

Prepared by
Record and Return to
John T. Dekle, Esq.
10475 Fortune Parkway, Suite 100
Jacksonville, FL 32256

**SIXTEENTH AMENDMENT TO DECLARATION OF COVENANTS AND
RESTRICTIONS FOR THE HUNTER'S RIDGE SUBDIVISION VOLUSIA
COUNTY/FLAGLER COUNTY, FLORIDA, ET AL.**

WHEREAS, Hunter's Ridge Residential Golf Properties, Inc., a Florida corporation, Hunter's Ridge Golf Company, Inc., a Florida corporation, and Hunter's Ridge Timber Company, Inc., a Florida corporation, as tenants in common (hereinafter collectively referred to as "Hunter's Ridge Corporations,") are the current Developer of the Hunter's Ridge Subdivision;

WHEREAS, the Hunter's Ridge Corporations are the predecessor developer of Georgia Pacific Investment Company, an Oregon corporation, and the Original Developer of the Subdivision, the FLA-GA Venture Group, a Florida general partnership (hereinafter the foregoing developers are inclusively and collectively referred to as the "Developer").

WHEREAS, on the 24th day of April, 1990 the Developer recorded the Declaration of Covenants and Restrictions for the Hunter's Ridge Subdivision, Volusia County/Flagler County, Florida et al. at Official Records Book 3457, Pages 1623-1676, Public Records of Volusia County, Florida; recorded the First Amendment to said Declaration at Official Records Book 3600, Pages 1212-1217, Public Records of Volusia County, Florida; recorded the Second Amendment to said Declaration at Official Records Book 3710, Pages 3559-3561, Public Records of Volusia County, Florida, recorded the Third Amendment to said Declaration at Official Records Book 3771, Pages 3128-3132, Public Records of Volusia County, Florida, recorded the Fourth Amendment to said Declaration at Official Records Book 4031, Pages 1727-1733, Public Records of Volusia County, Florida; recorded the Fifth Amendment to said Declaration at Official Records Book 4067, Pages 2967-2969, Public Records of Volusia County, Florida; recorded the Sixth Amendment to said Declaration at Official Records Book 4160, Page 4276, Public Records of Volusia County, Florida; recorded the Seventh Amendment to said Declaration at Official Records Book 4286, Page 4436, Public Records of Volusia County, Florida; recorded the first Eighth Amendment to said Declaration at Official Records Book 4318, Page 2093, Public Records of Volusia County, Florida; recorded the second Eighth Amendment to said Declaration at Official Records Book 4551, Page 1550, Public Records of Volusia County, Florida; recorded the Ninth Amendment to said Declaration at Official Records Book 5099, Page 3685, Public Records of Volusia

County, Florida; and recorded the Tenth Amendment to said Declaration at Official Records Book 5259, Page 589, Public Records of Volusia County, Florida; and recorded the Eleventh Amendment to said Declaration at Official Records Book 5373, Page 958, Public Records of Volusia County, Florida; recorded the Twelfth Amendment to said Declaration at Official Records Book 5976, Page 4228, Public Records of Volusia County, Florida; recorded the Thirteenth Amendment to said Declaration at Official Records Book 6159, Page 2886, Public Records of Volusia County, Florida; recorded the Fourteenth Amendment to said Declaration at Official Records Book 6192, Page 1130, Public Records of Volusia County, Florida; and recorded the Fifteenth Amendment to said Declaration at Official Records Book 6225, Page 1958, Public Records of Volusia County, Florida; re-recorded the Fifteenth Amendment to said Declaration at Official Records Book 6402, Page 3203, Public Records of Volusia County, Florida to clarify and correct the recording information of the Fifteenth Amendment.

WHEREAS, pursuant to Article V, Section 5.1 of said Declaration, the Developer has the right to amend, modify or rescind such parts of the Declaration as it, in its sole discretion, deems necessary or desirable as long as such amendment, modification or rescission does not substantially change the character, nature or general scheme of development of the Subdivision; and

WHEREAS, the Developer has determined it desirable to amend portions of said Declaration of Covenants and Restrictions in a manner which does not substantially change the character, nature, or general scheme of the development of the Subdivision as provided herein below:

1. Exhibit "A" to the Declaration of Covenants and Restrictions for the Hunter's Ridge Subdivision, as amended by prior amendments to the said Declaration of Covenants and Restrictions, is again amended by adding the legal description of Deer Creek, Phase 4 Unit A of Hunter's Ridge Subdivision as recorded in Map Book 55, Pages 93 through , Public Records of Volusia County, Florida, said legal description being attached hereto as Exhibit "A" and incorporated herein ("Deer Creek Phase Four").
2. No residential dwelling unit shall be constructed having less than 1300 square feet of living area on the 60+/- foot wide lots within Deer Creek Phase Four of Hunter's Ridge Subdivision.
3. Article II is hereby amended by adding to Section 2.1 the following language immediately after that language which was previously added to Section 2.1 by the Thirteenth Amendment to the Declaration and Restrictions:

"Notwithstanding any of the minimum square foot requirements described above, the minimum square foot requirements for Deer Creek Phase Four, of Hunter's Ridge Subdivision will be 1,300 square feet of enclosed living area for residential dwelling units on 60 +/- foot wide lots together with 400 square feet of enclosed area for garages. No garage door less than 16 feet wide (16')

shall be constructed in dwelling units on 60 +/- foot wide lots in Deer Creek Phase Four, of Hunter's Ridge Subdivision except, however two nine foot (9') wide garage doors will be allowed in lieu of a single 16 foot (16') wide garage door. These changes in the minimum square foot requirements for residential dwelling units and garages and to garage door size requirements only apply to lots in Deer Creek Phase Four, of Hunter's Ridge Subdivision.

4. Article IV, Section 4.3 is hereby amended by adding the following paragraphs:

Assessments on each lot shall not be due on the lots within Deer Creek Phase Four of Hunter's Ridge Subdivision until the earlier of:

- (a) One year from the date of Certificate of Occupancy by the City of Ormond Beach, of each Phase of internal development of Deer Creek, Phase Four, including without limitation, roads, drainage, electrical, telephone, cable television, sewer and water services, sidewalks, street and traffic control signs and landscaping and irrigating common areas by the City of Ormond Beach; or
- (b) Upon the transfer of any of the Lots or any residential dwelling(s) within Deer Creek Phase Four, by KB Home Gold Coast LLC or a General Contractor to a third party.

At the time the assessments are made against the lot or dwelling unit as stated hereinabove in paragraph (a) or (b), the owner of any such lot or dwelling unit shall immediately become a member of the Association and entitled to vote in accordance with the terms and conditions set forth in the Hunter's Ridge Covenants and Restrictions.

Until such time as assessments are made against the lot or dwelling unit as stated hereinabove in paragraph (a) or (b), the Owner shall be solely responsible for the following: installation and maintenance of any and all trees, shrubbery, plants and flowers; install and maintain the entry signage in good repair and clean condition; install and maintain any and all landscaping including but not limited to, sprinkler systems, mowing, weeding, and trimming of all common areas; construction and maintenance of all road easements including the front six feet (6') of each lot and drainage swales or systems; and monitoring and maintaining any and all wetlands and ponds. The Association shall have no obligation to maintain any portion of the property in Deer Creek Phase Four, of the Hunter's Ridge Subdivision, until such time as the assessments are made and collected as provide hereunder.

If, in the sole opinion of the Developer, the property within Deer Creek Phase Four, is not maintained as set forth above, in accordance with the standards for the Subdivision, then the Owner's Association may undertake whatever

landscaping work or such other work as is needed to meet the standards of the Subdivision. The Owner's Association shall have a lien against Deer Creek Phase Four, or that portion owned by the Owners for the full costs and expense of such work. Such lien shall be perfected and enforced in the same manner as any of the Owner's Association's other liens.

5. Article VII is amended by adding the below quoted text as subsection (k) immediately preceding the last paragraph of Section 7.5, as amended:

(k) There shall be set aside a permanent vegetative natural buffer ("Buffer") 10 feet in width, over that portion of the property shown on the plat recorded in Map Book 55, Page 93, Public Records of Volusia County, Florida, as a vegetative natural buffer/conservation easement. This Buffer extends across and over lot numbers 71-92 in Deer Creek Phase Four, and as shown in common areas on the plat thereof. This buffer is a part of the surface water management system permitted by the St. Johns River Water Management District ("SJRWMD"). The purpose of this buffer is to detain and treat stormwater prior to drainage offsite. The following activities are prohibited within this Buffer; filling or excavation, planting, sodding, or removing vegetation, irrigation, or construction of fences, which impede the flow of surface water. No alteration of the Buffer shall be permitted or authorized from the SJRWMD. Any damage to any buffer whether caused by natural or human induced phenomena, shall be repaired and the buffer returned to its former condition as soon as possible by the owner(s) of the Lot(s) upon which the Buffer is located.

KB Home Gold Coast LLC ("Owner"), the owner of Deer Creek Phase Four, shall install signs, mounted on PVC posts or pressure-treated wood posts at the boundary of the Buffer and each Lot stating the following: "Vegetated Natural Buffer Area. No dumping, land-clearing, or other disturbance to native soils or vegetation permitted beyond this point. Call the St. Johns River Water Management District for further information regarding this habitat." The Owner shall maintain the Buffer and the signs in a manner consistent with St. Johns River Water Management District requirements.

6. Except as specifically amended hereinabove or in the first fifteen amendments to Declaration of Covenants and Restrictions reference above, the Declaration of Covenants and Restrictions for the Hunter's Ridge Subdivision, Volusia County/Flagler County, Florida, et al., are unchanged and remain in full force and effect. In the event of a conflict between any provision of this Sixteenth Amendment and any provision of the prior Amendments, the provisions of this Sixteenth Amendment shall prevail.

DEVELOPER:

WITNESSES:

Richard Perkinson
Richard Perkinson
Richard Perkinson

Hunter's Ridge Residential Golf
Properties, Inc., a Florida corporation

By: Allan Feker
Date: 14 Dec 09

WITNESSES:

Richard Perkinson
Richard Perkinson
Richard Perkinson

Hunter's Ridge Golf Company, Inc.,
a Florida corporation

By: Allan Feker
Date: 14 Dec 09

WITNESSES:

Richard Perkinson
Richard Perkinson
Richard Perkinson

Hunter's Ridge Timber Company, Inc.,
a Florida corporation

By: Allan Feker
Date: 14 Dec 09

STATE OF FLORIDA
COUNTY OF Volusia

I HEREBY CERTIFY that I am an Officer duly authorized in the State and County aforesaid to take acknowledgements and that on this day personally appeared before me Allan Feker as the President of Hunter's Ridge Corporations, well known to me to be the President of Hunter's Ridge Subdivision, and that he executed the above referenced documents freely and voluntarily under authority duly vested in him by said corporation.

WITNESS MY HAND AND OFFICIAL SEAL in the County and State aforesaid
this 14th day of October, 2009.
December

Lynde Hancock Russell
Notary Public

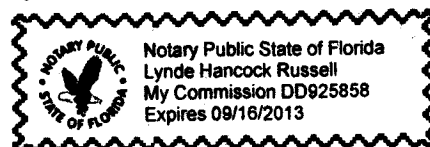


Exhibit "A"

Lots 71-92 and 144-169, Deer Creek Phase Four Unit A of Hunter's Ridge Subdivision, a replat of Tract 1 Deer Creek Phase One of Hunter's Ridge Subdivision, according to the Plat thereof, as recorded in Plat Book 55, Pages 93 through , of the Public Records of Volusia County, Florida.