

INSTR # 2007149355  
BK 07360 PGS 1259-1261 PG(s) 3  
RECORDED 07/13/2007 04:52:07 PM  
RICHARD M WEISS, CLERK OF COURT  
POLK COUNTY  
RECORDING FEES 27.00  
RECORDED BY V Epperson

R  
This Instrument Prepared By  
& Requested Be Returned To:  
Timothy F. Campbell, Esquire  
Clark, Campbell & Mawhinney, P.A.  
500 South Florida Avenue, Suite 800  
Lakeland, Florida 33801

**NINTH AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR WESTHAVEN**

This Ninth Amendment to Declaration of Covenants, Conditions and Restrictions for Westhaven ("Ninth Amendment") is made effective this 18<sup>th</sup> day of December, 2006, by Anglo Investments, Inc., a Florida corporation, whose address is 6200 Metrowest Boulevard, Suite 207/208, Orlando, Florida 32835 ("Declarant").

**RECITALS:**

**WHEREAS**, Declarant is the developer of a residential subdivision in Polk County, Florida commonly known as West Haven and has filed that certain Declaration of Covenants, Conditions and Restrictions for West Haven recorded October 30, 2000, in Official Records Book 4561, Page 2033, public records of Polk County, Florida, as amended by that certain First Amendment thereto, recorded February 9, 2001, in Official Records Book 4627, Page 0001, public records of Polk County, Florida, as further amended by that certain Second Amendment thereto, recorded September 15, 2003, in Official Records Book 5511, Page 1482, public records of Polk County, Florida, as further amended by that certain Third Amendment thereto, recorded April 8, 2002, in Official Records Book 4973, Page 622, public records of Polk County, Florida, as further amended by that certain Fourth Amendment thereto, recorded August 1, 2002, in Official Records Book 5074, Page 1847, public records of Polk County, Florida, as further amended by that certain Fifth Amendment thereto, recorded September 15, 2003, in Official Records Book 5511, Page 1486, public records of Polk County, Florida, as further amended by that certain Sixth Amendment thereto, recorded March 16, 2004, in Official Records Book 5704, Page 1225, public records of Polk County, Florida, as further amended by that certain Seventh Amendment thereto, recorded June 22, 2005, in Official Records Book 6260, Page 734, public records of Polk County, Florida, and as further amended by that certain Eighth Amendment thereto, recorded August 2, 2006, in Official Records Book 6900, Page 1641, public records of Polk County, Florida (collectively, "Declaration"); and

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

J:\ANGLO INVESTMENTS\NINTH AMENDMENT DECL 120106

1

**WHEREAS**, the Class "B" membership has not been terminated and Declarant desires to amend the Declaration in the manner and for the purposes set forth herein.

**NOW THEREFORE**, for and in consideration of the premises set forth herein and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, Declarant amends the Declaration as follows:

1. The foregoing recitals are true and correct and by this reference incorporated into the body of this Ninth Amendment.
2. Except as specifically defined otherwise herein, capitalized terms used herein shall have the meanings ascribed thereto in the Declaration.
3. Article I, Definitions, subparagraph (m), shall be amended and restated in its entirety as follows:
  - (m) **"Lot"** shall mean and refer to each residential building site created by any recorded plat of the Property, including any Dwelling located thereon once constructed, or any condominium unit located on the Hotel Parcel.
4. Article X, Section 2 shall be amended to include the following:

Notwithstanding the foregoing, a portion of the Hotel Parcel may be used for residential condominium units, as determined by the Owner of the Hotel Parcel.
5. Except as expressly amended and modified herein, the Declaration shall remain in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, Anglo Investments, Inc., a Florida corporation, hereby executes this Ninth Amendment to Declaration of Covenants, Conditions and Restrictions for Westhaven effective as of the day and year first set forth above.

Signed, sealed and delivered in the presence of:

ANGLO INVESTMENTS, INC., a Florida corporation

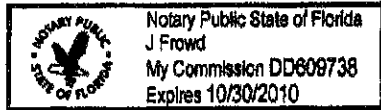
M. Van Arsdale  
Name: Mark Van Arsdale

By: Munesh Patel ~~\_\_\_\_~~  
\_\_\_\_, its SVP

[Signature]  
Name: TIM MURPHY

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was executed before me this 18th day of December, 2006, by Munesh Patel as SVP of Anglo Investments, Inc., a Florida corporation,  who is personally known to me or  who has produced \_\_\_\_\_ as identification.



J. Frowd  
Notary Public, State of Florida  
Printed name: J. Frowd  
My commission expires: 10/30/2010  
My commission no.: DD609738

(SEAL)