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Prepared by and to be returned to:  
Julius J. Zschau, Esq.  
Johnson, Blakely, Pope, Bokor, Ruppel & Burns, P.A.  
911 Chestnut Street  
Clearwater, FL 34616

**RICHARD AKE**  
CLERK OF CIRCUIT COURT  
HILLSBOROUGH COUNTY

## FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TOWNE ESTATES AT THE PALMS

THIS AMENDMENT is made this 24 day of APRIL 1997, by U.S. HOME CORPORATION, a Delaware corporation qualified to do business in Florida, hereinafter referred to as "Declarant", whose mailing address is 311 Park Place Boulevard, Suite 600, Clearwater, FL 34619.

### WITNESSETH:

WHEREAS, Declarant heretofore imposed certain covenants, conditions and restrictions upon real property in Hillsborough County, Florida, by virtue of that certain Declaration of Covenants, Conditions and Restrictions for Towne Estates At The Palms on December 4, 1996, as recorded in O.R. Book 8375, at pages 450 through 498 inclusive, Public Records of Hillsborough County, Florida (herein, together with any amendments thereto, collectively called the "Declaration"); and

WHEREAS, Declarant reserved the right in the Declaration pursuant to Article IX to add, by amendment thereof, additional lands to the properties previously made subject to the Declaration; and

WHEREAS, Declarant wishes to amend the Declaration by the addition of the real property described on Schedule "1" attached hereto and incorporated herein by reference; and

WHEREAS, the Declarant is the owner in fee simple of the land described on Schedule "1";

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. The recitals set forth above are true and correct and are incorporated herein by reference.
2. Exhibit "A" to the Declaration is hereby amended to add the land described on Schedule "1" attached hereto and made a part hereof, and said land shall be subject to each and every term, condition, covenant and restriction of the Declaration as it exists and as it may be and may have been amended from time to time.

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3. Declarant shall have the right to file, after recordation of this amendment covenants, conditions and restrictions necessary to reflect the different character of the Schedule "1" property.

4. The Declaration, as amended, is hereby incorporated by reference as though fully set forth herein and, except as specifically amended hereinabove, is hereby ratified and confirmed in its entirety.

5. This Amendment shall be effective immediately upon its recording in Hillsborough County, Florida.

IN WITNESS WHEREOF, the undersigned corporation has caused this Amendment to Declaration of Covenants, Conditions and Restrictions for Towne Estates At The Palms to be executed by its duly authorized officers and affixed its corporate seal the day and year first above written.

Signed, sealed and delivered  
in the presence of:

U.S. HOME CORPORATION,  
a Delaware corporation

Dawn C. Rose  
Printed Name: Dawn C. Rose

By Gene Lanton  
Printed Name: Gene Lanton  
Division \_\_\_\_\_ President

Rosemary A. Balesida  
Printed Name: ROSEMARY A. Balesida

Attest: B111 Daskarolis  
Printed Name: B111 Daskarolis  
Division \_\_\_\_\_ Secretary

(CORPORATE SEAL)

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STATE OF FLORIDA )

COUNTY OF PINELLAS )

The foregoing instrument was executed before me this 24th day of April, 1997, by Gene Lanton and Bill Daskarolis, as Division        President and Division        Secretary, respectively, of U.S. HOME CORPORATION, a Delaware corporation, on behalf of the corporation, and who are personally known to me or who have produced \_\_\_\_\_ as identification.

*Dawn C Rose*

Notary Public  
Print Name: Dawn C. Rose  
Notary Public Commission No.  
My commission expires:



DAWN C. ROSE  
MY COMMISSION # CC448927 EXPIRES  
April 3, 1999  
BONDED TRUSTEES FARM INSURANCE, INC.

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DESCRIPTION:

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A PORTION OF SECTION 28, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHERNMOST CORNER OF HEATHER LAKES UNIT 24 - PHASE 2, AMENDED, AS RECORDED IN PLAT BOOK 60, PAGE 34, IN THE PUBLIC RECORDS OF SAID COUNTY; THENCE N.44°04'08"E., 303.89 FEET; THENCE N.75°00'12"E., 64.33 FEET; THENCE N.83°56'45"E., 306.56 FEET; THENCE S.06°03'15"E., 150.00 FEET; THENCE N.83°56'45"E., 21.81 FEET; THENCE S.06°03'15"E., 112.50 FEET; THENCE N.83°56'45"E., 24.45 FEET; THENCE S.06°03'15"E., 112.50 FEET; THENCE S.83°56'45"W., 8.46 FEET; THENCE S.06°03'15"E., 167.91 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF KENSINGTON RIDGE BOULEVARD, SAID RIGHT-OF-WAY LINE BEING A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 2702.97 FEET; THENCE SOUTHWESTERLY 240.18 FEET ALONG SAID CURVE AND RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 05°05'28" (CHORD BEARS S.75°57'12"W., 240.09 FEET); THENCE NON-TANGENT TO SAID CURVE, N.12°47'54"W., 152.35 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PROVMORE DRIVE; THENCE ALONG SAID RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES AND ONE (1) CURVE: S.83°56'45"W., 12.77 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 125.00 FEET; THENCE NORTHWESTERLY, 109.35 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50°07'23" (CHORD BEARS N.70°59'34"W., 105.90 FEET); THENCE N.45°55'52"W., 6.98 FEET; THENCE S.44°04'08"W., 100.00 FEET TO THE NORTHEASTERLY BOUNDARY LINE OF SAID HEATHER LAKES UNIT 24-PHASE 2, AMENDED; THENCE ALONG SAID NORTHEASTERLY BOUNDARY LINE, N.45°55'52"W., 305.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.76 ACRES, MORE OR LESS.

which has been platted as HEATHER LAKES UNIT XXVII PHASE II, according to the plat thereof recorded in Plat Book 79, Pages 30-1 through 30-2, inclusive, Public Records of Hillsborough County, Florida.

SCHEDULE "1"