

INSTR # 2013112924
BK 08985 PGS 1322-1326 PG(5)5
RECORDED 06/17/2013 10:16:27 AM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 44.00
RECORDED BY S Wiggins

Prepared by and Return to:
Brian S. Fettig, Esq.
Latham, Shuker, Eden and Beaudine, LLP
111 N. Magnolia Ave, Suite 1400
Orlando, Florida 32801
Phone #407-481-5807
Fax# 407-481-5801

ELEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST HAVEN

THIS ELEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST HAVEN ("Eleventh Amendment") is made effective this 14th day of June, 2013 by ANGLO INVESTMENTS, INC., a Florida corporation, whose principal address is 1801 Premier Row, Orlando, Fl 32809 ("Declarant").

WITNESSETH:

WHEREAS, the Declarant is the developer of a residential subdivision is located within that certain Planned Unit Development in Polk County, Florida commonly known as West Haven development ("West Haven"); and

WHEREAS, West Haven is subject to those certain restrictions, covenants, conditions and easements , as contained in that certain Declaration of Covenants, Conditions and Restrictions for West Haven recorded October 30, 2000 in Official Records Book 4561, Page 2033, in the Public Records of Polk County, Florida, and together with the First Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded February 9, 2001 in Official Records Book 4627, Page 1 and together with the Third Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded April 8, 2002 in Official Records Book 4973, Page 622 and together with the Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded August 1, 2002 in Official Records Book 5074, Page 1847 and together with the Second Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded September 15, 2003 in Official Records Book 5511, Page 1482 and together with the Fifth Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded September 15, 2003 in Official Records Book 5511, Page 1486 and together with the Sixth Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded March 16, 2004 in Official Records Book 5704, Page 1225 and together with the Seventh Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded June 22, 2005 in Official Records Book 6260, Page 734 and together with the Eighth Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded August 2, 2006 in Official Records Book 6900, Page 1641 and together with the Tenth Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded May 1, 2007 in Official Records Book 7268, Page 1461 and together with the Tenth Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded June 25, 2007 in Official Records Book 7337, Page 388 and together with the Ninth Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven recorded July 13, 2007 in Official Records Book 7360, Page 1259 (collectively, the "Declaration"); and

WHEREAS, Article XI, Section 1 of the Declaration provides that, until termination of the Class "B" Membership, as defined in the Declaration, the Declarant may unilaterally amend the Declaration for any purpose; and

WHEREAS, the Class "B" Membership has not been terminated and Declarant desires to amend certain provisions of the Declaration only with respect to those Lots located in West Haven as set forth in Exhibit "A" attached hereto and made a part hereof ("Subject Property");

NOW, THEREFORE, for and in consideration of the premises hereof and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Recitals; Defined Terms. The foregoing recitals are true and correct and are incorporated herein by reference. All terms which are not specifically defined herein shall have the meaning ascribed thereto as set forth in the Declaration.

2. Amendment to Article VI, Section 4, Subsection (d). Article VI, Section 4, Subsection (d) of the Declaration is hereby amended and replaced, but only with respect to the Subject Property, with the following:

(d) Commencement Assessment. A commencement assessment of Five Hundred and 00/100 Dollars (\$500) per Lot shall be paid by the original purchaser (other than the Builder), to the Declarant, of a Dwelling constructed on a Lot by the Builder at the time of closing on the Dwelling.

3. Conflict. In the event of a conflict between the terms of the Declaration and the terms of this Tenth Amendment with respect to the Subject Property, the terms of this Tenth Amendment shall govern and control. Except to the extent specifically amended herein, the terms, provisions, conditions, and covenants of the Declaration shall remain in full force and effect. This Tenth Amendment and the Declaration may not be further amended or modified except in the manner permitted by the Declaration.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, Declarant has executed this Eleventh Amendment as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Gina L. Binkley
Witness
Ben Feltham
Witness

ANGLO INVESTMENTS, INC., a Florida corporation

By: *P. Miller*
Name: *Paul Miller*
Title: *Chief Operating Officer*

ACKNOWLEDGMENT

STATE OF *Florida*)
COUNTY OF *Deane*)

The foregoing Eleventh Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven was acknowledged before this *13th* day of *June*, 2013, by *Paul Miller*, as *COO* as an officer for Anglo Investments, Inc., a Florida corporation, who is [] personally known to me or [] who has produced *M46068468 302-0* as identification

SEAL



Gina L. Binkley
Notary Public
My Commission Expires:

JOINDER AND CONSENT (Mortgagee)

WONDERBERRY, INC., a Florida corporation, (hereinafter referred to as "Lender"), hereby certifies that it is the owner and holder of a mortgage, lien or other encumbrance upon the a portion of the Property (as defined in the Declarations) including the Subject Property, and that the undersigned hereby joins in, ratifies and consents to the terms, conditions and provisions of this Eleventh Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven.

IN WITNESS WHEREOF, the Lender has caused this Joinder and Consent to be executed by its duly authorized officer this 14th day of June, 2013.

WONDERBERRY, INC., a Florida corporation

By: [Signature]
Name: KARVIKA PATEL
Its: PRESIDENT.

STATE OF Florida)
COUNTY OF Orange)

The foregoing Joinder and Consent to the Eleventh Amendment to Declaration of Covenants, Conditions and Restrictions for West Haven was acknowledged before this 13th day of JUNE, 2013, by Karvika Mayank, as President as an officer for Wonderberry, Inc., a Florida corporation, who is [] personally known to me or [] who has produced P.340-573-78-882-0 as identification

[Signature]
Notary Public

SEAL



My Commission Expires:

EXHIBIT "A"

Lots 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 126, 127, 128, 129, 130, 131, 133, 134, 135 and 137, Shire at West Haven, Phase Two, according to the plat thereof, as recorded in Plat Book 151, Pages 35 and 36, of the Public Records of Polk County, Florida.

Lots 1 through 60, inclusive, Dales at West Haven, according to the plat thereof, as recorded in Plat Book 151, Pages 37 through 39, inclusive, of the Public Records of Polk County, Florida.