



CFN:2003122887 04-28-2003 09:54 am  
OR Book/Page: 4892 / 3181

Prepared by & return to:

Robert L. Beals, Esq.  
Robert L. Beals, P.A.  
730 East Strawbridge Ave., Suite 101  
Melbourne, FL 32901

**Scott Ellis**

Clerk Of Courts, Brevard County

#Pgs: 4 #Names: 2  
Trust: 2.50 Rec: 17.00 Serv: 0.00  
Deed: 0.00 Excise: 0.00  
Mtg: 0.00 Int Tax: 0.00

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

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Bridgewater at Bayside Lakes Subdivision, made as of the date hereinafter set forth by TOWN CENTER PARTNERS, LTD., a Florida Limited Partnership, hereinafter referred to as "Developer."

W I T N E S S E T H:

A. Developer is the Developer under the Declaration of Covenants, Conditions and Restrictions Bridgewater at Bayside Lakes Subdivision is recorded in Official Records Book 4623, Page 1996, (the "Declaration"), Public Records of Brevard County, Florida.

B. Article VIII, Section 2, of the Declaration provides for Amendment of the Declaration by the affirmative vote or written action of the Developer.

C. Developer desires to amend the Declaration.

NOW, THEREFORE, Developer hereby amends and supplements the Declaration by this written action as follows:

1. ARTICLE I, MEMBERSHIP AND VOTING RIGHT IN THE ASSOCIATION, is hereby amended as follows:

Section 2. Lot Owner Membership.

Every Owner of a platted Lot shall be a member of the Association upon acquiring title to the Lot. There shall be a one time initiation fee of \$250.00 per Lot, payable to the Association at the time a Lot is conveyed to its initial Owner. Each subsequent Lot Owner may reimburse the previous owner the initiation fee that was paid at the time of the initial lot acquisition.

A Lot acquired by a Builder from Declarant shall be subject to the initiation fee at that time of acquisition. The Association may spend some or all of the initiation fee for inspection of the Lot after completion of the improvements to certify compliance with the terms and provisions of this Declaration as provided in Article III, Section 5.

Membership shall be appurtenant to and may not be separated from ownership of any Lot. The initiation fee may be increased from year to year after December 31, 2000 in the same manner and amount as annual assessments may be increased pursuant to Article V, Section 5.

2. ARTICLE II, ARCHITECTURAL AND AESTHETIC REQUIREMENTS, is hereby amended to read as follows:

Section 6. Roof, Shingle Material and Exterior Elevations.

No primary portion of a straight gable or hip roofs may be built with a pitch lower than 6/12. All roofs shall be pitched except for those areas over porches and patios. The Committee must approve the type, color, and style of all shingle and roof covering materials. Shingles must be architectural grade, 30 year shingles which are fungus-resistant. The Committee may reject any exterior elevation based on the roof line, shingle type or exterior elevation appearance that in its judgment is not within character in keeping up with the standards of the subdivision. Porches must be trussed with shingle surfaces matching the residence

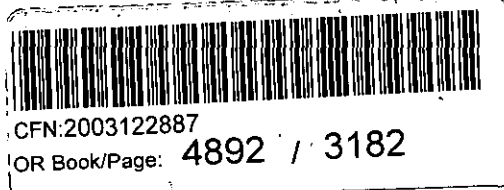
3. ARTICLE V, COVENANT FOR ASSESSMENTS, is hereby amended to read as follows:

Section 5. Maximum Annual Assessment.

Beginning January 1, 2003, the annual assessment, excluding Individual Lot Yard Maintenance expense and consideration of the Common Recreational Amenities which will be completed during Phase Two, shall be \$300.00 per Lot.

(a) From and after January 1, 2003, the annual assessment shall be set by the Association and may be increased each year by up to ten (10%) percent above the maximum allowable assessment for the previous year without a vote of membership. "Maximum allowable assessments" as referred to herein shall be calculated by assuming a cumulative 10% increase per year from and after the year 2003.

(b) From and after January 1, 2003, the maximum annual assessment may be increased by more than said ten (10%) percent only by a majority vote of those needed for a quorum of 30% of each class of members who are voting. The vote should be by certified written ballot mailed to each owner 30 days after their receipt of written notification that a vote will be taken on the proposed increase in assessment.



IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has caused these presents to be executed in its name by its duly authorized officer, as of the 21 day of April, 2003.

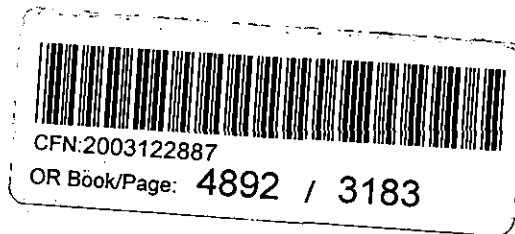
Signed, sealed and delivered  
in the presence of:

TOWN CENTER PARTNERS, LTD.,  
a Florida Limited Partnership  
By: BAYSIDE LAKES DEVELOPMENT  
CORPORATION, a Florida corporation, its  
General Partner

Maria A. Coy  
Witness Signature

By: B. E. J.  
Benjamin E. Jefferies, President

Irene Sullivan  
Witness Signature



STATE OF FLORIDA

COUNTY OF BREVARD

I HEREBY CERTIFY that on this day, before me an officer duly authorized in the State and in the County aforesaid to take acknowledgments, personally appeared BENJAMIN E. JEFFERIES, as President of BAYSIDE LAKES DEVELOPMENT CORPORATION, the General Partner of Town Center Partners, Ltd., a Florida Limited Partnership, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same. The said person was not under oath.

WITNESS my hand and official seal this 21 day of April, 2003.

Irene Sullivan  
Notary Public Signature

My commission expires:

Irene Sullivan  
Print Notary Public Name



Irene Sullivan  
Commission # CC 965550  
Expires Sep. 5, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.



**JOINDER**

BRIDGEWATER AT BAYSIDE LAKES HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit, hereby agrees to accept all the benefits and all of the duties, responsibilities, obligations and burdens imposed upon it by the provisions of this First Amendment to Declaration of Covenants, Conditions, and Restrictions for Bridgewater at Bayside Lakes Subdivision attached hereto.

IN WITNESS WHEREOF, BRIDGEWATER AT BAYSIDE LAKES HOMEOWNERS ASSOCIATION, INC., a Florida not for profit corporation, has caused these presents to be signed in its name by its proper officer and its corporate seal to be affixed the day of April 21, 2003.

**SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:**

Irene Sullivan  
Witness Signature

IRENE Sullivan  
Print Witness Name

Maria A. Cox  
Witness Signature

Maria A. Cox  
Print Witness Name

**BRIDGEWATER AT BAYSIDE LAKES  
HOMEOWNERS ASSOCIATION,  
INC., a Florida not for profit corporation**

By: Benjamin E. Jefferies  
Benjamin E. Jefferies, President

STATE OF FLORIDA  
COUNTY OF BREVARD

THE FOREGOING INSTRUMENT was acknowledged before me this 21 day of April, 2003, by BENJAMIN E. JEFFERIES, as President of BRIDGEWATER AT BAYSIDE LAKES HOMEOWNERS ASSOCIATION, INC., a Florida not for profit corporation, who is personally known to me, or who produced \_\_\_\_\_ as identification.

Irene Sullivan  
Notary Public Signature

My commission expires:

IRENE Sullivan  
Print Notary Public Name

