

UPON RECORDING RETURN TO:

Jennifer Lawton Marquina, Esq.
Nelson Mullins Broad and Cassel
1905 NW Corporate Blvd., Suite 310
Boca Raton, Florida 33431

ABOVE THIS LINE FOR RECORDER'S USE _____

**FIFTH AMENDMENT TO THE
DECLARATION OF MAINTENANCE AND LAND USE PROVISIONS OF
RYE WILDERNESS ESTATES**

THIS FIFTH AMENDMENT TO THE DECLARATION OF MAINTENANCE AND LAND USE PROVISIONS OF RYE WILDERNESS ESTATES (the "**Amendment**") is made this 19th day of March, 2019, by D.R. Horton, Inc., a Delaware corporation ("**Developer**").

W I T N E S S E T H

WHEREAS, D.R. Horton, Inc. is the "Developer" under that certain DECLARATION OF MAINTENANCE AND LAND USE PROVISIONS OF RYE WILDERNESS ESTATES, which was recorded in Official Records Book 1909, Page 4242 of the Public Records of Manatee County, Florida (as may be amended from time to time, the "**Declaration**") pursuant to that certain Quit Claim General Assignment and Assignment of Declarant's Right, which was recorded in Official Records Book 2450, Page 1484 of the Public Records of Manatee County, Florida; and

WHEREAS, pursuant to Article VII, Section 7.5, the Developer may amend the Declaration so long as the Developer owns one Lot for sale in normal course of business;

WHEREAS, as of the date of this Amendment, the Developer owns more than one Lot for sale in the normal course of business; and

WHEREAS, Developer desires to amend the Declaration as more particularly set forth herein;

NOW, THEREFORE, the Declaration is hereby amended as set forth below. Except as provided herein, capitalized terms shall have the meaning ascribed to them in the Declaration.

1. The recitals set forth above are true and correct and are incorporated herein by reference.

2. The first paragraph of Article IV, Section 4.1 is hereby amended as follows, with underlined text showing additions:

Subject to Article V, no Lot or Unit shall be used except for single-family residential purposes. No building constructed on a Lot shall be used

except for residential purposes. The following restrictions shall apply to the Lots and any improvements constructed thereon (including but not limited to Units), but shall not apply to the Common Areas:

3. The following is added to the end of Section 4.1 as subsection (kk)

Exemptions. Notwithstanding anything to the contrary, any restrictions contained in this Article that would disrupt the construction, sales, and marketing of Homes in the Community or that would restrict the type or style of improvements constructed by Developer on the Common Area shall not apply to the Developer.

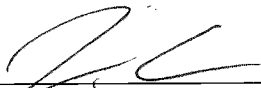
4. Except as specifically amended herein, the Declaration shall in all other respects remain in full force and effect.

[SIGNATURES TO APPEAR ON THE FOLLOWING PAGE]


IN WITNESS WHEREOF, the undersigned Developer hereby executes this First Amendment by and through its representatives as of the date and year first above written.

Witnessed By:

DEVELOPER:


Print Name: Jordyn Evans

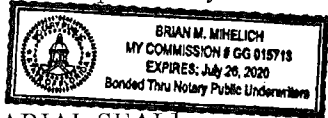
D.R. HORTON, INC., a Delaware corporation


Print Name: Lynn Zook

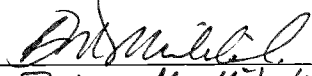
By: 
Name: DARREN SALTZBERG
Title: Vice President

STATE OF FLORIDA)
) ss
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 18th day of March, 2019, by Darren Saltzberg, as Vice President of D.R. Horton, Inc., a Florida corporation on behalf of the company. He is personally known to me and did not take an oath.



[NOTARIAL SEAL]

By: 
Name: Brian M. Michelich
My Commission Expires: 7/26/20