

This instrument prepared by and should  
be returned to:

Peter P. Hagood, Esquire  
Hagood Law Group  
451 Maitland Avenue  
Altamonte Springs, Florida 32701

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**FIRST AMENDMENT TO THE DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF TARPON BAY**

THIS FIRST AMENDMENT to the Declaration of Covenants, Conditions and Restrictions for TARPON BAY, is made and entered into by Feltrim Roe Road, LLC, a Florida (hereinafter referred to as "Developer" or "Declarant").

WITNESSETH, That:

WHEREAS, Feltrim Roe Road, LLC, as the Developer, caused the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF TARPON BAY** to be filed and recorded on February 7, 2020, in Official Records Book 11133, Page(s) 0412-0478, of the Public Records of Polk County, Florida (hereinafter referred to as "Declaration"); and

WHEREAS, Tarpon Bay Homeowners Association, Inc., is a Florida not for profit corporation created for the purposes of providing for the maintenance, preservation and architectural control of the residential lots and common areas located within the property; and

WHEREAS, the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF TARPON BAY** provides that it may be amended or modified at any time by the Developer prior to turnover; and

WHEREAS, Developer has determined that it is in the best interest of the owners of land within the property, as defined in the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF TARPON BAY**, to further amend said Declaration for the purpose of assuring the continued development and preservation of the Property as an attractive, quality residential community and that the amendments set forth below are consistent with the uniform plan and scheme of development and do not materially increase the liabilities or prejudice the rights of any existing Owner.

NOW THEREFORE, Developer hereby declares that the Declaration is amended as follows:

1. Section 10.13.13 is deleted in its entirety and replaced with the following:


"10.13.13 Upon dissolution of the Association, the operation and maintenance of the Surface Water Management System will be transferred to an appropriate public agency, or other non-profit corporation pursuant to Florida Administrative Code 62-330. Additionally, upon dissolution, the control or right of access to the property containing the surface water management system facilities shall be conveyed or dedicated to an appropriate governmental unit or public utility and that if not accepted, then the surface water management system facilities shall be conveyed to a non-profit corporation similar to the association, which would comply with the applicable Florida Administrative Code, and be approved by the Southwest Florida Water Management District prior to such dissolution."

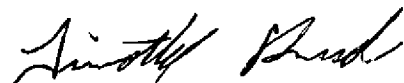
4. Except as amended by this instrument, or subsequent amendments hereafter, the Declaration shall remain in full force and effect.

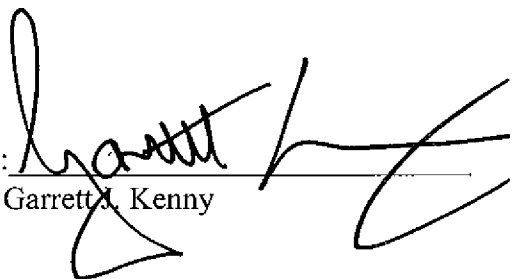
IN WITNESS WHEREOF, the Developer has caused these presents to be executed as of the 30 day of November, 2020.

Signed, sealed and delivered  
in our presence:

FELTRIM ROE ROAD, LLC,  
a Florida limited liability company

  
Print: Rebecca Carpenter

  
Print: Timothy Kenobi

By:   
Garrett J. Kenny

STATE OF Florida )  
COUNTY OF Polk )

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 30 day of November, 2020, by Garrett J. Kenny as Manager of Feltrim Roe Road, LLC, a Florida limited liability company on behalf of the company. He (please check one) ☒ is personally known to me; or ☐ has produced \_\_\_\_\_ as identification.

Tamera Figueroa  
Notary Public

Name: Tamera Figueroa

State of Florida, County of Polk

My commission expires: 06/07/2021

