

THIS DOCUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:

REBECCA A. SOS, ESQUIRE
Holland & Knight, LLP
200 South Orange Avenue, #2600
Orlando, Florida 32801
407-425-8500

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Martha O. Haynie, Comptroller
Orange County, FL
MB - Ret To: BEAZER HOMES CORP



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

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE ENCLAVE AT MOSS PARK is made and executed this 8th day of January, 2009, by BEAZER HOMES CORP. (hereinafter referred to as "Developer").

WITNESSETH:

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, as amended by that certain First Amendment to Declaration of Covenants and Restrictions for The Enclave at Moss Park which was dated April 10, 2006, and recorded on April 13, 2006, in Official Records Book 8586, Page 2745 of the Public Records of Orange County, Florida, and as amended by that certain Second Amendment to Declaration of Covenants and Restrictions for The Enclave at Moss Park which was dated July 14, 2006 and recorded on July 14, 2006 in Official Records Book 8753, Page 2838 of the Public Records of Orange County, Florida (hereinafter collectively 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, the Developer is the owner of certain real property located in Orange County, Florida which is more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof (hereinafter referred to as the "Additional Land") and,

WHEREAS, the Developer desires to annex said Additional Land into the Community (as defined in the Declaration), and

WHEREAS, the Declaration, among other things, provides, in Article VI thereof, that additional land may be annexed into the Community by the Developer so long as the Developer has Class "B" voting rights within the Community, and

WHEREAS, Developer desires now to amend the Declaration in the manner hereinafter set forth so as to annex the Additional Land described in Exhibit "A" attached hereto into the Community so that the Additional Land shall also be subject to the covenants, conditions, restrictions, reservations and easements more particularly set forth in the Declaration.

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

1. The Additional Land is annexed into the Community and is therefore subject to the provisions of this Declaration upon the recording in the Public Records of Orange County, Florida of this Third Amendment.
2. Except for the changes, modifications and amendments effected by this Third Amendment, the Declaration shall remain in full force and effect in strict accordance with the original terms thereof.

IN WITNESS WHEREOF, this THIRD 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:

BEAZER HOMES CORP.,
a Tennessee corporation

[Signature]
Signature

By: [Signature]
DAVID G. BYRNES

Print Name: Nick Gargano

Title: President, Orlando Division

[Signature]
Signature
Print Name: Justine Moavero

(AFFIX CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 8th day of January, 2009, by DAVID G. BYRNES, as President, Orlando Division of Beazer Homes Corp., as Developer.

[Signature]
Notary Public

My Commission Expires: 4/22/2011

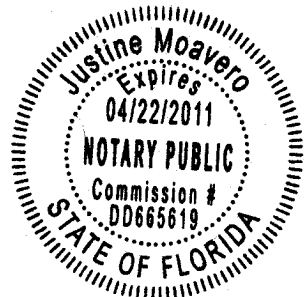


EXHIBIT A

Legal Description

Description Phase 2A:

A portion of Section 10, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Tract F1 as shown on the plat of Wycliffe Bible Translators Corporate Office Campus Phase 1 as recorded in Plat Book 50, Pages 35 through 37, Public Records of Orange County, Florida, thence along the Westerly line of said Tract F1 the following courses and distances : thence S 00°02'35" E a distance of 395.18 feet to the Point of Curvature of a curve, concave Northwesterly, having a radius of 450.00 feet and a central angle of 45°18'22"; thence Southwesterly along the arc of said curve a distance of 355.83 feet to the Point of Tangency of said curve (chord bearing and distance between said points being S 22°36'36" W 346.64 feet); said point being the Point of Reverse Curvature of a curve, concave Easterly, having a radius of 750.00 feet and a central angle of 59°16'12"; thence Southwesterly along the arc of said curve through a central angle of 12°46'13" a distance of 167.16 feet to the Point of Beginning (chord bearing and distance between said points being S 38°52'40" W 166.82 feet); thence continue along the arc of said curve Southwesterly and Southeasterly through a central angle of 46°29'59" a distance of 608.68 feet to a point (chord bearing and distance between said points being S 09°14'34" W 592.11 feet), thence departing said Westerly line of Tract F1 S 74°19'24" W a distance of 31.47 feet to the Point of Curvature of a curve, concave Northerly, having a central angle of 51°21'45" and a radius of 75.00 feet; thence Southwesterly and Northwesterly along the arc of said curve a distance of 67.23 feet to the Point of Tangency of said curve (chord bearing and distance between said points being N 79°59'43" W 65.00 feet); thence N 54°18'51" W a distance of 167.70 feet; thence N 22°23'03" E a distance of 125.59 feet; thence N 03°00'45" W a distance of 85.40 feet; thence N 00°06'29" E a distance of 193.16 feet; thence N 42°39'01" W a distance of 121.07 feet; thence N 89°58'12" E a distance of 363.96 feet to the Point of Beginning.

Description Phase 2A-2:

A portion of Section 10, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Tract F1 as shown on the plat of Wycliffe Bible Translators Corporate Office Campus Phase 1 as recorded in Plat Book 50, Pages 35 through 37, Public Records of Orange County, Florida, thence along the Westerly line of said Tract F1 the following courses and distances : thence S 00°02'35" E a distance of 395.18 feet to the Point of Curvature of a curve, concave Northwesterly, having a radius of 450.00 feet and a central angle of 45°18'22"; thence Southwesterly along the arc of said curve a distance of 355.83 feet to the Point of Tangency of said curve (chord bearing and distance between said points being S 22°36'36" W 346.64 feet); said point being the Point of Reverse Curvature of a curve, concave Easterly, having a radius of 750.00 feet and a central angle of 12°46'13"; thence Southwesterly and Southeasterly along the arc of said curve a distance of 167.16 feet to a point (chord bearing and distance between said points being S 38°52'40" W 166.82 feet); thence departing said Westerly line of Tract F1 S 89°58'12" W a distance of 554.91 feet to the Point of Beginning; thence continue S 89°58'12" W a distance of 142.64 feet; thence S 01°06'48" W a distance of 58.51 feet to the Point of Curvature of a curve, concave Northeasterly, having a central angle of 91°08'36" and a radius of 25.00 feet; thence Southeasterly along the arc of said curve a distance of 39.77 feet to a point (chord bearing and distance between said points being S 44°27'30" E 35.71 feet); thence S 02°15'21" W a distance of 50.04 feet to a point on a non tangent curve, concave Southeasterly, having a central angle of 88°51'24" and a radius of 25.00 feet; thence Southwesterly along the arc of said curve a distance of 38.77

feet to the Point of Tangency of said curve (chord bearing and distance between said points being S 45°32'30" W 35.00 feet); thence S 01°06'48" W a distance of 110.42 feet to the Point of Curvature of a curve, concave Westerly, having a central angle of 34°50'40" and a radius of 250.00 feet; thence Southwesterly along the arc of said curve a distance of 152.04 feet to the Point of Tangency of said curve (chord bearing and distance between said points being S 18°32'08" W 149.70 feet); thence S 35°57'28" W a distance of 93.59 feet to the Point of Curvature of a curve concave Easterly, having a central angle of 18°13'18" and a radius of 150.00 feet; thence Southwesterly along the arc of said curve a distance of 47.70 feet to the Point of Tangency of said curve (chord bearing and distance between said points being S 26°50'49" W 47.50 feet); thence S 17°44'10" W a distance of 30.12 feet to the Point of Curvature of a curve concave Northeasterly, having a central angle of 88°59'14" and a radius of 25.00 feet; thence Southeasterly along the arc of said curve a distance of 38.83 feet to a point (chord bearing and distance between said points being S 26°45'27" E 35.04 feet); thence S 18°44'59" W a distance of 61.00 feet to a point on a non tangent curve concave Southerly having a central angle of 11°06'33" and a radius of 1300.00 feet; thence Northwesterly along the arc of said curve and along the North line of Lot 4 as shown on aforesaid plat a distance of 252.06 feet to a point (chord bearing and distance between said points being N 76°48'20" W 251.67 feet); said point being on the East line of Enclave at Moss Park, Plat Book 62, Pages 105 thru 111, Public Records of Orange County, Florida; thence N 01°06'48" E along the East line of said plat, a distance of 60.37 feet to a point on the North right of way line of Mossy Oak Drive as shown on said plat said point being on a non tangent curve, concave Southerly, having a central angle of 01°14'20" and a radius of 1360.00 feet; thence Westerly along the arc of said curve and along the North right of way line of said Mossy Oak Drive a distance of 29.41 feet to the Southwest corner of Tract A-1 as shown on said plat (chord bearing and distance between said points being N 83°16'08" W 29.41 feet); thence N 01°06'48" E along the West line of said Tract A-1 a distance of 370.21 feet to a point on the South right of way line of Citruswood Drive as shown on said plat, said point being on a non tangent curve, concave Southerly, having a central angel of 00°49'20" and a radius of 2041.33 feet; thence Easterly along the arc of said curve and along said right of way line a distance of 29.30 feet to a point on the East line of said Enclave at Moss Park (chord bearing and distance between said points being S 86°20'13" E 29.30 feet); thence N 01°06'48" E along said East line a distance of 70.01 feet to a point on the East right of way line of Millbury Drive as shown on said plat, said point being on a non tangent curve, concave Northeasterly having a central angle of 33°58'32" and a radius of 25.00 feet; thence Northwesterly along the arc of said curve and along said East right of way line and along the West line of Tract A-2 as shown on said plat a distance of 14.82 feet to the point of tangency of said curve (chord bearing and distance between said points being N 15°52'28" W 14.61 feet); thence N 01°06'48" E along said East right of way line and along the West line of said Tract A-2 a distance of 195.32 feet to the point of curvature of a curve, concave Southeasterly having a central angle of 33°58'33" and a radius of 25.00 feet; thence Northeasterly along the arc of said curve and along the West line of said Tract A-2 a distance of 14.82 feet to a point on the East line of said Enclave at Moss Park (chord bearing and distance between said points being N 18°06'05" E 14.61 feet); thence N 01°06'48" E along said East line a distance of 82.21 feet to a point on said East right of way line, said point being on a non tangent curve, concave Northeasterly, having a central angle of 33°58'32" and a radius of 25.00 feet; thence Northwesterly along the arc of said curve and along said East right of way line and along the West line of Tract A-3 as shown on said plat a distance of 14.82 feet to the point of tangency of said curve (chord bearing and distance between said points being N 15°52'28" W 14.61 feet); thence continue along said East right of way line and along the West line of said Tract A-3, N 01°06'48" E a distance of 203.68 feet to the point of curvature of a curve, concave Southeasterly, having a central angle of 33°58'33" and a radius of 25.00 feet; thence Northeasterly along the arc of said curve and along said East right of way line and along the West line of said Tract A-3 a distance of 14.82 feet to a point on the East line of said Enclave at Moss Park (chord bearing and distance between said points being N 18°06'05" E 14.61 feet); thence N 01°06'48" E along the East line of said Enclave at Moss Park a distance of 155.81 feet to the Northeast corner of Lot 305 of said Enclave at Moss Park; thence N 89°58'12" E a distance of 506.35 feet; thence S 00°01'48" E a distance of 605.76 feet to the Point of Beginning.