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Record \$ 10.50

This instrument prepared by: Robert D. Wilson Wilson & Williams, P.A. 954 East Silver Springs Boulevard Ocala, Florida 34470 DAVID R ELLSPERMANN
CLERK OF MARION COUNTY
BK 03524 PG 0721
FILE NUM 2003121224
RECORDED 09/18/2003 12:35:44 PM
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FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FELLOWSHIP ACRES, a/k/a FELLOWSHIP FARMS

THIS AMENDMENT is made this <u>/2</u> day of <u>5 (p km b , 2003</u>, by Sandy McBride, Trustee (hereinafter referred to as "Declarant").

RECITALS

- A. Declarant is the Declarant under, and as defined in, that certain Declaration of Covenants, Conditions and Restrictions for Fellowship Acres, a/k/a Fellowship Farms recorded in OR Book 2582, Page 543, Public Records of Marion County, Florida (the "Declaration"). The Declaration provides, inter alia that the Declaration may be amended by Declarant during the term thereof.
 - B. Declarant desires to amend the Declaration in the manner hereinafter set forth.

NOW, THEREFORE, and by virtue of the authority of the Declarant stated herein above, Declarant hereby amends the Declaration as follows, and by adding a new section 24 to the Declaration:

24. Additional Enforcement Provisions.

- 24.1 <u>Compliance by Owners</u>. Every Owner and tenant shall comply with the Covenants and Restrictions set forth herein.
- 24.2 <u>Enforcement</u>. Failure of an Owner or tenant to comply with such covenants and restrictions or rules and regulations shall be grounds for action by any Owner or the Declarant which may include, without limitation, any action to recover sums due for damages, injunctive relief, or any combination thereof.
- 24.3 <u>Fines</u>. In addition to all other remedies, in the sole discretion of Declarant, suspension of use rights to use Common Areas and facilities and the levy of a fine or fines may be imposed upon an Owner for failure of an Owner, the Owner's family, guests, invitees, tenants or employees, or both, to comply with any covenant, restriction, rule or regulation, provided the following procedures are followed:
- A. <u>Notice</u>. A fine may not be imposed without notice of at least fourteen (14) days to the person sought to be fined or suspended, and Declarant shall notify the Owner of the infraction or infractions.
- B. <u>Fines</u>. Declarant may impose a fine in the nature of a special assessment against the Unit owned by the Owner as follows:
 - 1. First non-compliance or violation: a fine not in excess of \$100.00.
 - 2. Second non-compliance or violation: a fine not in excess of \$500.00.

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- 3. Third and subsequent non-compliance or violation or violations which are of a continuing nature: a fine not in excess of \$1,000.00 for each such occurrence.
- C. Payment of Fines. Fines shall be paid not later than thirty (30) days after notice of the imposition or assessment of the penalties.
- D. Collection of Fines. Fines shall be treated as assessment and a lien against the property of any Owner, and may be enforced by the foreclosure of such lien by Declarant, in which foreclosure Declarant shall be entitled to, in addition to the amount of the lien, plus interest thereon, Declarant's reasonable attorney's fees and court costs in foreclosing the lien and enforcing these Restrictive Covenants.

Except as amended and modified herein, all of the terms and conditions of the Declaration shall remain in full force and effect according to the terms thereof.

IN WITNESS WHEREOF, the undersigned have caused this First Amendment to be executed the day and year first above written.

STATE OF FLORIDA COUNTY OF MARION

Sworn to and subscribed before me this 12 day of September, 2003, by SANDY MCBRIDE, TRUSTEE, who is personally known to me.

Notary stamp or seal

Notary Public, State of Florida

