

FIRST AMENDMENT TO CARILLON MASTER  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS FIRST AMENDMENT TO THE CARILLON MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is effective as of the 24<sup>th</sup> day of SEPTEMBER, 1990.

W I T N E S S E T H:

WHEREAS, Firstdev Three, a Florida joint venture (the "Declarant") did execute and record that certain Carillon Master Declaration of Covenants, Conditions and Restrictions dated December 6, 1989, and recorded in Official Records Book 2135, Page 1718 of the Public Records of Seminole County, Florida ("the Declaration"); and

WHEREAS, the Declaration provides that the the holders of at least two-thirds of the votes of the Carillon Community Residential Association, Inc. ("the Association") may amend any provision, covenant or restrictions found within the Declaration; and

WHEREAS, effective as of the date hereof, the Declarant holds in excess of two-thirds of the votes in the Association; and

WHEREAS, the Declarant desires to make certain amendments to the Declaration.

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

1. Recitals. The recitals stated above are incorporated herein by reference as if fully set forth below.

2. Purpose of Assessments. Article VII, Section 2 of the Declaration is hereby amended to add the following provision:

(k) Payment for the expenses of installation, maintenance and repair of the street lighting or other lighting along or within the streets, roadways or other areas situated within The Properties, including without limitation, expenses assessed by any governmental authority relative to such lighting.

3. Lighting Assessments. Article VII of the Declaration is hereby further amended to add the following:

Section 16. Lighting Costs. The assessments of the Association may include payments for the expenses assessed by any governmental authority related to any or all lighting within the streets, roadways or other areas situated within The Properties, including without

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SEMINOLE CO. FL.

CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY, FL.

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Carillon Master Declaration of Covenants, Conditions and Restrictions, Firstdev Three, Inc. 1989-12-06

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limitation all street lights or other lighting. Each Lot may be assessed for such expenses under both of the following expense calculations:

(a) Each Lot shall be responsible for its prorated share of the overall lighting expenses allocable to facilities generally benefitting or available to all of The Properties, such proration to be based upon an equal allocation of such expenses to all of the Lots located within The Properties.

(b) Each Lot shall also be responsible for Village Assessments for a prorated share of any additional lighting expenses for facilities related solely to the Village within which the Lot is located. Such lighting Village Assessments shall be levied equally in the affected Village to all of the Lots located therein.

To the extent affected, the lighting assessments described in this Section 16 shall only be collectible by the Association until such time as the Lots within The Properties are made subject to a Municipal Service Taxing Unit (MSTU) by any governmental authority incorporating and including the levying responsibilities and expenses described herein. Every Owner shall be automatically subject to inclusion within such MSTU solely by virtue of its ownership of its Lot.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed and its name and its seal to be affixed hereto as of the day and year first stated above.

Executed in the presence of:

*Richard Davis*

FIRSTDEV, THREE CD ONE, INC.  
By: ~~XXXXXXXXXXXXXXXXXXXX~~  
a Florida corporation.  
joint venturer

By: *Joseph J. Andrew*  
Name: *Joseph J. Andrew*  
Title: *President*

(CORPORATE SEAL)

AND

By: Firststate Service Corp.  
a Florida corporation  
joint venturer

By: *Walter H. H.*  
Name: *Walter H. H.*  
Title: *President*

(CORPORATE SEAL)

\*formerly known as Condev Development, Inc., a Florida corporation

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