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MARYANNE MORSE  
CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY, FL.

RECORDED & VERIFIED

OFFICIAL RECORDS  
BOOK PAGE

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SEMINOLE CO. FL.

AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS  
FOR  
OAK HOLLOW

KNOW ALL MEN BY THESE PRESENT, that this Amendment to Oak Hollow Declaration of Covenants and Restrictions made this 23rd day of November, 1990 by OAK HOLLOW HOMEOWNERS ASSOCIATION, a Florida Corporation, not-for-profit.

WITNESSETH

WHEREAS, The "Oak Hollow" Declaration of Covenants and Restrictions" (hereinafter referred to as "the Declaration") was recorded on December 29, 1989, in Official records Book 2178, pages 1883 through 1890 of the Public Records of Seminole County, Florida and

WHEREAS, the Declaration provides in Article VII, Section 6, that the Declaration may be amended upon two-thirds vote of the Owners of Oak Hollow, and

WHEREAS, the Developer is the owner of two-thirds of Oak Hollow and has voted to amend the Declaration, as provided hereinbelow:

NOW, THEREFORE, the Declaration shall be and is hereby modified and amended to include:

1) EXHIBIT "A" ARCHITECTURAL CONTROL COMMITTEE PLANNING CRITERIA, CONTAINING ARTICLES I through IX (Pages 1 - 11). and

2) ARTICLE VII, GENERAL RESTRICTION, SECTION 3, OBLIGATION TO COMPLETE CONSTRUCTION, IS HEREBY AMENDED TO READ: Each Owner shall be required to commence construction of an approved residence upon his Lot within twenty four months (24) of the date title to such lot is conveyed to the original purchaser by the Developer, and shall be obligated to use reasonable diligence to complete construction once same has begun, provided in no event shall an Owner take more than twelve months (12) from commencement to complete construction. In the event any Owner shall fail to complete construction as provided herein then the Developer shall have the option to buy back the Lot from the Owner upon the same terms and conditions as the Contract for Sale and Purchase between Developer and said Owner, or the Owner's predecessors in title pursuant to which Developer originally sold said Lot to the original purchaser of same, which option may be exercised at any time within Six (6) months from the date the violation arose by written notice to the then record Owner of said Lot.

THIS INSTRUMENT PREPARED BY:  
NAME Steve Harlow  
ADDR. 2475 PARK AVE.  
SAFORD, FL 32771

This is Not a Certified Copy

EXHIBIT "A"  
ARCHITECTURAL CONTROL COMMITTEE PLANNING CRITERIA

ARTICLE 1  
POLICY STATEMENT

Property in OAK HOLLOW is subject to a Declaration of Covenants and Restrictions ("Restrictions"). These Restrictions provide that the improvements of any property or the design and construction of any buildings require the review and approval of the OAK HOLLOW Architectural Control Committee ("ACC"). The ACC was established to carry out a mandate to enhance the environmental quality and economic value of all properties in OAK HOLLOW. The ACC intends to be completely fair and objective in the design review process.

ARTICLE II  
DESIGN REVIEW PROCESS

All applicants are required to submit plans and specifications in triplicate for final review and approval. Though not mandatory, it is strongly suggested that the required documents be submitted for preliminary review and approval. In this matter, the applicant will have every opportunity to communicate with the ACC on matters of concept and basic form prior to investing in completed, fully detailed architectural and engineering drawings and specifications.

A period of fourteen (14) days after receipt of each application should be allowed for ACC preliminary review of final review and approval. In all cases, the ACC will make every effort to expedite review of applications in a shorter period of time. The application may be acted upon in one of three methods:

- 1...approval (with or without comments)
- 2...approved as noted (with comments)
- 3...not approved (revisions and resubmission is required)

If the plans are not approved, they may be modified and resubmitted. Resubmission will be expected as rapidly as possible.

In the event that the ACC fails to act (either by approval or denial of the application) within thirty (30) days after all required information for final review and approval has been provided by the applicant, the application shall be deemed to be approved; however, no violation of Restrictions may be erected or allowed to remain.

After Acc final review and approval, one (1) set of the submission documents will be returned to the applicant. The ACC shall retain one (1) set of the approved plans and specifications and construction will be regularly compared with the approved plans.

ARTICLE III  
LIMITATIONS OF RESPONSIBILITIES

The primary goal of the ACC is to review the application (plans and specifications) submitted to it to determine if the proposed improvements comply with the Restrictions and to determine if a prepared structure conforms in appearance with the standards and policy set forth by the ACC for development in OAK HOLLOW. The ACC does not review and assumes no responsibility for the following:

- A. The structural adequacy, capacity of safety features of the proposed improvement or structure
- B. Whether or not the location of the proposed improvement or structure on the building site is free from possible hazards, from flooding, or from any other possible hazard whether caused by conditions occurring either upon or off of the property.
- C. Soil erosion, uncompatible or unstable soil conditions.
- D. Mechanical, electrical or any other technical design requirement for a proposed project.
- E. Compliance with any and all building codes, safety requirements for a proposed project.
- F. The adequacy of the proposed on site drainage plan.

ARTICLE IV  
TIME LIMITATIONS

After the final review and approval by the ACC, the applicant must begin construction within a period of ninety (90) days from the date of approval unless the Developer provides otherwise. If no construction activity has taken place within this time period, then the ACC approval shall be considered null and void. At some later date should the Owner wish to proceed with construction, a new application will be required for final review and approval by the ACC.

ARTICLE V  
APPLICATION WITHDRAWAL

An application may be withdrawn without prejudice by the applicant as a matter of right, provided the request for withdrawal is made in writing and filed with the ACC prior to any review or action on the application by the ACC. No application may be withdrawn if such application has been reviewed and action taken by the ACC, either preliminary or final.

ARTICLE VI  
APPEAL

If an application has been denied, or the approval is subject to comments or conditions which the applicant determines to be unjust and unfair, the applicant may request a hearing before the ACC. Any request for a hearing should be made in writing, stipulating all pertinent facts having bearing on the nature of the appeal; within two (2) weeks, the applicant will be notified of the time and place of the hearing. The decision rendered by the ACC at this time shall be final.

ARTICLE VII  
SUBMISSION REQUIREMENTS

The following information must be submitted with the Design Review application.

- A. Site Plan(s) indicating:
  - 1. Name of subdivision, lot, address and/or other required legal description of the property, and North direction.
  - 2. Property lines, including streets, right-of-way, lakes, easements, set back lines and all dimensions. Finished floor elevations referenced to temporary benchmark must be clearly marked on site.
  - 3. Approximate location, size and kind of existing and proposed trees greater than 4" in diameter, the diameter being taken at a point 3' above the ground.
  - 4. Location of proposed cut and/or fill, indicating approximate slope and height or depth of each.
  - 5. Location of all structures and parking areas, driveways, garbage and trash containers, decks, terraces, patios, walks, walls, fences, signs, swimming pools, fountains, mail boxes, etc.
- C. Floor Plan(s); Plans of all floors indicating interior room sizes and use, and location of exterior windows, doors and other openings. It is required that the main floor elevation of the structure be clearly marked, and this elevation reference be maintained throughout construction.
- D. Exterior Elevations: Indicate exterior views of all structures and fences, indicating materials, textures and colors. Building elevations, shall be provided for all sides of the structure.
- E. Color Description: Schedule of exterior colors and finishes of all structures, 15 days prior to application.
- F. Outline specifications: Describe exterior materials proposed.
- G. Parking, paving and drainage plans - indicate any proposed changes to existing contours, cut and fill provisions. Also indicate lot drainage pattern away from building to swales, culverts, etc.
- H. Location of all utility services, A/C compressors, mechanical equipment, gas or oil tanks, telephone services, etc.
- I. Location of storage site of building materials, contractor's shacks, outhouses, etc.
- J. Temporary access to the site.
- K. Landscaping plan indicating proposed planting, exterior lighting system, irrigation system, special landscape features, pools, fountains, etc., 15 days prior to installation.
- L. Material samples of all exterior materials with schedule and color chips of all paints and stains. Colors shall be keyed to exterior elevations. Colors for all improvements shall be included.

ARTICLE IX  
PERMIT REQUIREMENTS

It is the responsibility of the Builder and/or architect to abide by all applicable Governmental Codes and Regulations. It will be the understanding of the ACC that all final plans will be in compliance with such codes.

GENERAL RECEIPTS  
BOOK PAGE  
2277 1788  
SEMMOLE CO. FL.

1. Site Stakeout: Prior to the start of construction, the Owner shall provide an accurate stakeout on the lot of the proposed improvements. Responsibility for verification and accuracy of property corners, building location and relationship of buildings to natural site features lies solely with the Owner: The ACC assumes no responsibility therefore. The stakeout shall indicate the following:

- A. The structure(s) shall be defined with 4' high stakes and the corners of buildings shall be identified.
- B. All property corners shall be flagged.
- C. It is suggested that the main floor elevation of the structure be clearly marked, and this elevation reference be maintained through construction, be clearly marked, and this elevation reference be maintained through construction.
- D. All trees proposed for removal shall be tagged. No trees, shrubs or ground cover shall be removed before being inspected by the ACC or their representative.

2. Foundation: As soon as a foundation survey is obtained, a copy is to be forwarded to the ACC. No foundation for a building shall be poured unless the same complies with the site plan approved by the ACC.

3. Site Treatment: The Owner agrees to maintain the property in a clean and sanitary condition at all times and throughout any period of construction. The Owner shall at all times maintain said property in an aesthetically attractive appearance, removing from said property all debris, dead growth and fallen vegetation. If, after thirty (30) days notice, the Owner has not proceeded to clean said property as aforesaid and to do what is necessary to cause the same to present an aesthetically attractive appearance, the ACC, or its assigns reserves the right to enter upon the premises to do the work necessary and charge the cost thereof to the Owner, and if said cost thereof is not paid within thirty (30) days after sending the bill to the Owner then the amount so billed shall bear interest from the day of the delinquency at the highest rate allowed by the laws of the State of Florida, and a claim of lien may be filed for said amount plus interest and cost of collection, including reasonable attorney's fees, incident to the collection of all sums due, and the enforcement of said lien may be filed and such lien shall continue in effect against the property until all sums secured by the lien shall have been fully paid.

4. Changes During Construction: all changes to the exterior of a structure and changes in road alignment, parking layout, amenity location, trees to be removed, sign and any other changes affecting the appearance of a project upon its site and to its neighbors shall receive the prior approval of the ACC. Changes proposed during the course of construction shall be submitted in writing and revised plans, if necessary, shall be resubmitted for approval unless otherwise so authorized in writing by the ACC. All structures shall be built in conformity with the approved plans.

5. Inspection: The ACC shall appoint a representative to inspect construction for compliance with plans. No unauthorized deviation from approved plans shall be permitted.

2787 1790  
SEMINOLE CO. FL.

6. Completion Date. When construction has commenced the work must be pursued diligently and must be completed within a period of 12 months from the date of commencement, or within the time period stipulated in the approved application.

Any request for extension of time to complete shall be submitted to the ACC. Such requests shall indicate the current status of the project, the reasons for the time extension request and the new date for completion of the project. A project not completed within the stipulated time period may be treated as a nuisance and a violation of these policies, and subject to appropriate action by the ACC. The landscaping shall be completely installed before application for issuance of Certificate of Occupancy by the City of Lake Mary.

#### ARTICLE X BUILDING REQUIREMENTS

1. Dwelling Quality and Size: Each single family dwelling shall be located on a lot or parcel of land having a land area of not less than one quarter (1/4) acre.

Dwelling shall occupy a floor of at least 1,500 square feet of actually and fully enclosed building exclusive of garage, unglassed porches, unroofed screen patios, or similar spaces, and exclusive of any accessory building. Floor area variances will be allowed with approval of the ACC Committee.

2. Building Location:

(a) Front yards shall not be less than 25 feet in depth measured from the front property line to the front of the building structure.

(b) Rear yards shall not be less than 25 feet in depth measured from the rear property line to the rear of any building structure, exclusive of pool or patio.

(c) Side yard shall be provided on each side of every dwelling structure of not less than 7.5 feet from said lot lines, except on a corner lot, where setbacks from all streets or roads shall be minimum of 25 feet on the front and 25 feet on the side.

(d) The ACC shall have full decision making authority for granting variances pertaining to set back requirements.

3. Building Height: No building shall exceed 35 feet in height.

4. Detached Structures: Unless approved by the ACC as to use, location, and architectural design, no garage, tool or storage room may be constructed prior to the main residential dwelling.

277 179  
SEMINOLE COUNTY

5. Dwelling Quality: The ACC shall have final approval of all exterior building materials. The ACC shall discourage the use of imitation or artificial brick or stone for front material. All encourage the use of materials such as wood siding, cedar shakes, stucco, brick and stone arranged in pleasing, traditional and contemporary designs. Harmony of materials is important, and the acceptance of one material in one instance does not imply its universal acceptance.

6. Temporary Structures. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other out building shall be used on any lot at any time as a residence either temporarily or permanently, except for temporary structures that may be used on lots & sales offices during the development of OAK HOLLOW.

7. Roofs: Flat roofs shall not be permitted on areas other than Florida rooms, porches and patios, unless specifically approved by the ACC. All pitched roofs must have a minimum slope of 5:12. The composition of all pitched roofs shall be tiles, fiberglass shingle, asphalt shingle, cedar shake shingle, cypress shake shingle, slate composition or composition approved by the ACC.

8. Garages:

a. Each living unit shall include a garage which shall have a minimum width of twenty-two (22) feet for a two car garage, measured from the inside walls of the garage, and a minimum of 24 feet depth measured for the inside walls. All garages must have either one sixteen (16) feet door, or two eight (8) foot doors, and a service door.

All garage doors, regardless of location, must be equipped with an automatic garage door opener with remote control locations in the car and in the interior of the garage. All garages and garage door must be maintained in usable condition.

9. Vehicle Parking & Repair: No trucks, except pick-up trucks shall be permitted to be parked in the residential house area for a period of more than four hours unless the same is present and necessary in the actual construction or repair of buildings on the land. No inoperative cars, trucks, trailers, or other types of vehicles shall be allowed to remain either on or adjacent to any lot for a period in excess of forty-eight (48) hours, provided, however, this provision shall not apply to any such vehicles being kept in an enclosed garage. there shall be no major repair performed on any motor vehicle on or adjacent to any lot in the subdivision. All vehicles shall have current license plates.



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SEMINOLE CO. FL

10. Fencing and Screening: The design, composition, location and height of any fence or wall to be constructed on any lot shall be subject to the approval of the ACC. No galvanized or silver chain link fence shall be permitted.

11. Air Conditioning Unit: No window or through the wall air conditioning unit will be permitted. Central air conditioning equipment must be screened from the street or neighboring residence by an approved fence material. An approved fence material may consist of mature landscape materials placed as a buffer to screen the equipment.

12. Mailboxes: No mailbox or paperbox or other receptacle of any kind for uses in the delivery of mail or newspapers or magazines or similar materials shall be erected on any building lot unless and until the size, location, design and type of material for said boxes or receptacles shall have been approved by the ACC. Building materials shall be brick, stone, wood, or masonry.

13. Television Antennas: No T.V. or radio antennas may be erected and maintained on the exterior or the Living Unit. Any cable "dishes" must be placed at a location approved by the ACC and must be completely hidden by a fence acceptable to the ACC. This fence must be landscaped. Fencing and landscaping must be placed so that the equipment is not visible from the street or adjoining properties on any side or the rear.

14. Outside Installation: No radio or television signals nor any other form of electromagnetic radiation shall be permitted to originate from an lot which interferes with the reception of television or radio received upon any other Lots. No outside antenna for radio or television shall be constructed, erected, or maintained at any time.

ARTICLE XI

2277 1793

SITE DEVELOPMENT

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1. Driveway Construction: All dwellings shall have a driveway made of concrete or brick at least 16 feet in width at the entrance to the garage. Where curbs are required to be broken for driveway entrances, the curb must be repaired in a neat and orderly fashion in accordance with plans and specifications provided by the Owner.

2. Swimming Pools and Tennis Court: Any swimming pool or tennis court to be constructed on any lot shall be subject to requirements of the ACC, which include but are not limited to, the following:

- a) Composition to be of material thoroughly tested and accepted by the industry for such construction.
- b) Location and construction of tennis or other hard surface courts to be approved by the ACC.
- c) No above ground pools are permitted.

3. Games and Play Structures: All basketball backboards and any other fixed games and play structures shall be located at the side or rear of the dwelling, or on the inside portion of the corner lots within the set back lines. Treehouses or platforms of a like kind or nature shall not be constructed on any part of the lot located in front of the rear line of the residence constructed thereon.

4. Landscaping: A basic landscaping plan for each home must be submitted to, and approved by, the ACC fifteen days prior to installation.

a) Except for the area in which a home, pool, tennis court, road, driveway, walkway, shrubbery or natural ground cover exists, the entire lot must be sodded with grass suitable for a lawn. The grass must be kept neatly mowed. No Bahia grass is permitted. The area from front lot line to edge of road pavement or curb shall also be sodded and kept neatly mowed.

b) Wood mulch must be used in any areas on each Lot around shrubs and trees, unless the area up to the base of the shrub or tree is sodded.

c) A satisfactory sprinkler, irrigation or watering system for all grassed areas must be approved and installed on each lot.

5. Removal of Trees: In reviewing the building plans, the ACC shall take into account the natural landscaping such as trees and palmettos and encourage the builder to incorporate them in his landscaping plan. No trees of six inches in diameter or greater at ground level can be cut or removed without approval of the ACC, which approval may be given when such removal is necessary for the construction of a home.

Site Distance at Intersections: No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two and six feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in case of a rounded property corner from the intersection of the property lines extended. The same sightline limitations shall apply on any lot within ten feet from the intersection of a street property line with the edge of the driveway. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sightlines.

7. Trash Receptacles: No material or refuse shall be placed or stored on any lot within 20 feet of the property line of any retention area. All containers shall be kept within an enclosure or underground receptacle which the ACC shall require to be constructed with each home, which enclosures shall be located out of site from the front or side streets. There shall be no burning of trash or any other waste material, except within the confines of an incinerator, the design and location of which shall be approved by the ACC.

8. Storage Receptacles: No fuel tanks or similar storage receptacles may be exposed to view from front or side streets or adjacent properties, but may be installed within the main dwelling house, within a walled in or screened area, or buried underground, and shall be approved by the ACC prior to construction.

The ACC'S approval or disapproval as required in the above set orth residential planning criteria shall be in writing.

Invalidation of any one of these covenants by judgement or court order shall in no way affect any other provisions which shall remain in full force and effect.

2277 1795

IN WITNESS WHEREOF, the undersigned corporation caused these presents to be executed in its name, and its corporate seal hereto to be affixed by its proper officer thereunto duly authorized as of the date first set forth hereinabove.

The undersigned Anne H. Russell, certifies that he/she is the Secretary of OAK HOLLOW HOMEOWNERS ASSOCIATION, a Florida Corporation not-for-profit, and further certifies that the Board of Directors of said corporation presently consists of  
President, Steven M. Hardin and Secretary/Treasurer, Anne H. Russell  
Vice President

AND THAT THE FOREGOING Amendment to the Oak Hollow Declaration of Covenants and Restrictions was duly adopted and authorized by 2/3 vote of the Owners of Oak Hollow at a meeting of the Directors on the 23 day of November, 1990, and that they have the authority to amend the Declaration as provided in Article VII Section 6 thereof.

WITNESSES:  
Juanita B. Baker

OAK HOLLOW HOMEOWNERS ASSOCIATION  
[Signature]

STATE OF FLORIDA  
COUNTY OF SEMINOLE

Anne H. Russell  
SEAL

I hereby certify that on this 23 day of November, 1990, before me personally appeared Steven M. Hardin and Anne H. Russell as President and Secretary, respectively, of OAK HOLLOW HOMEOWNERS ASSOCIATION, who upon being duly sworn, and to me known to be the persons described in and who executed the foregoing Amendment for the purposes therein mentioned.

WITNESS my hand and official seal in the County and State aforesaid this 23rd day of November, 1990

Juanita B. Baker  
Notary Public  
My Commission Expires  
NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES DEC. 17, 1994  
BONDED thru General Ins. Co. #14