by the Association for any expenses or otherwise as the Association shall determine from time to time and need not be restricted or accumulated. The obligation to make the working capital contribution shall not be applicable to resales after the original Owner has made the working capital contribution.

IN WITNESS WHEREOF, this FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE ENCLAVE AT MOSS PARK has been executed by Developer in a form and manner sufficient to bind it on the day and year first above written.

Signed, sealed and delivered in the presence of:

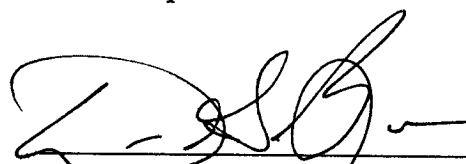


Print Name Don Damos



Print Name DOROTHY H. KENNEY

BEAZER HOMES CORP.
a Tennessee corporation



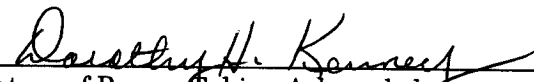
By: _____
Name: DAVID G. BYRNES
Title: President, Orlando Division

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 10th day of April, 2006, by David G. Byrnes, as President, Orlando Division of BEAZER HOMES CORP., a Tennessee corporation, as Developer. He is personally known to me and did not take an oath.

AFFIX NOTARY STAMP


Signature of Person Taking Acknowledgment
Print Name: _____
Title: Notary Public
Serial No. (if any) _____
Commission Expires: _____

DOROTHY H. KENNEY
Notary Public, State of Florida
My comm. exp. Apr. 13, 2008
Comm. No. DD 303586

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