

2001 SEP 04 09:36 AM BK 2383 PG 2915

J. K. "BUDDY" IRBY  
CLERK OF CIRCUIT COURT  
ALACHUA COUNTY, FLORIDA  
CLERK1 Receipt#065271

**FIRST AMENDMENT TO**  
**DECLARATION OF COVENANTS AND RESTRICTIONS**  
**FOR**  
**ALACHUA TOWNE CENTRE**

THIS FIRST AMENDMENT made this 10<sup>th</sup> day of July, 2001, by First Street Group, L.C. hereby amends the Declaration of Covenants and Restrictions for Alachua Towne Centre recorded in Official Records Book 2331 at Page 2670 of the Public Records of Alachua, County, Florida:

- (1) Article V, Covenant for Maintenance Assessments, Section 4. Special Assessments, (a) Special Assessments, is hereby amended as follows:

a. Special Assessments. In addition to the annual assessments established pursuant to Section 3 hereof, the Board of Directors may levy at any time a special assessment for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement of a capital improvement upon the Common Property, including the necessary fixtures and personal property related thereto, for the purpose of covering any insufficiency of assessments to fund the actual monetary needs of the Association over and above the budgeted annual assessments, or for any other use or purpose deemed desirable or appropriate by the Board of Directors; provided, however, that any such special assessment, other than a special assessment to cover expenses incurred by the Suwannee River Water Management District in enforcing compliance with any permits issued by the District, shall have the approval of a majority of the votes of the Members who are in attendance and voting in person or by proxy at a meeting duly called for said purpose. The Board of Directors shall determine the date when such special assessment is to be paid.

- (2) Article IX, Amendment to the Declaration, is hereby amended to include the following:

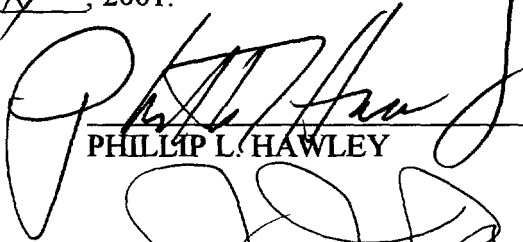
Amendments pursuant to Article IX of the Declaration which directly or indirectly impact operation and maintenance of the surfacewater management system, including but without limitation, all lakes, ditches, canals, retention or detention areas, drainage, other surfacewater management works, and preservation or conservation areas, wetlands and wetland mitigation areas which are owned or controlled by the association or the owners in common, may be made after approval by the Suwannee River Water Management District. Amendments to the articles, declarations or the Bylaws which do not impact operation or maintenance of the system may be made without authorization of the Suwannee River Water Management District; however, copies of any such amendments shall be forwarded to the District within thirty (30) days of the approval.

- (3) Article XI, Amendment, is hereby amended to include the following:

(h) Amendments pursuant to Article IX which directly or indirectly impact operation and maintenance of the surfacewater management system, including but without limitation, all lakes, ditches, canals, retention or detention areas, drainage, other surfacewater management works, and preservation or conservation areas, wetlands and wetland mitigation areas which are owned or controlled by the association or the owners in common, may be made after approval by the Suwannee River Water Management District. Amendments to the articles, declarations or the Bylaws which do not impact operation or maintenance of the system may be made without authorization of the Suwannee River Water Management District; however, copies of any such amendments shall be forwarded to the District within thirty (30) days of the approval.

In all other respects the Declaration of Covenants and Restrictions for Alachua Towne Centre remain in full force and effect.

IN WITNESS WHEREOF, we being all of the Managers of First Street Group, L.C., have hereunto set our hands this 10<sup>th</sup> day of July, 2001.

  
\_\_\_\_\_  
PHILLIP L. HAWLEY

  
\_\_\_\_\_  
JAMES W. SHAW

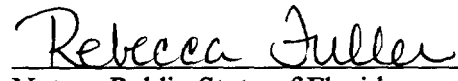
  
\_\_\_\_\_  
J. ARDENE WIGGINS

  
\_\_\_\_\_  
DARRYL J. TOMPKINS

STATE OF FLORIDA           )  
COUNTY OF ALACHUA       )

The foregoing instrument was sworn to, subscribed and acknowledged before me this 10<sup>th</sup> day of JULY, 2001 by **Phillip L. Hawley, James W. Shaw, Joseph Ardene Wiggins and Darryl J. Tompkins as Managers of First Street Group, L.C., a Florida limited liability company**, on behalf of the company, who is personally known to me and who did take an oath.

REBECCA FULLER  
Notary Public, State of Florida  
My comm. exp. Dec. 17, 2004  
Comm. No. CC 988811

  
\_\_\_\_\_  
Notary Public State of Florida  
Printed Name: Rebecca Fuller  
My commission expires: