

Official Records Citrus County FL, Angela Vick, Clerk of the Circuit Court & Comptroller
#2017035612 BK: 2844 PG: 513 8/1/2017 10:50 AM 1 Receipt: 2017031502
RECORDING \$78.00

Prepared by and Return to:
Thomas R. Slaten, Jr.
Larsen & Associates, P.L.
300 S. Orange Ave, Suite 1575
Orlando, FL 32801

**FIRST AMENDMENT TO THE REVITALIZED DECLARATIONS OF
RESTRICTIONS OF RIVERHAVEN VILLAGE – PHASE II**

WHEREAS, on February 9, 2015, the Revitalized Declarations of Restrictions of Riverhaven Village regarding Phase II was recorded at #2015005827, Book 2670, Page 1084, Public Records of Citrus County, Florida (the "Declaration") encumbering the Property; and

WHEREAS, Riverhaven Village Property Owners Association, Inc., a Florida not-for-profit corporation ("Association"), is that certain homeowners' association created pursuant to Chapter 720, Florida Statutes, for the purpose of enforcing the covenants and restrictions contained within the Declaration; and

WHEREAS, Article XI of the Declaration states that an amendment to the Declaration may be proposed either by the Board of Directors or by not less than one-third (1/3) of the voting interests of the Association and that after such proposal, membership approval of a proposed amendment must be by not less than two-thirds (2/3) of the voting interests of the Association;

WHEREAS, the Board of Directors resolved to amend the Declaration;

WHEREAS, on May 3, 2017, at a duly noticed Members' meeting at which quorum was present, votes constituting at least two-thirds (2/3) of the voting interests of the Association were cast, amending the Declaration;

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. **Article V, Section 3 of the Declaration is amended and shall read as follows:**

ARTICLE V
Use Restriction

Section 3. No signs shall be erected or displayed on any single family lot or on any structure in the subdivision by any person except the Subdivider or Association, or with the

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written permission of the Association.

Political signs will be permitted to be placed on Owner's properties without written consent of the Board thirty (30) days prior to an election (primary, presidential, or general) with the following restrictions:

- Sign must be removed the day following that election.
- Sign may be no larger than eighteen (18) inches by twenty-four (24) inches with inconspicuous stands.
- Only one (1) sign per property is allowed, even if home is built on two or more lots.
- No signs may be placed on vacant lots.

2. Article V, Section 3 of the Declaration is amended and shall read as follows:

ARTICLE V
Use Restriction

Section 3. No signs shall be erected or displayed on any single family lot or on any structure in the subdivision by any person except the Subdivider or Association, or with the written permission of the Association.

Real Estate sign(s) will be permitted to be placed on Owner's property:

- One sign no larger than six (6) by nine (9) inches may be placed on each road frontage of the property.
- One sign no larger than nine (9) by twelve (12) inches may be placed on the waterfront boundary of the property. Message on the sign(s) must be consistent with the community values and tastefully presented.
- Sign(s) must be supported by an inconspicuous stand.
- Sign(s) will not be placed on the right of way for the road or in any location which will cause problems for the POA or its Members.
- Sign(s) must be placed at a minimum set-back of six (6) feet from the edge of the pavement and/or waterfront.
- Sign(s) will be removed promptly after the property is sold, taken off the market, or the need for the sign(s) is eliminated.
- A clear house information tube no larger than three (3) inches in diameter by one (1) foot in length may be attached to the sign(s).

3. Article VI, Section 1 of the Declaration is amended and shall read as follows:

ARTICLE VI
Specific Use Provisions

Section 1. Single Family:

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(a) Properties designated herein or by supplement hereto as "single family" shall be used solely for construction and occupancy of single family residences. One single family lot shall be the minimum building area, but one or more contiguous lots may be combined as a single family building area.

(b) Garages, which shall be for the use only of the occupants of the residence to which they are appurtenant, must be attached to the residence and may have entrances facing the street.

(c) The premises shall not be used or occupied by other than a single family and family servants, and shall not be used for other than residential use. The ground floor of the main dwelling shall not be less than 1,100 square feet for a one story dwelling, and 1,500 square feet for two stories, exclusive of garage, covered walks, patios, or pool areas. The height of any one building shall be not more than two full stories above street level. The main roof of the dwelling shall have a pitch of not less than 3 to 12 feet.

(d) No dwelling shall be permitted on any lot in this single family area at a cost of less than \$15,000, based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assume that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size.

No residence shall be rented or leased for less than ninety (90) consecutive days; and, in no instance rented or leased for more than two (2) times in any one (1) calendar year.

4. Article VII, Section 1 of the Declaration is amended and shall read as follows:

ARTICLE VII
Building Controls

Section 1. No building or structure of any kind (except as provided under Section 1 above), including additions, alterations, pools, fences, walls, patios, terraces or barbeque pits shall be erected, or altered until the plans and specifications, location and plot plan therefore, in detail and to scale, and showing existing trees and shrubs required to be moved or removed, shall have been submitted to and approved by the Subdivider or Association in writing and before any clearing or construction has begun. The plans, specifications and location of all construction thereunder, and every alteration of any building or structure shall be in accordance with the building, plumbing and electrical codes of the Citrus County Building Code. Each owner is responsible for complying with all of the covenants contained herein and shall notify any and all persons who may be using the Owner's premises of these restrictions and covenants. Refusal of approval of plans and specifications, location and plot plan, by the Subdivider or Association may be based on any ground, including purely esthetic grounds, in the sole and absolute discretion of the Subdivider or Association.

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Permanent fences are permitted with the following guidelines:

- Must be approved by the Architectural Review Board prior to construction. The application for construction shall include a copy of any required building permit(s), a written description of the project including materials of construction, style of fence, and a site plan showing location of the fence.
- Must be no more than four (4) feet high
- Style must be picket, chain link, split rail, or wrought metal
- Must be constructed of wood, plastic, composite, or metal
- Must come no further toward the street than the back wall line of the home
- Must meet all Citrus County Building and Zoning Codes

5. Article VII, Section 1 of the Declaration is amended and shall read as follows:

ARTICLE VII
Building Controls

Section 1. No building or structure of any kind (except as provided under Section 1 above), including additions, alterations, pools, fences, walls, patios, terraces or barbeque pits shall be erected, or altered until the plans and specifications, location and plot plan therefore, in detail and to scale, and showing existing trees and shrubs required to be moved or removed, shall have been submitted to and approved by the Subdivider or Association in writing and before any clearing or construction has begun. The plans, specifications and location of all construction thereunder, and every alteration of any building or structure shall be in accordance with the building, plumbing and electrical codes of the Citrus County Building Code. Each owner is responsible for complying with all of the covenants contained herein and shall notify any and all persons who may be using the Owner's premises of these restrictions and covenants. Refusal of approval of plans and specifications, location and plot plan, by the Subdivider or Association may be based on any ground, including purely esthetic grounds, in the sole and absolute discretion of the Subdivider or Association.

Privacy fences are permitted with the following guidelines:

- Must be approved by the Architectural Review Board prior to construction. The application for construction shall include a copy of any required building permit(s), a written description of the project including materials of construction, style of fence, and a site plan showing location of the fence.
- Must be no more than seven (7) feet high
- Must be constructed of wood, plastic, composite material, stone or metal
- Must be parallel to the home with a width of no more than seven (7) feet from the home and no longer than the length of the home
- Must meet all Citrus County Building and Zoning Codes

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6. Article VII, Section 1 of the Declaration is amended and shall read as follows:

ARTICLE VII
Building Controls

Section 1. No building or structure of any kind (except as provided under Section 1 above), including additions, alterations, pools, fences, walls, patios, terraces or barbeque pits shall be erected, or altered until the plans and specifications, location and plot plan therefore, in detail and to scale, and showing existing trees and shrubs required to be moved or removed, shall have been submitted to and approved by the Subdivider or Association in writing and before any clearing or construction has begun. The plans, specifications and location of all construction thereunder, and every alteration of any building or structure shall be in accordance with the building, plumbing and electrical codes of the Citrus County Building Code. Each owner is responsible for complying with all of the covenants contained herein and shall notify any and all persons who may be using the Owner's premises of these restrictions and covenants. Refusal of approval of plans and specifications, location and plot plan, by the Subdivider or Association may be based on any ground, including purely esthetic grounds, in the sole and absolute discretion of the Subdivider or Association.

Docks shall meet the following guidelines:

- Must be approved by the Architectural Review Board prior to construction. The application for construction shall include a copy of any required building permit(s), a written description of the project including materials of construction, style of fence, and a site plan showing location of the dock.
- Water craft shall not be stored on the dock surface
- Dock appurtenances, including flags, banners, and other decorations shall be maintained in good order

7. Article VII, Section 11 of the Declaration is amended and shall read as follows:

Section 11. No septic tanks will be permitted on any lot within this Subdivision, ~~and the collection system located in the Subdivision shall be used for the service of the premises.~~

8. Article VII, Section 14 of the Declaration is amended and shall read as follows:

Section 14. No boathouses shall be permitted. ~~Boat docks, the highest projection of which shall not exceed the elevation of the land adjoining such docks, shall be permitted to be constructed adjoining any waterfront lot; provided, however, that no such docks shall be erected, constructed, maintained or permitted which will extend beyond four feet from the lot Line paralleling and adjoining the waterfront. No discharge or refuse shall be permitted from docks~~

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~~into the waters. All dock construction, size, placement and use shall be subject to any applicable governmental requirements. Boat docks, the walking surface of which shall not exceed by more than twelve (12) inches above the elevation of the land adjoining such docks, shall be permitted to be constructed adjoining any waterfront Lot; provided, however, that no such docks shall be erected, constructed, maintained or permitted which will extend beyond:~~

1. Four feet (4') from the Lot line paralleling and adjoining the waterfront of those Lots which abut the canals within Riverhaven Village, or,
2. No more than the longest minimum length from shore as permitted by the Army Corps of Engineers, the Department of Environmental Protection, and any other governing agencies having jurisdiction over the construction of docks and pilings in the Homosassa River for the waterfront of those Lots which abut the Homosassa River, or,
3. No more than the longest minimum length from shore as permitted by the Army Corps of Engineers, the Department of Environmental Protection, and other governing agencies having jurisdiction over the construction of docks and pilings in Prices' Creek for the water front of those Lots which abut Prices' Creek. Variation of boat dock elevation on Prices' Creek may be permitted with the specific written consent of the Home Owner' Association.

No discharge or refuse shall be permitted from docks into the waters. All dock erection, construction, maintenance, permission, final size, placement and use shall be subject to the approval of the Architectural Review Board and any applicable requirements and/or agencies.

9. Article XII Section 1 of the Declaration is deleted in its entirety:

ARTICLE XII.
 Central Sewage Disposal System

~~Section I. A central sewage disposal system is being constructed by the Subdivider and said system shall be owned and operated by the Subdivider pursuant to a Certificate of Convenience and Necessity issued by the Florida Public Service Commission in accordance with its regulations and the rules of Florida. Owner shall be assessed and agrees to pay costs for extending the system to the Owner's lot or lots, hook-up charges and monthly rates pursuant to the rates and schedules approved and adopted by the Florida Public Service Commission.~~

10. Article XII Section 2 of the Declaration is deleted in its entirety:

ARTICLE XII.
 Central Sewage Disposal System

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~~Section 2. The Subdivider may assign or convey the ownership and/or operation of the central sewage disposal system to other governmental authorities, other private corporations, or the Association, but it is not obligated to do so.~~

(Article Intentionally Left Blank)

(Certificate of Amendment on next page.)

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CERTIFICATE OF AMENDMENT

I, James Schwaller, as President of Riverhaven Village Property Owners Association, Inc., hereby certify that the ten (10) sections listed above of this First Amendment to the Revitalized Declarations of Restrictions of Riverhaven Village Phase II were duly adopted on May 3, 2017 at a duly noticed Members' meeting, amending the Declaration.

- A total of 97 votes were cast for and 18 votes were cast against Section One (1) above.
 - A total of 107 votes were cast for and 8 votes were cast against Section Two (2) above.
 - A total of 92 votes were cast for and 23 votes were cast against Section Three (3) above.
 - A total of 98 votes were cast for and 16 votes were cast against Section Four (4) above.
 - A total of 100 votes were cast for and 15 votes were cast against Section Five (5) above.
 - A total of 99 votes were cast for and 15 votes were cast against Section Six (6) above.
 - A total of 110 votes were cast for and 4 votes were cast against Section Seven (7) above.
 - A total of 99 votes were cast for and 15 votes were cast against Section Eight (8) above.
 - A total of 110 votes were cast for and 4 votes were cast against Section Nine (9) above.
 - A total of 111 votes were cast for and 3 votes were cast against Section Ten (10) above.
- Each of these votes constitute at least two-thirds (2/3) of the voting interests of the Association as evidenced by the recordation of this amendatory instrument executed by the President and Secretary of the Association.

WITNESSES:

Trudy McLaughlin
Signature

Print Name: Trudy McLaughlin

Sharon Vetter
Signature

Print Name: Sharon Vetter

Riverhaven Village Property Owners Association, Inc.:

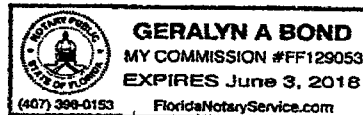
By: James Schwaller
James Schwaller as President

20 Village Services
2541 N Reston Terr
Hernando, FL 34442

STATE OF FLORIDA
COUNTY OF CITRUS

The foregoing instrument was acknowledged before me this 31 day of July, 2017, by James Schwaller, as President of Riverhaven Village Property Owners Association, Inc., who is personally known to me or has produced _____ as identification.

Geralyn A. Bond
Notary Signature Geralyn A. Bond
Notary Stamp or Seal 6/3/18



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WITNESSES:

Indy McLaughlin
Signature
Print Name: Indy McLaughlin
Sharon Vetter
Signature
Print Name: Sharon Vetter

Riverhaven Village Property Owners Association, Inc.:

By: Mary Pommier
Mary Pommier as Secretary
c/o Village Services
2541 N Reston Terr
Hernando, FL 34442

STATE OF FLORIDA
COUNTY OF CITRUS

The foregoing instrument was acknowledged before me this 31 day of July, 2017, by Mary Pommier as Secretary of Riverhaven Village Property Owners Association, Inc., who is personally known to me or has produced _____ as identification.

Geralyn A. Bond
Notary Signature Geralyn A. Bond
Notary Stamp or Seal: 6/3/18

