

This instrument was prepared
by and should be returned to:

Joseph A. Kovacs, Jr., Esq.
GrayRobinson, P.A.
Suite 1400
301 East Pine Street
Orlando, Florida 32801



SUPPLEMENTAL DECLARATION OF
COVENANTS AND RESTRICTIONS FOR PHASE I AND PHASE II
(DEER ISLAND HOA) *DECEMBER, 2018*
cm

This Supplemental Declaration of Covenants and Restrictions for Phase I and Phase II ("Supplemental Declaration") is made this 27 day of ~~January~~, ~~2019~~ by DEER ISLAND HOMEOWNERS' ASSOCIATION OF KILLARNEY, INC., a Florida not-for-profit corporation ("Association") whose address is c/o Hara Community 1st Advisors, LLC, 760 Florida Central Parkway, Ste. 200, Longwood, FL 32750.

W I T N E S S E T H:

WHEREAS, the Deer Island community in Orange County, Florida is subject to (i) that certain Deer Island Declaration of Covenants and Restrictions, recorded May 22, 1985 at Book 3644, Page 1571, et seq.; (ii) that certain Deer Island Phase II Supplemental Declaration of Covenants and Restrictions, recorded June 25, 1992 at Book 4427, Page 4350, et seq.; (iii) that certain Development Agreement recorded in the Official Records Book 2227, Page 4374, et seq.; (iv) that certain Amendment to Supplemental Declaration of Covenants and Restrictions recorded in Official Records book 4532, Page 4421, et seq.; and (v) that certain Notice of Restrictions, recorded on December 27, 2013, in the Official Records Book 10681, Page 9269, et seq.; (collectively, "Phase I and Phase II Declarations") all recorded in the Public Records for Orange County, Florida, and as may be amended from time to time; and

WHEREAS, the Association is considering entering into a Bulk Services Agreement with an external service provider for the provisioning of cable and internet utility services to Association residents, with the associated beneficial terms of a group agreement; and

WHEREAS, the Phase I and Phase II Declarations permit the Association to contract and pay for, or otherwise apply for, any necessary utility services, including, but without limitation, water, sewage disposal, garbage, electrical, telephone and gas services; and

WHEREAS, the Associations seeks to clarify and specifically set forth its authority to enter into Bulk Services Agreements for additional communications and other technology services, such as internet and cable television services; and

WHEREAS, at least 2/3 of eligible voting interests of the Association have reviewed, approved and adopted this resolution for general application to all property within the Association, whether Phase I or Phase II;

NOW THEREFORE, the Association does hereby amend, modify and supplement the Phase I and Phase II Declarations as follows:

1. **Recitals.** The recitals set forth above are true and correct and are incorporated herein by reference.
2. **Defined Terms.** Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Phase I and Phase II Declarations. The term Bulk Services Agreement shall mean any agreement or contract whereby an external source provides communications or technology services, such as cable and/or internet utility services, to all Association residents, to the extent such residents accept the services and as otherwise limited by Florida law.
3. **Bulk Services Agreements, Generally.** The Association is permitted to enter into Bulk Services Agreements with providers of communications and technology services, such as internet and cable television services, for the purpose of offering such services to Association members, as otherwise permitted under Florida law. The Association shall not enter into any Bulk Services Agreement unless and until the relevant material terms are approved by an affirmative vote of 2/3 of eligible voting interests. The monthly costs associated with any Bulk Services Agreement shall be deemed an operating expense of the Association and shall be allocated on a per parcel basis, as required by Florida law.
4. **Cancellation of Bulk Services Agreements.** In the event a Bulk Services Agreement is cancelled before the expiration of its stated term, the costs of cancellation, including any cancellation fees, penalties, and/or liquidated damages resulting from the early cancellation of such Agreement, shall be deemed an operating expense of the Association and allocated on a per-parcel basis.
5. **Effect of Supplemental Declaration.** Except as hereby changed, amended and modified, the Phase I and Phase II Declarations shall remain in full force and effect in accordance with all prior terms. This Supplemental Declaration shall be effective as of the date set forth above.

Signature Page Follows

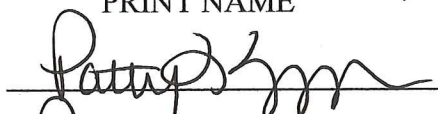
IN WITNESS WHEREOF, the Association executed this Supplemental Declaration in the manner and form sufficient to bind them as of the date set forth above.

Signed, sealed and delivered
in the presence of:

DEER ISLAND HOMEOWNERS'
ASSOCIATION OF KILLARNEY, a
Florida not for profit corporation



Rebekah Philip
PRINT NAME



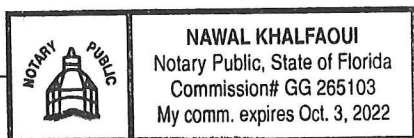
Patty L Epperson
PRINT NAME

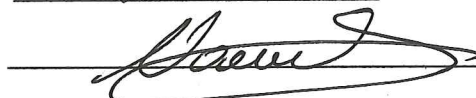
By: 
Name: ERNEST F. MARSH JR.
Title: PRESIDENT

STATE OF FLORIDA
COUNTY OF ORANGE

²⁰¹⁸_{em} The foregoing instrument was acknowledged before me this 27 day of December 2019 by ERNEST F. MARSH JR., as PRESIDENT of Deer Island Homeowners' Association of Killarney, Inc., a Florida not-for-profit corporation, on behalf of the corporation. He [] is personally known to me or [] has produced FL DL as identification.

(NOTARY SEAL)





Notary Public Signature

NAWAL KHALFAOUI

Typed/Printed Notary Name

Commission No.: GG 265103

My Commission Expires: Oct-3-2022

EXHIBIT "A"

LEGAL DESCRIPTION

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*Deer Island
Supplemental Declaration of Covenants and Restrictions for Phase I and Phase II*

EXHIBIT "A"

PARCEL 1, AS RECORDED IN OFFICIAL RECORDS BOOK 3644, PAGE 1613
OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA:

DESCRIPTION:
GOVERNMENT LOTS 5 AND 6, SECTION 30, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ALSO GOVERNMENT LOTS 5 AND 6, SECTION 30, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, RUN THENCE SOUTH 0°11'51" WEST ALONG THE EAST LINE OF SAID SECTION 30, 2485.50 FEET, THENCE NORTH 89°48'09" WEST 3000 FEET TO A CONCRETE MONUMENT AT THE NORTHEAST CORNER OF JOHNS LAKE HOMESITES, FIRST ADDITION, AS RECORDED IN PLAT BOOK "K", PAGE 76, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE NORTH 0°11'51" EAST 3000 FEET FROM AND PARALLEL WITH THE AFORESAID EAST LINE OF SECTION 30, A DISTANCE OF 1074.14 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 50, SAID RIGHT OF WAY LINE BEING A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 3258.11 FEET, THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND CURVE, THRU A CENTRAL ANGLE OF 1°00'47" AN ARC DISTANCE OF 8262.5 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE SOUTH 79°21'48" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 1977.09 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 9804.98 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 2°47'07" A DISTANCE OF 282.17 FEET FOR A POINT OF BEGINNING, CONTINUE THENCE ALONG SAID ARC THRU A CENTRAL ANGLE OF 7°09'23" A DISTANCE OF 12500 FEET TO THE EAST LINE OF A 22 FOOT ROAD RIGHT OF WAY FOR DEER ISLAND ROAD, THENCE SOUTH 0°53'25" WEST 481.45 FEET TO A POINT 22 FEET EAST OF AN ANGLE MON DESCRIBED AS BEING AN IRON STAKE ON MARGIN IN JOHNS LAKE, ABOUT 15 FEET SOUTH OF A THREE PRONGED LIVE OAK TREE, THENCE APPROXIMATELY SOUTH 35°38'54" WEST ON A RIPARIAN LINE TO JOHNS LAKE, THENCE SOUTHWESTERLY ALONG SAID JOHNS LAKE AND THE WESTERLY EDGE OF A CAUSEWAY AS IT EXISTED ON OCTOBER 10, 1984, TO THE INTERSECTION WITH THE NORTH LINE OF GOVERNMENT LOT 6, IN SAID SECTION 30, THENCE EASTERLY ALONG SAID NORTH LINE OF GOVERNMENT LOT 6 TO A POINT ON THE EASTERLY EDGE OF SAID CAUSEWAY, THENCE NORTHERLY AND EASTERLY ALONG SAID CAUSEWAY AND SAID LAKE TO A POINT ON A LINE, SAID LINE HAVING A BEARING OF SOUTH 10°38'12" EAST FROM THE POINT OF BEGINNING, THENCE NORTH 10°38'12" WEST ALONG SAID LINE 600 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, AND POINT OF TERMINUS, CONTAINING 178 ACRES, MORE OR LESS, LESS FUTURE PHASE 2, BEING THAT PART OF SAID GOVERNMENT LOTS 5 AND 6, SECTION 30, TOWNSHIP 22 SOUTH, RANGE 27 EAST, AND THAT PART OF SAID GOVERNMENT LOTS 5 AND 6, IN SECTION 30, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF SAID SECTION 30, RUN THENCE SOUTH 00°11'51" WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 30 AND THE SOUTHERLY EXTENSION THEREOF A DISTANCE OF 4939.68 FEET, THENCE WEST 1098.10 FEET TO A POINT OF BEGINNING BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2800 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, FROM A TANGENT BEARING OF SOUTH 10°57'54" WEST, THRU A CENTRAL ANGLE OF 10°37'48" A DISTANCE OF 519.48 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 23000 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 80°35'56" A DISTANCE OF 323.81 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 95000 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 18°41'09" A DISTANCE OF 276.85 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 50000 FEET, THENCE SOUTHWESTERLY AND NORTHWESTERLY ALONG THE ARC THEREOF THRU A CENTRAL ANGLE OF 14°45'34" A DISTANCE OF 258.11 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 50000 FEET, THENCE NORTHWESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 46°10'11" A DISTANCE OF 4432.0 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 50000 FEET, THENCE SOUTHWESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 67°50'18" A DISTANCE OF 592.02 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 180000 FEET, THENCE NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 28°04'36" A DISTANCE OF 819.22 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 190000 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 1°44'00" A DISTANCE OF 395.09 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 14000 FEET, THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 125°39'54" A DISTANCE OF 3070.6 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 80000 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 30°15'56" A DISTANCE OF 422.59 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 32500 FEET, THENCE NORTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 97°52'05" A DISTANCE OF 552.25 FEET TO A POINT OF TANGENCY THEREOF, THENCE SOUTH 49°28'14" EAST 379.69 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 47500 FEET, THENCE SOUTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 45°00'00" A DISTANCE OF 373.06 FEET TO A POINT OF TANGENCY THEREOF, THENCE NORTH 95°39'48" EAST 290.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 32500 FEET, THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 23°25'30" A DISTANCE OF 132.37 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 270.00 FEET, THENCE EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 66°00'59" A DISTANCE OF 31.07 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 730.00 FEET, THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 55°50'26" A DISTANCE OF 711.48 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 4000 FEET, THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 118°42'25" A DISTANCE OF 280.6 FEET TO THE POINT OF BEGINNING AND POINT OF TERMINUS.

CONTAINING 94.45 ACRES IN FUTURE PHASE 2 I

CONTAINING IN ALL OF THE ABOVE, 123.55 ACRES, MORE OR LESS.

THIS PROPERTY is further described, and is intended to include, all that land as described and depicted on the Plat of DEER ISLAND, as recorded in Plat Book 15, Pages 63-69, inclusive, of the Public Records of Orange County, Florida.

PARCEL 2, AS RECORDED IN OFFICIAL RECORDS BOOK 4427, PAGES 4359 and 4360 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA:

DEER ISLAND, PHASE 2

That portion of Government Lots 5 and 6, Section 30, Township 22 South, Range 27 East and that portion of Government Lots 5 and 6 in Section 31, Township 22 South, Range 27 East, Orange County, Florida, described as follows:

Commence at the Northeast corner of said Section 30; thence South 00°15'48" West along the East line of the Northeast 1/4 of Section 30 and the southerly extension thereof for 4940.64 feet; thence North 90°00'00" West for 1095.47 feet to the Point of Beginning; said point lying on the westerly Right-of-Way line of Deel Isle Circle as shown on the plat of "DEER ISLAND" as recorded in Plat Book 15, Pages 63 through 70 of the Public Records of Orange County, Florida; thence along the westerly, northerly, easterly and southerly Right-of-Way line of said DEER ISLAND CIRCLE (said Right-of-Way line being common with the interior boundary of "DEER ISLAND") the following courses: run southerly along the arc of a circular curve concave westerly, having a radius of 2800.00 feet, a chord bearing of South 16°14'27" West and a central angle of 10°37'48" for 519.47 feet to an intersection with a circular curve concave northwesterly; thence southwesterly along the arc of said curve having a radius of 230.00 feet, a chord bearing of South 61°53'21" West, and a central angle of 80°37'21" for 323.64 feet to a point of intersection with a circular curve concave southerly; thence westerly along the arc of said curve having a radius of 950.00 feet; a chord bearing of North 86°08'02" West and a central angle of 16°41'04" for 276.64 feet to an intersection with a circular curve concave northerly; thence westerly along the arc of said curve having a radius of 600.00 feet, a chord bearing of North 82°05'28" West and a central angle of 24°45'02" for 259.19 feet to an intersection with a circular curve concave southerly; thence westerly along the arc of said curve having a radius of 550.00 feet and a chord bearing of South 87°11'43" West and a central angle of 46°11'05" for 443.34 feet to a point of intersection with a circular curve concave northerly; thence westerly along the arc of said curve having a radius of 500.00 feet, a chord bearing of North 81°58'20" West and a central angle of 67°51'26" for 592.17 feet to a point of intersection with a circular curve concave southwesterly; thence northwesterly along the arc of said curve, having a radius of 1800.00 feet, a chord bearing of North 61°06'07" West and a central angle of 26°04'10" for 819.00 feet to a point of intersection with a circular curve concave northeasterly; thence northwesterly along the arc of said curve having a radius of 1900.00 feet, a chord bearing of North 68°16'15" West and a central angle of 11°44'07" for 389.16 feet to a point of intersection with a circular curve concave easterly; thence northerly along the arc of said curve having a radius of 140.00 feet, a chord bearing of North 00°24'51" East and a central angle of 125°36'44" for 306.93 feet to a point of

intersection with a circular curve concave northwesterly; thence northeasterly along the arc of said curve having a radius of 800.00 feet, a chord bearing of North 48°07'21" and a central angle of 30°15'55" for 422.58 feet to a point of intersection with a circular curve concave southerly; thence northeasterly along the arc of said curve having a radius of 325.00 feet, a chord bearing of North 81°44'53" East, and a central angle of 97°31'40" for 553.21 feet; thence South 49°28'14" East for 379.79 feet to a point of intersection with a circular curve concave northeasterly; thence southeasterly along the arc of said curve having a radius of 475.00 feet, a chord bearing of South 71°59'15" East and a central angle of 44°58'53" for 372.91 feet; thence North 85°32'07" East for 290.05 feet to a point of intersection with a circular curve concave northwesterly; thence northeasterly along the arc of said curve having a radius of 325.00 feet, a chord bearing of North 73°48'18" East and a central angle of 23°25'42" for 132.89 feet to a point of intersection with a circular curve concave southerly; thence easterly along the arc of said curve having a radius of 270.00 feet, a chord bearing of South 84°53'38" East and a central angle of 65°59'04" for 310.94 feet to a point of intersection with a circular curve concave northerly; thence easterly along said arc having a radius of 730.00 feet, a chord bearing of South 79°49'14" East and a central angle of 55°50'54" for 711.56 feet to a point of intersection with a circular curve concave southwesterly; thence southeasterly along the arc of said curve, having a radius of 140.00 feet, a chord bearing of South 48°23'09" East and a central angle of 118°43'45" for 290.11 feet to the Point of Beginning.

Containing 54.45 acres, more or less.

THIS PROPERTY is further described, and is intended to include, all that land as described and depicted on that certain plat entitled DEER ISLAND-PHASE 2, as recorded in Plat Book 29, Pages 136-137, inclusive, Public Records of Orange County, Florida.