

THIS DOCUMENT PREPARED BY  
AND RETURN TO:  
Sonia A. Bosinger, Esq.  
ARIAS BOSINGER, PLLC  
845 E. New Haven Ave.  
Melbourne, FL 32901

\_\_\_\_\_ the space above this line is reserved for recording purposes \_\_\_\_\_

**CERTIFICATE OF AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
SUMMERFIELD AT BAYSIDE LAKES SUBDIVISION**

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, as President and Secretary of SUMMERFIELD AT BAYSIDE LAKES HOMEOWNERS ASSOCIATION, INC. (hereinafter "Association"), pursuant to the Florida Statutes and the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS SUMMERFIELD AT BAYSIDE LAKES SUBDIVISION, recorded in Official Records Book 5311, Page 0001, of the Public Records of Brevard County, Florida, as amended and supplemented (hereinafter "Declaration"), hereby certify that the AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS SUMMERFIELD AT BAYSIDE LAKES SUBDIVISION, which amendment is attached hereto and by reference made a part hereof (hereinafter "Amendment"), was duly adopted at a meeting of the members on the 18th day of January, 2022 (hereinafter the "Meeting").

Pursuant to Article IX, Section 2 of the Declaration, said Amendment was approved at the Meeting by two-thirds (2/3) of the total membership vote. Proper notice was given for the Meeting pursuant to the By-Laws of the Association and the Florida Statutes. The Notice of the Meeting stated the purpose, time, date and location of the Meeting.

The Association is a homeowners association created pursuant to the laws of the State of Florida. With the exception of the attached Amendment, all other terms and conditions of the Declaration shall remain in full force and effect.

IN WITNESS HEREOF, the Association has caused these presents to be executed in its name, this 28th day of January, 2022.

Signed, sealed and delivered  
in the presence of:

SUMMERFIELD AT BAYSIDE LAKES  
HOMEOWNERS ASSOCIATION, INC.

Joy Simon  
(Sign - Witness 1)

Joy Simon  
(Print - Witness 1)

Nicole Flanagan  
(Sign - Witness 2)

Nicole Flanagan  
(Print - Witness 2)

Cheyenne Paige  
(Sign - Witness 1)

Cheyenne Paige  
(Print - Witness 1)

Deborah Erickson  
(Sign - Witness 2)

Deborah Erickson  
(Print - Witness 2)

By: Robert L Stise  
(Sign)  
ROBERT L STISE  
(Print)

President, Summerfield at Bayside Lakes  
Homeowners Association, Inc.

Attest: Marie V. Corcoran  
(Sign)  
Marie V. Corcoran  
(Print)

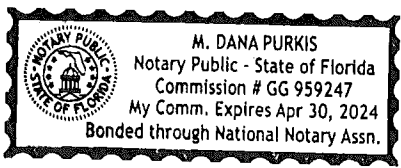
Secretary, Summerfield at Bayside Lakes  
Homeowners Association, Inc.

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me, by means of  physical presence  
or  online notarization, this 28 day of January, 2022 by  
ROBERT L. STISE, as President, and MARIE V. CORCORAN, as Secretary  
of SUMMERFIELD AT BAYSIDE LAKES HOMEOWNERS ASSOCIATION, INC., a Florida  
not for profit corporation, on behalf of the corporation, who are  personally known to me or who  
have  produced BOTH SELF as identification.

NOTARY PUBLIC  
M. Dana Purkis (Sign)  
M. DANA PURKIS (Print)

State of Florida, At Large  
My Commission Expires:



**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS SUMMERFIELD AT BAYSIDE LAKES SUBDIVISION**

The following amendments are made to Article II, Sections 5 and 8 of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS SUMMERFIELD AT BAYSIDE LAKES SUBDIVISION, recorded in Official Records Book 5311, Page 0001, *et. seq.*, of the Public Records of Brevard County, Florida (additions are indicated by underlining, deletions are indicated by ~~strike through~~, and omitted but unaltered provisions are indicated by ellipses):

[...]

**ARTICLE II  
ARCHITECTURAL AND AESTHETIC REQUIREMENTS**

[...]

Section 5. Landscaping.

(a) All landscaping must conform to all codes and requirements of the local governing agencies. A landscape place must be submitted to the ARC Committee for approval prior to commencement of home construction. Each Lot, with the exception of mulched landscape beds and areas left natural, shall be irrigated and fully sodded with Floritam sod including all easements, drainage swales, right-of-ways and common areas directly in the front and rear of all Lots. Lots that have lake frontage must be sodded, irrigated, and maintained from the rear of the lot to the waterline. Lot owners are responsible for the mowing from the rear of their lot to the waterline. No grass sod shall be placed within Preservation Tract P-1 of Phase Three.

(b) Phase One and Two Lots shall have a minimum of ~~four~~ two live oak hardwood trees, with a minimum container size at installation of 30 gallons ~~and a caliper in excess of 2"~~. One oak hardwood tree, either a live oak tree or a Muskogee crepe myrtle tree, must be placed between the curb and sidewalk mid-point between the side lot boundaries, until such time as the tree causes a hazard which threatens public safety or the integrity of infrastructure, including roadways, sidewalks, irrigation systems, foundations, swimming pools, and public utilities. At that time, subject to approval of the ARC Committee, the lot owner may remove the tree and, if homeowner so desires, replace the tree with another live oak tree or Muskogee crepe myrtle tree. ~~and corner~~ Corner lots must contain two trees between back of curb and sidewalk, subject to the same hazard limitations discussed above. Golf front lots must have two hardwood trees placed along the rear property line, setback 10 feet from the lot corners. Lot owners are responsible for the trimming of street-side trees.

Phase One and Two must have a minimum of 65 three-gallon shrubs in the front and side yards of each residence and two 15 gallon or larger accent shrubs. Golf front lots must also include additional 30 three gallon shrubs and two 15 gallon accent shrubs along the rear of the residence. Lot owners are responsible for the fertilization, mulching or otherwise protecting landscape beds from erosion or weed growth using stone or artificial mulch materials, and trimming of all trees and hedge plants and replacement of any dead plants.

(c) Phase Three non-golffront Lots shall have a minimum of ~~four~~ two live-oak hardwood trees and three large ~~queen-palm or cabbage~~ palms. The ~~live-oak hardwood~~ trees must include one street-side tree, either a live oak tree or a Muskogee crepe myrtle tree, with a 100 65 gallon minimum container size ~~and 4" minimum caliper~~ for interior lots, until such time as the tree causes a hazard which threatens public safety or the integrity of infrastructure to include roadways, sidewalks, irrigation systems, foundations, swimming pools, and public utilities. At that time, subject to the approval of the ARC Committee, the lot owner may remove the tree and, if the homeowner so desires, replace the tree with another live oak tree or Muskogee crepe myrtle tree. ~~and two~~ Two such streetside trees are required for corner lots, subject to the same hazard limitations discussed above. The remaining ~~oak hardwood~~ trees shall have a minimum size of 65 gallon ~~with a 3" caliper~~. The palms must contain a wooded trunk height in excess of 10 feet. If less than 15% natural vegetation remains after construction, four additional trees of varying varieties ~~with minimum of 2" calipers~~ must be added.

Phase Three golffront lots including Lots 1 through 9 and lots fronting on a golf course lake must include the above minimum tree standard for non-golffront lots along with the addition of three large palm trees and two ~~live-oak hardwood~~ trees in the rear yard area. One ~~live-oak hardwood~~ must be planted along the rear lot line and have a minimum container size of ~~100~~ 65 gallon.

Phase Three non-golffront Lots shall have a minimum landscape requirement of 100 three gallon shrubs, 50 one gallon shrubs and four 30 gallon accent shrubs. Landscaping must be along the entire front and side elevations including decorative landscape beds in the front yard.

Phase Tree Golffront Lots shall have a minimum landscape requirement of 200 three gallon shrubs, 100 one gallon shrubs and six 30 gallon accent shrubs. Landscaping must be along the entire elevation including the rear yard and exterior of pool screens. A \$2,000 deposit to the Association is required upon submittal of the landscape plans, and said deposit shall be returned upon completion of the residence if all required landscaping is installed. If landscaping is found to not meet the requirements outlined herein, the Association may utilize all or part of the \$2,000 deposit for installation of additional landscaping within the community and/or on the Lot to meet said requirements.

All landscape beds must be irrigated, mulched, or otherwise protected from erosion or weed growth using stone or artificial mulch materials, and be supplemented with organic top-soil to insure plant survival after installation. The Lot owner is responsible for replacement of any dead plant material after installation and frequent fertilization and trimming. Canalfront lots in Phase Three must include irrigation and sod to the canal waterline.

[...]

#### Section 8. Garages.

Each residence must contain a two-car or three-car enclosed garage. Carports are prohibited. All overhead garage doors shall be decorative in design and should complement the

exterior elevation of each individual residence. Under no circumstances may fiberglass or plastic type garage doors be used. Screening of the garage door shall require approval of the ARC Committee in Phases One, ~~and Two,~~ and Three.

Detached garages are permitted within Phase Three, however, they must be constructed at the same time as the residence with the same siding and roof material and meet all required yard setbacks. Detached garages with oversized garage doors for RVs and/or large boats are prohibited. Phase Three garage doors must have a side entrance not facing a paved street, with the exception of corner lots where the garage door may be permitted to face the side street based on the approval from the ARC Committee. ~~Screening of Garage Doors is prohibited within Phase Three.~~

[...]