

This instrument prepared by and  
after recording return to:

CL 2006011916 OR 3029/1702  
HGP Date 01/12/2006 Time 15:02:11

Michael J. Sheahan, Esquire  
Godbold, Downing, Sheahan & Bill, P.A.  
222 West Comstock Avenue, Suite 101  
Winter Park, Florida 32789

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

**FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS  
FELLS COVE**

This First Amendment to Declaration of Covenants and Restrictions Fells Cove is executed by U.S. HOME CORPORATION, a Delaware corporation, (hereinafter referred to as the "Developer"), whose address is 1241 Semoran Boulevard, Suite 185, Casselberry, Florida 32707.

**RECITALS**

1. Developer previously caused to be recorded in the Public Records of Osceola County, Florida, that certain Declaration of Covenants and Restrictions Fells Cove, at Official Records Book 2387, Page 1098 (the "Declaration").
2. Pursuant to the power and authority reserved by and unto Developer under the Declaration to amend the Declaration, Developer desires hereby to amend said Declaration in order to provide for modified Fence/Wall/Screen construction guidelines.

**AMENDMENT**

NOW, THEREFORE, Developer hereby amends the Declaration in accordance with the provisions set forth hereafter. All capitalized words and terms used herein shall have the same meaning and definition as set forth in the Declaration.

1. In order to provide expanded guidelines in the construction and maintenance of fences, walls, hedges, and screens within Fells Cove Lots, Section 9 in Article VI of the Declaration is hereby replaced as follows:

**SECTION 9. Fences/Walls/Screens.** Construction and maintenance of fences, walls and hedges which exceed six feet (6') in height is prohibited. Notwithstanding the foregoing, no fence, wall or hedge erected adjacent to or in close proximity of any perimeter subdivision wall constructed by Developer shall exceed the height of the subdivision wall. Except as may be installed by the Developer within certain areas of the Development, no chainlink fences shall be permitted. Fences (other than subdivision walls constructed by Developer) shall only be made of PVC / Vinyl. shall be of white picket design, and must be kept in good condition and repair. The exact style and color tint are subject to final approval and confirmation by the ARC. All fences shall be of

design and material to the effect that they are approximately fifty percent (50%) opaque. Invisible fencing may be permitted with the prior written consent of the ARC. All screening and screened enclosures shall have the prior written approval of the ARC. Any such screened enclosures and screening shall be only in such color as may be permitted expressly by the ARC. All screened enclosures along a body of water shall be black aluminum with transparent screens. All enclosures of balconies or patios, including addition of vinyl windows, shall be approved by the ARC and all decks shall have the prior written approval of the ARC. The location and placement of all fences shall be subject to approval by Developer or the ARC. Approval shall not be given for the construction of any wall, fence or hedge which interferes with the view of any lake, pond, or other body of water of any Lot or Living Unit. Approval shall not be given for the construction of any wall, fence or hedge at the rear line of a Living Unit on any Lot abutting water.

Except as specifically amended herein, all other terms and provisions of the Declaration, as previously amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer, U.S. HOME CORPORATION, a Delaware corporation, has caused this Amendment to be executed in its name on this 6 day of JANUARY, 2006.

Signed, sealed and delivered in the presence of:

U.S. HOME CORPORATION, a Delaware corporation

Walter Beeman  
Print Name: WALTER BEEMAN

By: Francis J. Dolan  
Francis J. Dolan, Division President

[Signature]  
Print Name: [Signature]

STATE OF FLORIDA  
COUNTY OF Seminole

The foregoing instrument was executed before me this 6 day of January, 2006, by Francis J. Dolan, as Division President of U.S. Home Corporation, a Delaware corporation. He  is personally known to me or  has produced \_\_\_\_\_ as identification.

IMPRINT NOTARY PUBLIC  
RUBBER STAMP SEAL BELOW

Michelle Haneiph  
Signature of Person Taking Acknowledgment  
Notary Public

