

Prepared by:
Cheryl M. Kirst
Keewin Oak Hammock Preserve, LLC
1031 West Morse Boulevard, Suite 325
Winter Park, FL 32789
Telephone: (407) 645-4400

LARRY WHALEY
OSCEOLA COUNTY, FLORIDA
CLERK OF CIRCUIT COURT

7P

CL 2004158550 OR 2571/1890
LMC Date 08/02/2004 Time 15:37:06

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR OAK HAMMOCK PRESERVE**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OAK HAMMOCK PRESERVE (hereinafter referred to as the "First Amendment"), is made and entered into this 22nd day of July, 2004, by Oak Hammock Preserve Venture, a Florida general partnership, whose principal mailing address is 1031 West Morse Boulevard, Suite 325, Winter Park, Florida 32789 (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Oak Hammock Preserve was recorded on November, 2003 at Official Records Book 2377, Page 2547, Public Record of Osceola County, Florida (hereinafter referred to as the "Declaration"); and,

WHEREAS, Declarant inadvertently omitted attaching an Exhibit C to the Declaration.

WHEREAS, Declarant inadvertently omitted inserting the Plat Book and Page in Section 1.17 of the Declaration.

WHEREAS, Pursuant to Section 4 of the Declaration, Declarant has the right to amend th Declaration pursuant to the terms therein.

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

1. **Whereas Clauses:** The whereas clauses set forth above are true and correct in all respects and constitute a part of this First Amendment. Capitalized terms used herein shall have the meaning ascribed to such terms in this First Amendment and/or the Declaration.
2. **Exhibit "C" to the Declaration:** The Articles of Incorporation for Oak Hammock Preserve Community Owners Association, Inc., which were inadvertently omitted as Exhibit "C" to the Declaration at the time the Declaration was recorded in the Public Records of the County, are hereby attached hereto as Exhibit "C" and incorporated in the Declaration by this reference.

Return To:
SWANN & HADLEY, P.A.
1031 W. Morse Boulevard, Suite 350
Winter Park, Florida 32789

3. **Reference to Plat Book and Page:** The Plat Book 2004-2005 to be inserted in 2571/1891 Section 4 of the Declaration shall read as follows: Plat Book 15, Pages 167 through 173, Public Records of Osceola County, Florida.
4. **No Other Change:** Except as expressly modified herein, the Declaration shall be and remain unchanged and in full force and effect in accordance with its terms as so amended.

IN WITNESS WHEREOF, Declarant has caused these presents to be executed on the day and year first above written.

Signed, sealed and delivered
in the presence of:

Oak Hammock Preserve Venture,
a Florida general partnership
By: Keewin Oak Hammock Preserve, LLC, a Florida
limited liability company,
its managing general partner

Cheryl Kirst
Cheryl Kirst
Print Name

By: Allan E. Keen
Allan E. Keen
Its: Manager

Sherry Cooper
Sherry Cooper
Print Name

STATE OF FLORIDA)
COUNTY OF ORANGE)

BEFORE ME, the undersigned, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally appeared Allan E. Keen, as Manager of Keewin Oak Hammock Preserve, LLC, a Florida limited liability company, the Managing General Partner of Oak Hammock Preserve Venture, a Florida general partnership, who is personally known to me, and who acknowledged that he signed and sealed the same on behalf of said partnership and corporation as his voluntary act and deed for the uses and purposes therein contained and without taking an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 22nd day of July, 2004.

(NOTARY SEAL)

Cheryl M. Kirst
(Notary Signature)
Cheryl M. Kirst
(Notary Name Printed)
NOTARY PUBLIC
Commission No. CC985792

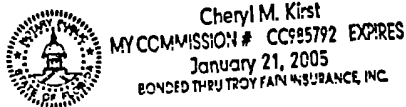


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SECRETARY OF STATE
TALLAHASSEE FLORIDA

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ARTICLES OF INCORPORATION
OF
OAK HAMMOCK PRESERVE COMMUNITY OWNERS ASSOCIATION, INC.

(A Corporation Not-for-Profit)

The undersigned natural person of legal age, acting as incorporator for the purpose of creating a corporation not-for-profit under the laws of the State of Florida as provided in Chapter 617, Florida Statutes, does hereby adopt the following Articles of Incorporation:

ARTICLE I
Name and Address

The name and address of this corporation shall be: OAK HAMMOCK PRESERVE COMMUNITY OWNERS ASSOCIATION, INC., 1031 West Morse Boulevard, Suite 325, Winter Park, Florida, 32789.

ARTICLE II
Not for Profit

The Corporation is a corporation not for profit as defined in Section 617.01, Florida Statutes. The Corporation is not formed for pecuniary profit. No part of the income or assets of the Corporation is distributable to or for the benefit of its Members, Directors or Officers, except to the extent permissible under law.

ARTICLE III
Commencement of Corporation Existence and Duration

The date when corporate existence shall commence is the date of filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The duration (term) of the Corporation is perpetual.

ARTICLE IV
Purposes

The Corporation is organized, and shall be operated exclusively for, the following purposes:

1. To enforce the Declaration of Covenants, Conditions and Restrictions for Oak Hammock Preserve (the "Declaration"), consisting of home sites in Osceola County, Florida, to be the Association referred to in said Declaration, and to assess Owners in accordance with said Declaration, and levy and collect adequate assessments

against its Members for the cost of maintenance and operation of the surface water or stormwater management system as well as any other costs provided for in the Declaration.

2. Operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the South Florida Water Management District requirements and applicable District rules, and shall assist in the enforcement of the Declaration that relate to the surface water or stormwater management system.
3. To exercise all rights and powers conferred by the laws of the State of Florida upon nonprofit corporations, including without limiting the generality of the foregoing, to acquire by bequest, devise, gift, purchase, lease or otherwise any property of any sort or nature without limitation as to its amount of value, and to hold, invest, reinvest, manage, use, apply, employ, sell, expend, disburse, lease, mortgage, manage, option, donate, or otherwise dispose of such property and the income, principal and proceeds of such property, for any of the purposes set forth herein.
4. To do such other things as are incidental to the purposes of the Corporation or necessary or desirable in order to accomplish them.

ARTICLE V
Limitation

No part of the net earnings of the Corporation shall inure to the benefit of or be distributable to its Members, Directors or Officers, but the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV (Purposes) hereof.

ARTICLE VI
Dissolution

In the event of termination, dissolution or final liquidation of the Corporation, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity that would comply with Section 40C-42.027, F.A.C. and be approved by the South Florida Water Management District prior to such termination, dissolution or liquidation.

ARTICLE VII
Members

Every person or entity who is a record owner of a fee or undivided fee interest in any lot

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which is subject to covenants of record to assessments by the Association, including contract sellers, but excluding persons holding title merely as security for performance of an obligation, shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a lot which is subject to assessment by the Association.

ARTICLE VIII
Initial Registered Office and Agent

The street address of the initial Registered Office of the Corporation is 1031 West Morse Boulevard, Suite 325, Winter Park, FL 32789, and the name of its initial Registered Agent at that address is Cheryl M. Kirst, 1031 West Morse Boulevard, Suite 325, Winter Park, FL 32789.

ARTICLE IX
Initial Board of Directors

The management of the Corporation shall be vested in the Board of Directors. The number of Directors constituting the initial Board of Directors is three. The number of Directors may be increased or decreased from time to time in accordance with the Bylaws, but shall never be less than three. The Members shall elect the Directors at the annual meeting of Members. The Bylaws may provide for ex-officio and honorary Directors, and their rights and privileges. The name and address of each initial Director of the Corporation are as follows:

Name	Address
Allan E. Keen	1312 Bridgeport Drive Winter Park, FL 32789
Jay E. Folk	1275 Sidney Court Altamonte Springs, FL 32714
Cheryl M. Kirst	1025 Lake Gracie Drive Eustis, FL 32726

ARTICLE X
Officers

The Officers of the Corporation shall consist of a President, Vice President, Secretary, Treasurer and such other Officers and Assistant Officers as may be provided in the Bylaws. Each Officer shall be elected by the Board of Directors (and may be removed by the Board of Directors) at such time and in such manner as may be prescribed by the Bylaws. The name and address of each

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initial Officer of the Corporation are as follows:

Title	Name	Address
President	Jay E. Folk	1275 Sidney Court Altamonte Springs, FL 32714
Vice President	Allan E. Keen	1312 Bridgeport Drive Winter Park, FL 32789
Secretary/Treasurer	Cheryl M. Kirst	1025 Lake Gracie Drive Eustis, FL 32726

ARTICLE XI
Incorporator

The name and address of the Incorporator are as follows

Name	Address
Jay E. Folk	1031 West Morse Boulevard, Suite 325 Winter Park, FL 32789

ARTICLE XII
Bylaws

The Bylaws of the Corporation are to be made and adopted by the Board of Directors, and may be altered, amended or rescinded by the Board of Directors.

ARTICLE XIII
Amendment

The Corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation or any amendment to them, and all rights and privileges conferred upon the Members, Directors and Officers are subject to this reservation.

ARTICLE XIV
Indemnification

The Corporation shall indemnify each Officer and Director, including former Officers and


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Directors, to the full extent permitted by the General Corporation Act and the Not For Profit Corporation Act.

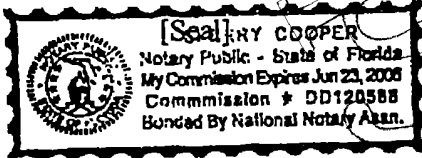
IN WITNESS WHEREOF, the undersigned has signed these Articles of Incorporation of this 3rd day of March, 2003.

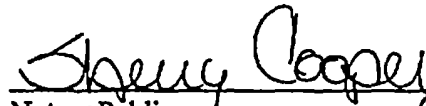


Print Name: Jay E. Folk

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 3rd day of March, 2003, by Jay E. Folk, who is personally known to me or who produced _____ as identification and who did ~~(did not)~~ take an oath.



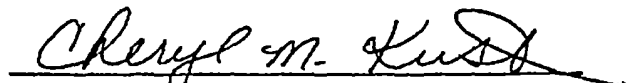


Notary Public
Print Name: Sherry Cooper
My Commission Expires: 6/23/06

ACCEPTANCE BY REGISTERED AGENT

The undersigned hereby accepts the appointment as Registered Agent of OAK HAMMOCK PRESERVE COMMUNITY OWNERS ASSOCIATION, INC., which is contained in the foregoing Articles of Incorporation. Having been named as registered agent to accept service of process for the above state corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity.

Dated: March 3, 2003.



Print Name: Cheryl M. Kirst

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NOTARY OF STATE
ORANGE COUNTY FLORIDA