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OR BK 00623 PG 1957
SHARON ROBERTSON, CLERK OF CIRCUIT COURT
OKEECHOBEE COUNTY, FL
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Pgs 1957 - 19607 (4pgs)

FIRST AMENDMENT
to the
DECLARATION OF RESTRICTIONS,
RULES AND REGULATIONS OF
HERITAGE VILLAGE
(a Mobile Home Subdivision)

WHEREAS, the Heritage Village Master Unit Owners Assoc., Inc. is a homeowners association, (hereinafter referred to as the "Association"), referred to in the Declaration of Restrictions, Rules and Regulations of Heritage Village, a mobile home subdivision, (hereinafter referred to as the "Subdivision") as recorded November 13, 1991 in Official Records Book 328 at Page 286, public records of Okeechobee County, Florida;

WHEREAS, the original Developer of the Subdivision concurrently developed an adjoining project called Heritage Village, an RV Condominium (hereinafter referred to as the "Condominium"); and

WHEREAS, the Condominium and Subdivision have been operating in concert since the inception of the project sharing common elements, recreational facilities, roads and drainage systems; and

WHEREAS, the Condominium has recently dissolved and conveyed the common elements to the Association in exchange for the Association's acceptance and inclusion of the Condominium Unit owners into the Association and Subdivision; and

WHEREAS, the Board of County Commissioners of Okeechobee County, Florida on February 23, 2006, approved a Resolution allowing the former Condominium to be considered a part of the Subdivision and a copy of said Resolution being recorded in Official Records Book 593, Page 1198, Public Records of Okeechobee County, Florida; and

WHEREAS, the Board of Directors of the Association approved the joinder of the former Condominium units into the Subdivision and accepted the former Condominium unit owners into the association; and

WHEREAS, the Declaration of Restrictions, Rules and Regulations of Heritage Village (a mobile home subdivision) (hereinafter referred to as the "Declaration"), provides the board of directors of the Association with the authority to amend the Declaration.

NOW THEREFORE, the Association by and through the undersigned does herein and hereby covenant for itself and on behalf of its successors, assigns and legal representatives, that the enumerated provisions of the Declaration be amended to read as follows:

1. **ARTICLE I. DEFINITIONS, PARAGRAPH B: MEMBER**

shall be amended to read:

“Any person, corporation or other legal entity owning a mobile home unit or owning a unit within the condominium phase of Heritage Village Subdivision being the same units of the now dissolved Heritage Village, an RV Condominium, as recorded in Condominium Book 1, Page 52, public records of Okeechobee County, Florida.

2. **ARTICLE I. DEFINITIONS, PARAGRAPH F: SUBDIVISION**

shall be amended to read:

“This means Heritage Village, a Mobile Home and Condominium Subdivision including all common grounds and recreational facilities.

3. THAT a new ARTICLE XVI shall be added as follows:

ARTICLE XVI. CONDOMINIUM PHASE

- A. **APPLICABILITY** - This Article shall apply to the Condominium phase of Heritage Village Subdivision which comprises the former condominium units as shown on the plat of Heritage Village, an RV Condominium, as recorded in Condominium Book 1 at Page 52, public records of Okeechobee County, Florida.
- B. **RULES AND REGULATIONS** - The Rules and Regulations as attached as Exhibit “D” to the Declaration of Condominium as recorded in OR Book 330 at Page 1388, public records of Okeechobee County, Florida, shall be incorporated and govern the use and physical improvements upon the lots contained within the condominium phase of the subdivision. Notwithstanding any provisions of the incorporated rules and regulations, this amendment or the declaration, to the contrary, no mobile home shall be permitted to be placed within a lot or unit within the condominium phase of the subdivision. Where there is a conflict between these incorporated Rules and Regulations and the Rules and Regulations contained in the Declarations, these incorporated Rules and Regulations shall govern where applied to the Condominium phase of the subdivision.

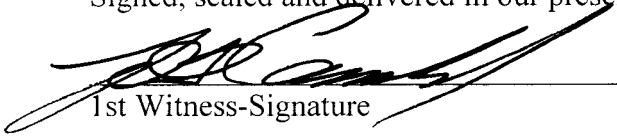
- C. DEFINITION - That wherever the term "mobile home" is used within the Declaration, such term shall also include "recreational vehicle" and shall apply to the condominium phase of the subdivision except where such application would be contrary to the incorporated Rules and Regulations or contrary to the established development pattern within the condominium phase of the subdivision.
- D. ASSESSMENTS - All provisions within the Declaration concerning assessments, liens and enforcement of liens shall apply within the condominium phase of the subdivision as well as the original mobile home phase.
- E. CALCULATIONS - All provisions within the Declaration, Articles of Incorporation or By-Laws of the Association shall be construed, where necessary, to include the 120 units within the condominium phase of the subdivision within the calculation of meeting quorums, notice and division of expenses for purposes of voting and assessment for subdivision expenses.

THAT except as amended hereinabove, the Declaration as originally recorded and previously amended shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has executed this First Amendment to the Declaration, this 7th day of February, 2007.

Signed, sealed and delivered in our presence:

HERITAGE VILLAGE, Master Unit Owners Assoc., Inc.,



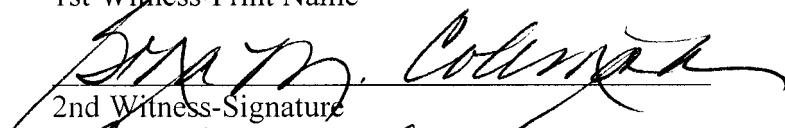
 1st Witness-Signature

BY: 

 REYNALD CHAREST, President

John d. Caswell, Jr.

 1st Witness-Print Name



 2nd Witness-Signature

Erna M. Coleman

 2nd Witness-Print Name

STATE OF FLORIDA
COUNTY OF OKEECHOBEE

The foregoing instrument was acknowledged before me this 17th day of February, 2007, by REYNALD CHAREST, as President of Heritage Village Master Unit Owners Assoc., Inc., on behalf of the corporation. He is personally known to me or has produced IL DL as identification.

Gina Morgan-Coleman

[Notary Seal] Notary Public

Printed Name:

My Commission Expires:



Gina Morgan-Coleman
Commission # DD602164
Expires November 18, 2010
Bonded Troy Fair Insurance Inc 800-369-7019

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