

INSTR # 2018263313
BK 10703 Pgs 0826-0830 PG(s)5
12/20/2018 01:16:53 PM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 44.00

This Instrument Prepared by
and Requested to be Returned to:
J. Frazier Carraway, Esquire
Saxon Gilmore & Carraway, P.A.
201 E. Kennedy Blvd., Suite 600
Tampa, Florida 33602

**FOURTH AMENDMENT TO DECLARATION OF RESTRICTIONS AND
COVENANTS RELATING TO DEER CREEK GOLF AND TENNIS RV RESORT
PHASE THREE-A**

THIS FOURTH AMENDMENT TO DECLARATION OF RESTRICTIONS AND COVENANTS RELATING TO DEER CREEK GOLF AND TENNIS RV RESORT PHASE THREE-A (this "**Fourth Amendment**") is made effective as of the 19th day of December, 2018, by Deer Creek RV Golf & Country Club, Inc., a Florida not for profit corporation ("**Declarant**") as successor in interest to Deer Creek, LTD., a Florida limited partnership ("**Initial Declarant**").

RECITALS:

WHEREAS, Initial Declarant impressed certain lands with covenants, restrictions, reservations, and servitudes by having recorded on June 14, 1996, a Declaration of Restrictions and Covenants Relating to Deer Creek Golf and Tennis RV Resort Phase Three-A, in Official Records Book 3691, Pages 1685-1716 of the Public Records of Polk County, Florida (the "**Initial Declaration**"), amended by Initial Declarant having recorded on March 9, 1998, an Amendment to Declaration of Restrictions and Covenants Relating to Deer Creek Golf and Tennis RV Resort Phase Three-A, in Official Records Book 3988, Page 898 of the Public Records of Polk County, Florida (the "**First Amendment**"), further amended by Initial Declarant having recorded on December 13, 2005, a Second Amendment to Declaration of Restrictions and Covenants Relating to Deer Creek Golf and Tennis RV Resort Phase Three-A, in Official Records Book 6536, Pages 2085-2087 of the Public Records of Polk County, Florida (the "**Second Amendment**"), and further amended by Declarant having recorded on July 7, 2014, Deer Creek RV Golf & Country Club, Inc. Amendments to Declaration of Restrictions and Covenants, in Official Records Book 9286, Page 750 of the Public Records of Polk County, Florida (the "**Third Amendment**"), (the Initial Declaration, the First Amendment, the Second Amendment, and the Third Amendment being hereinafter referred to collectively as the "**Declaration**"); and

WHEREAS, the Declaration provides in pertinent part, including without limitation, that Declarant shall have the unilateral right, privilege, and option from time to time to expand the PRD Property (as defined in the Declaration) by filing in the Official Records of Polk County, Florida, an amendment to the Declaration describing the new description of the PRD Property and the improvements thereon located; and

WHEREAS, Declarant has decided to expand the PRD Property as provided by this Fourth Amendment.

NOW, THEREFORE, Declarant hereby amends and modifies the Declaration as follows:

1. The foregoing recitals are true and correct and by this reference are incorporated into the body of this Fourth Amendment.

2. Any capitalized term not defined herein shall have the meaning ascribed to it in the Declaration.

3. The PRD Property is expanded to include the golf course. As a result, Exhibit "A", which was attached to the Declaration, is hereby replaced in its entirety with Exhibit "A" attached hereto and made a part hereof, which description of the PRD Property includes the golf course.

4. The Owners shall continue to have the rights as provided in the Declaration to use the PRD Property. Right to use the golf course is not changed by this Fourth Amendment and such right to use the golf course shall continue to be subject to the rules established by Declarant regarding same.

5. Except as expressly modified herein, all other terms and conditions of the Declaration continue to be in full force and effect. In the event of any conflict between the terms of the Declaration and the terms of this Fourth Amendment, the terms of this Fourth Amendment shall control.

IN WITNESS WHEREOF, Declarant has executed this Fourth Amendment as of the day and year first set forth above.

"DECLARANT"

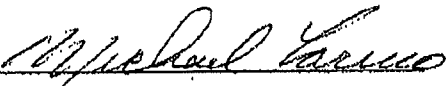
Witnesses:

Deer Creek RV Golf & Country Club, Inc., a
Florida not for profit corporation

Name:

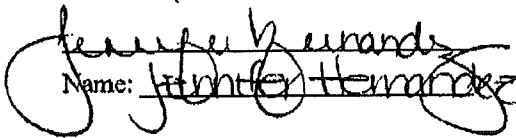

Leslie Fuentes

By:



Michael Caruso, President

Name:


Jennifer Hernandez

STATE OF FLORIDA
COUNTY OF POLK

I HEREBY CERTIFY that on the 19th day of December, 2018, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, the foregoing instrument was acknowledged before me by Michael Caruso, the President of Deer Creek RV Golf & Country Club, Inc., a Florida not for profit corporation, freely and voluntarily under authority duly vest in him by said corporation. He is personally known to me or did produce C620544434240 as identification.

(SEAL)





Notary Public, State of Florida at large

EXHIBIT "A"

PRD PROPERTY

DESCRIPTION: (PROVIDED - TITLE COMMITMENT AGENT FILE NUMBER 13-0270T)

Parcel 1A:

Commence at the Southeast corner of the Southwest 1/4 of Section 17, Township 26 South, Range 27 East, Polk County, Florida and run thence N 0' 13' 28" E, along the East boundary of said Southwest 1/4, a distance of 525.01 feet to the Point of Beginning; continue North 0' 13' 28" East, 2120.74 feet to the Northeast corner of said Southwest 1/4; run thence South 89' 54' 39" West, along the North boundary of the Northeast 1/4 of the Southwest 1/4 a distance of 1325.49 feet to the Southeast corner of the Southwest 1/4 of the Northwest 1/4 of said Section 17, run thence North 0' 04' 18" East, along the East boundary of said Southwest 1/4 of the Northwest 1/4, a distance of 725.00 feet; run thence North 76' 22' 33" West, 943.27 feet; run thence North 89' 55' 42" West, 45.00 feet to a point on a curve having a radius of 610.00 feet, a central angle of 91' 04' 15" and whose chord bears South 45' 36' 26" West, run thence Southwesterly along said curve an arc distance of 969.59 feet; run thence South 53' 41' 40" West, 566.40 feet; run thence South 36' 18' 20" East, 20.00 feet; run thence South 62' 06' 42" West, 482.92 feet to the Easterly right-of-way line of U.S. Highway 27; run thence along said right-of-way line the following courses and distances; South 27' 53' 18" East, 1406.26 feet; North 62' 06' 42" East, 15.00 feet; South 27' 53' 18" East, 208.91 feet to the beginning of a curve to the right having a radius of 4437.18 feet, a central angle of 03' 52' 52" and whose chord bears South 25' 56' 52" East; run thence Southeasterly an arc distance of 300.57 feet; thence South 65' 59' 34" West, 15.00 feet to a point on a curve having a radius of 4422.18 feet, a central angle of 06' 39' 57" and whose chord bears South 20' 40' 27" East, run thence Southeasterly an arc distance of 514.48 feet; thence leaving said Easterly right-of-way line U.S. Highway 27, run North 89' 50' 47" East, 239.76 feet; run thence South 00' 05' 09" East, 208.71 feet to a point line 25.00 feet North of the South boundary of said Section 17; run thence North 89' 50' 47" East, parallel to said South boundary 2013.87 feet; run thence North 00' 09' 14" West, 40.00 feet; run thence North 89' 50' 47" East, 50.00 feet; run thence North 00' 09' 14" West, 460.00 feet; run North 89' 50' 47" East, 400.95 feet to the Point of Beginning.

Less and Except:

DEER CREEK GOLF AND TENNIS RV RESORT PHASE ONE, a subdivision according to the plat thereof recorded at Plat Book 83, Page 42, in the Public Records of Polk County, Florida.

And Less and Except:

DEER CREEK GOLF AND TENNIS RV RESORT PHASE TWO, a subdivision according to the plat thereof recorded at Plat Book 86, Page 50, in the Public Records of Polk County, Florida.

And Less and Except:

DEER CREEK GOLF AND TENNIS RV RESORT PHASE THREE-B, a subdivision according to the plat thereof recorded at Plat Book 96, Page 29, in the Public Records of Polk County, Florida.

Together with:

Access Road Easement described as follows:

Commence at the Southeast corner of the Southwest 1/4 of Section 17, Township 26 South, Range 27 East, Polk County, Florida and run thence South 89' 50' 47" West, along the South boundary of said Southwest 1/4 of Section 17, 2635.54 feet to the Easterly right-of-way U.S. Highway 27, said point being on a curve having a central angle of 09' 48' 37" and whose radius point lies South 75' 48' 12" West, 4422.18 feet; run thence, along said curve and said right-of-way, 757.17 feet; thence North 65' 59' 34" East, along said right-of-way, 15.00 feet to a point on a curve having a central angle of 02' 32' 33" and whose radius point lies South 65' 59' 34" West, 4437.18 feet; run thence along said curve and said right-of-way, 196.70 feet to the point of beginning; continue thence, along said curve and said right-of-way, through a central angle of 01' 17' 29" and whose radius point lies South 63' 27' 11" West, 4437.18 feet; thence, along said curve, 100.00 feet; thence North 62' 48' 27" East, 239.88 feet to the beginning of a curve having a central angle of 06' 41' 37" and whose radius point lies North 27' 11' 33" West, 805.01 feet; thence, along said curve, 94.04 feet; thence North 56' 06' 50" East, 75.57 feet; thence South 33' 53' 10" East, 10.00 feet; thence North 56' 06' 50" East, 202.64 feet to the beginning of a curve having a central angle of 08' 50' 08" and whose radius point lies North 34' 08' 41" West, 1801.37 feet; thence along said curve, 277.78 feet thence North 47' 01' 11" East, 113.93 feet to the beginning of a curve having a central angle of 03' 25' 15" and whose radius point lies South 42' 58' 49" East, 1435.17 feet; thence, along said curve, 85.69 feet; thence North 50' 26' 26" E, 40.00 feet; thence South 39' 33' 34" East, 80.00 feet; thence South 50' 26' 26" West, 40.00 feet to the beginning of a curve having a central angle of 03' 25' 15" and whose radius point lies South 39' 33' 34" East, 1355.17 feet; thence, along said curve, 80.91 feet; thence South 47' 01' 11" West, 113.93 feet to the beginning of a curve having a central angle of 08' 50' 08" and whose radius point lies North 42' 58' 49" West, 1881.37 feet; thence, along said curve, 290.12 feet; thence South 56' 06' 50" West, 172.92 feet; thence South 33' 53' 10" East, 10.00 feet; thence South 56' 06' 50" West, 105.65 feet to the beginning of a curve having a central angle of 06' 41' 37" and whose radius point lies North 33' 53' 10" West, 905.01 feet; thence, along said curve, 105.73 feet; thence South 62' 48' 27" West, 239.88 feet to the Point of Beginning.

And

Signage Property

A parcel of land being in Section 18, Township 26 South, Range 27 East, Polk County, Florida, being described as follows:

Commence at the Southeast corner of the Southwest 1/4 of Section 17, Township 26 South, Range 27 East, Polk County, Florida; thence South 89' 50' 47" West, along the South line of said

Section 17, a distance 2461.37 feet; thence North 00' 05' 09" West, 233.71 feet; thence South 89' 50' 47" West 239.76 feet to a point on the Easterly right-of-way line of U.S. Highway No. 27, said point being on a non-tangent curve to the left having a radius of 4422.18 feet, a central angle of 06' 39' 57", a chord bearing of North 20' 40' 27" West, and a chord distance of 514.19 feet; thence Northerly along the arc of said curve and said Easterly right-of-way line, 514.48 feet; thence North 65' 59' 34" East, along said Easterly right-of-way line, 15.00 feet to a point on a non-tangent curve to the left having a radius of 4437.18 feet, a central angle of 01' 30' 27", a chord bearing of North 24' 45' 40" West, and a chord distance of 116.73 feet; thence Northwesterly along the arc of said curve and said Easterly right-of-way line, 116.74 feet to the Point of Beginning said point being on a curve to the left having a radius of 4437.18 feet, a central angle of 01' 01' 57", a chord bearing of North 26' 01' 51" West, and a chord distance of 79.96 feet; thence Northwesterly along the arc of said curve and said Easterly right-of-way line, 79.96 feet to the Southerly line of an access road easement as recorded in Official Records Book 2533, Page 0058, Public Records of Polk County, Florida; thence North 62' 48' 27" East, along said Southerly line, 79.74 feet; thence South 27' 11' 33" East, 15.00 feet; thence South 62' 48' 27" West, 38.90 feet; thence South 17' 48' 27" West, 31.76 feet; thence South 27' 11' 33" East, 42.49 feet; thence South 62' 48' 27" West, 20.00 feet to the point of Beginning.

And

EAGLE VIEW CLUBHOUSE

Tract D, DEER CREEK GOLF AND TENNIS RV RESORT PHASE THREE-B, a subdivision according to the plat thereof Recorded at Plat Book 96, Page 29, in the Public Records of Polk County, Florida.

OSPREY POINTE CLUBHOUSE

Tract C, DEER CREEK GOLF AND TENNIS RV RESORT PHASE THREE-A, a subdivision according to the plat thereof Recorded at Plat Book 102, Page 16, in the Public Records of Polk County, Florida.

PATRIDGE PINES CLUBHOUSE

Tract C, DEER CREEK GOLF AND TENNIS RV RESORT PHASE THREE-G, a subdivision according to the plat thereof Recorded at Plat Book 105, Page 31, in the Public Records of Polk County, Florida.

REGAL POINTE CLUBHOUSE

Tract B, DEER CREEK GOLF AND TENNIS RV RESORT PHASE THREE-C & D (REGAL POINT), a subdivision according to the plat thereof Recorded at Plat Book 132, Page 45, in the Public Records of Polk County, Florida.