

Return to: (enclose self-addressed stamped envelope)

**Name:**

Angela Tompkins, Paralegal

**Address:**

Ruden McClosky P.A.  
5150 North Tamiami Trail, Suite 502  
Naples, Florida 34103

**This Instrument Prepared by:**

Mark F. Grant, Esq.  
Ruden McClosky P.A.  
5150 North Tamiami Trail, Suite 502  
Naples, Florida 34103

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**AMENDMENT TO AMENDED AND RESTATED DECLARATION OF  
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF  
PALMA SOLA TRACE VILLAS**

THIS AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF PALMA SOLA TRACE VILLAS ("Amendment") is made as of the 2<sup>nd</sup> day of February, 2011, by PALMA SOLA TRACE VILLAS HOMEOWNER'S ASSOCIATION, INC., a Florida not-for-profit corporation ("Association"), and is joined in by TAYLOR MORRISON OF FLORIDA, INC., a Florida corporation ("Declarant").

WHEREAS, that certain Notice of Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements of Palma Sola Trace Villas was recorded October 8, 2008, in Official Records Book 2276, Page 1836, of the Public Records of Manatee County, Florida (the "Declaration"); and

WHEREAS, Declarant was assigned Declarant rights pursuant to that certain Assignment of Declarant's Rights recorded on October 15, 2008, in Official Records Book 2276, Page 6648, of the Public Records of Manatee County, Florida; and

WHEREAS, the Association is desirous of amending the Declaration; and

WHEREAS, the Declaration provides in Article VI, Section 4, that the Declaration may be amended by an instrument signed by the duly authorized officers of the Association provided such amendment has been approved by the Members entitled to cast two-thirds (2/3) of the total votes able to be cast at any regular or special meeting of the Members duly called and convened; and

WHEREAS, two-thirds of the total votes able to be cast at a special meeting of the Members duly called and convened approved certain amendments to the Declaration at a meeting of the Members duly called and convened on February 1, 2011.

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

1. The above recitals are true and correct and are incorporated herein by reference.

2. Article II, Section 2.a, is hereby amended by adding the following to the end of the first sentence of Section 2.a:

(vi) the right to repair or replace any shared entry access sidewalks, however, shall not be responsible for the daily type maintenance of any shared entry access sidewalks.

3. Article II, Section 2.b, is hereby amended by adding the following to the end of the first sentence of Section 2.b:

(vi) the Owners of the Dwellings sharing any shared entry access sidewalks shall be jointly responsible for keeping the shared entry access sidewalks clean and stain free, and free from any impediments to pedestrian traffic. No Owner shall make any hole or penetration of any shared entry access sidewalks or impede another Owner's access to his or her Dwelling over any shared entry access sidewalks. Any Owner who causes damage to any shared entry access sidewalks through his or her acts or omissions, or through the acts or omissions of the Owner's tenants, guests, invitees or members of the Owner's household or family, shall be liable to the other Owner(s) of the shared entry access sidewalks for the cost of repairing such damage and restoring the shared entry access sidewalks and property of the other Owner(s) to the condition they were in immediately prior to such damage.

4. Article II is hereby amended by adding the following Section 5:

Section 5. Ingress/Egress Easement over Shared Entry Access Sidewalks.

An ingress/egress easement over the shared entry access sidewalks is hereby granted in favor of the Owners and the Association or their respective designees for the continued use, benefit and enjoyment and continued support, service, maintenance, repair, replacement and design of the shared entry access sidewalks within any portion of the Property.

5. This Amendment shall become effective upon recording amongst the Public Records of Manatee County, Florida.

6. As modified hereby, the Declaration shall remain in full force and effect in accordance with the terms thereof.

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

Witnesses:

PALMA SOLA TRACE VILLAS  
HOMEOWNERS ASSOCIATION, INC.  
a Florida not-for-profit corporation

Patricia K. Kindt  
Signature  
Patricia K. Kindt  
Printed Name

By: John P. Asher  
JOHN P. ASHER, President

Pradip Gandhi  
Signature  
Pradip Gandhi  
Printed Name

STATE OF FLORIDA            )  
  ) SS  
COUNTY OF SARASOTA        )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by JOHN P. ASHER, as President of PALMA SOLA TRACE VILLAS HOMEOWNER'S ASSOCIATION, INC., a Florida not-for-profit corporation, freely and voluntarily under authority duly vested in him by said corporation, who is personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this 10<sup>th</sup> day of May, 2010  
2011

Kristie Huddleston  
Notary Public, State of Florida at Large  
Kristie Huddleston  
Typed, Printed or Stamped Name of Notary Public

My Commission Expires:



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

Witnesses:

Laura Ewles

Signature

Laura Ewles

Printed Name

Lisa Stuteville

Signature

Lisa Stuteville

Printed Name

TAYLOR MORRISON OF FLORIDA, INC.,  
a Florida corporation

By: M Campbell

Printed Name: Michelle M. Campbell

Title: Vice President

STATE OF FLORIDA )  
COUNTY OF Sarasota ) SS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Michelle Campbell, as \_\_\_\_\_ of TAYLOR MORRISON OF FLORIDA, INC., a Florida corporation, freely and voluntarily under authority duly vested in them by said corporation, who is personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this 10 day of May, ~~2010~~ 2011

Laura Ewles  
Notary Public, State of Florida at Large  
Laura Ewles

My Commission Expires:

Typed, Printed or Stamped Name of Notary Public

