

#### SUPPLEMENTAL DECLARATION TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF BAYOU PASS VILLAGE SUBDIVISION

This Supplemental Declaration is made this  $23^{4}$  day of 300, 300, by Florida Home Partnership Inc., a Florida non for profit corporation (previously known as Homes for Hillsborough, Inc., a Florida not for profit corporation), hereinafter called "Developer," and TMSM Properties, LLC., a Florida limited liability company, hereinafter called "Owner."

Whereas, Owner is the owner of certain real property in Hillsborough County, Florida, described as Bayou Pass Village Subdivision Phase II, as described on Exhibit "A" attached hereto and made a part hereof (the "Property"); and

Whereas, Developer has previously recorded that certain Declaration of Protective Covenants, Conditions Restrictions and Easements for Bayou Pass Village Subdivision, recorded February 18<sup>th</sup>, 2005, at O.R. Book 14700, Page 1164 of the public records of Hillsborough County, Florida, (the "Declaration"); and

Whereas, the Declaration provided in Article VII for the annexation of additional lands to the Property described in the Declaration by the filing of a supplemental declaration by Developer; and

Whereas, the Developer intends to make the adjacent Property subject to the Declaration;

WHEREAS, Developer intends to develop the Property into a residential community to consist of single family homes; and

WHEREAS, Developer desires to impose a common plan of development and enjoyment upon the Property to protect its value and desirability;

NOW, THEREFORE, Developer and Owner hereby declares that the Property described as Bayou Pass Village Subdivision Phase II, as described on Exhibit "A" attached hereto and made a part hereof, shall be held, sold and conveyed subject to the Declaration of Covenants, Conditions and Restrictions of Bayou Pass Village Subdivision, recorded February 18<sup>th</sup>, 2005, at O.R. Book 14700, Page 1164 of the public records of Hillsborough County, Florida, (the "Declaration"); and which is for the purpose of protecting the value and desirability of, and which shall run with, said real property and be binding on all parties having any right, title or interest therein

#### BEST IMAGE(S)

or any part thereof, their respective heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner thereof.

**IN WITNESS WHEREOF**, the Developer has caused these presents to be executed in its corporate name by its officers thereunto duly authorized and its corporate seal properly attested to be hereto affixed on the day and year first above written.

AMIN FELDER

Please Print Name

Florida Home Partnership, Inc., a Florida corporation, by

Comb

Kenneth McComb Vice President

Marion P. mathiasm

Marim P. Mathiason Please Print Name

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this  $\frac{2/5T}{2}$  day of  $J_{uly}$ , 2006, by Kenneth McComb, as Vice President of Florida Home Partnership, Inc., a Florida corporation. He is personally known to me or has produced  $\underline{FL}$   $\underline{D_{RIVER'S}}$   $\underline{LICENSE}$  as identification.



CLARCY Serial #: DD 46440

My Commission Expires: 08

## THIS IS NOT A

WATNESSES: -ancy **Please Print Name** 

Managing Member

a Florida limited liability company, by

TMSM Properties, LLC.,

Marion P. Matricism

Marion P. Mathiason Please Print Name

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

JANICE M. CLANCY MY COMMISSION # DD 464405 EXPIRES: August 22, 2009 anded Thru Notary Public Underwrite

MOTARY Name: Janice CLARCY

Serial #: DD 464 405 My Commission Expires: D8/22/200



#### LEGAL DESCRIPTION:

A portion of land lying in the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 16, Township 32 South, Range 19 East, Hillsborough County, Flarido; being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 16. Township 32 South, Range 19 East, Hillsborough County, Florida; thence along the East line of the West 1/2 of the Northeast 1/4 of said Section 16. N00"20'42"E, for 1585.48 feet; thence leaving said East line, N89"36'01"W, for 20.00 feet to the West right of way line of 21st Street and the POINT OF BEGINNING; thence continue N89"36'01"W, for 105.00 feet; thence N00"20'42"E, for 981.95 feet; thence S89"36'01"E, for 105.00 feet to the West right of way line of 21st Street; thence along said West right of way line, S00"20'42"W, for 981.95 feet to the POINT OF BEGINNING.

TOGETHER WITH:

A portion of land lying in the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 16. Township 32 South, Range 19 East, Hillsborough County, Florida; being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 16, Township 32 South, Range 19 East, Hillsborough County, Florida; thence along the East line of the West 1/2 of the Northeast 1/4 of said Section 16, N00'20'42"E, for 2628.57 feet; thence leaving said East line, N89'36'01"W, for 20.00 feet to the West right of way line of 21st Street and the POINT OF BEGINNING; thence continue N89'36'01"W, for 105.00 feet; thence N00'20'42"E, for 18.00 feet to the Sauth right of way line of 14th Avenue SE; thence along said South right of way line, S89'36'01"E, for 105.00 feet to the West right of way line of 21st Street; thence along said West right of way line, S00'20'42"W, for 18.00 feet to the POINT OF BEGINNING.

All containing 2.41 acres more or less.

#### NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED UPON ASSUMED DATUM, MORE SPECIFICALLY THE EAST LINE OF THE WEST 1/2 OF THE NE 1/4 OF SECTION 16, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA. SAID BEARING: NOO"20"42"E.

2. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY HILLS & ASSOCIATES, INC.

3. THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED WITHOUT THE BENIFIT OF A TITLE POLICY AND IS SUBJECT TO ANY AND ALL RECORDED AND OR UNRECORDED EASEMENT, RIGHT-OF-WAY, RESCRICTIONS, ETC.

4. THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

HiLLS & ASSOCIATES, INC. BOS Genjemin Road, Bute G Tempor, Fibical, 38334 Prom; 813-487-3140 Face 813-487-3140	EXHIBIT "A" PROPOSED LOTS 2–20 BAYOU PASS PHASE 2 SKETCH AND DESCRIPTION	DATE 07/10/06	SCALE 1"=50'	JOB NO. 03-042	
		DRAWN J.W.		еет 4 of	4

EXHIBIT "A" Page 1 of 4

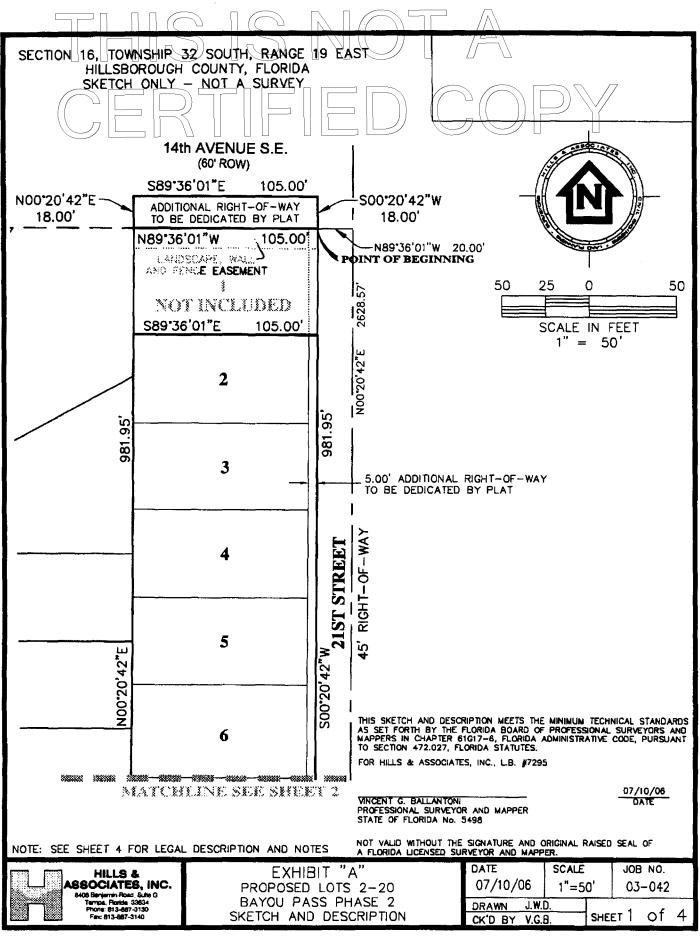


EXHIBIT "A" Page 2 of 4

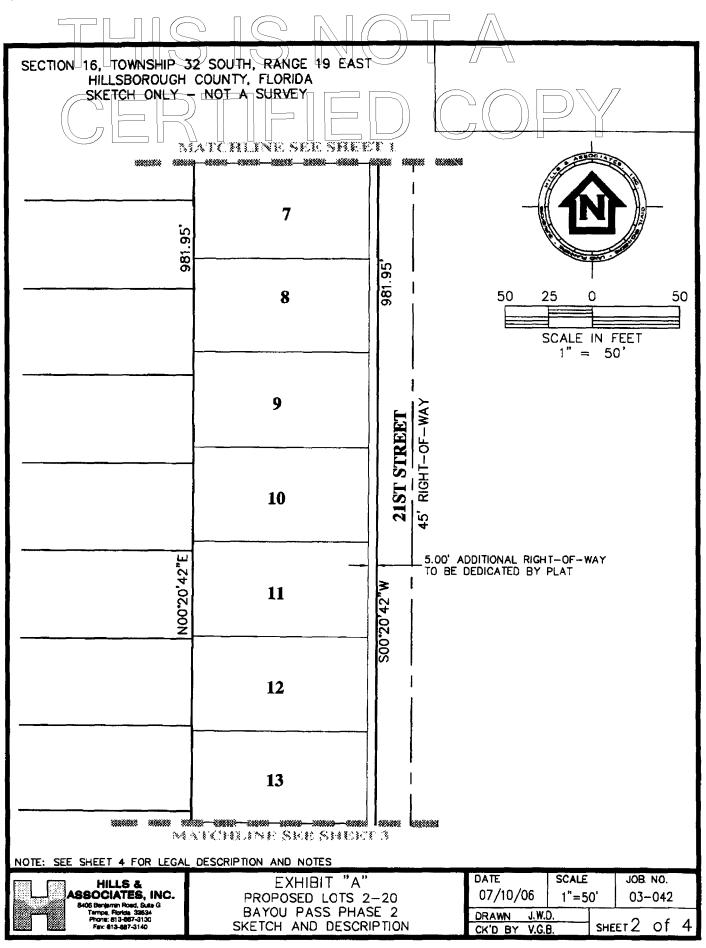


EXHIBIT "A" Page 3 of 4

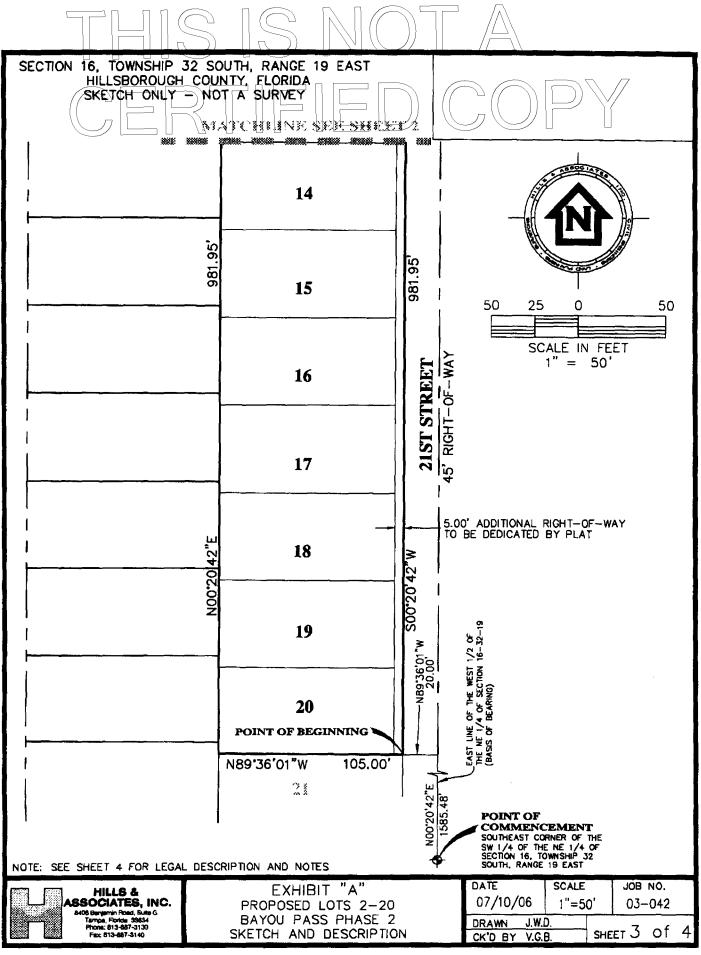


EXHIBIT "A" Page 4 of 4

### THIS IS NOT A JOINDER AND CONSENT Che undersigned, Hope Martinez, owner of the property more particularly described in the

attached Exhibit "B" hereby joins in and consents to the Declaration of Protective Covenants, Conditions Restrictions and Easements for Bayou Pass Village Subdivision, and hereby subjects the following Property to the provisions of the Declaration of Protective Covenants, Conditions Restrictions and Easements for Bayou Pass Village Subdivision, recorded February 18<sup>th</sup>, 2005, at O.R. Book 14700, Page 1164; and as supplemented; all of the public records of Hillsborough County, Florida.

Executed and declared in the presence of:

Print Name

Mayon P. Mathiasm Marin P. Mathiasm Print Name

Hope Martinez

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this  $\frac{\partial l s T}{\partial l s}$  day of  $\frac{\partial l s T}{\partial l s}$  day of  $\frac{\partial l s T}{\partial l s}$  day of  $\frac{\partial l s T}{\partial l s}$  as identification.



**ótary Public** 

Printed, typed or stamped name of Notar

Commission Number:



#### LEGAL DESCRIPTION:

A portion of land lying in the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 16, Township 32 South, Range 19 East, Hillsborough County, Florida; being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 16, Township 32 South, Range 19 East, Hillsborough Caunty, Florida; thence along the East line of the West 1/2 of the Northeast 1/4 of said Section 16, N00°20'42"E, for 2567.41 feet; thence leaving said East line, N89'36'01"W, for 20.00 feet to the West right of way line of 21st Street and the POINT OF BEGINNING; thence continue N89'36'01"W, for 105.00 feet; thence N00°20'42"E, for 61.33 feet; thence S89'30'20"E, for 105.00 feet to the West right of way line of said 21st Street; thence along said West right of way line, S00°20'42"W, for 61.15 feet to the POINT OF BEGINNING and containing 0.15 acres more or less.

#### NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED UPON ASSUMED DATUM, MORE SPECIFICALLY THE EAST LINE OF THE WEST 1/2 OF THE NE 1/4 OF SECTION 16, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA. SAID BEARING: NO0"20"42"E.

2. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY HILLS & ASSOCIATES, INC.

3. THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED WITHOUT THE BENIFIT OF A TITLE POLICY AND IS SUBJECT TO ANY AND ALL RECORDED AND OR UNRECORDED EASEMENT, RIGHT-OF-WAY, RESCRICTIONS, ETC.

4. THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

	EXHIBIT "A" PROPOSED LOT 1	DATE 07/10/06	SCALE 1"=30'	JOB NO. 03-042	
8406 Berjamin Roed, Sulle G Tempa, Florida 33634 Prons: 813-887-3130 Fax: 813-867-3140	BAYOU PASS PHASE 2 SKETCH AND DESCRIPTION	DRAWN J.W.		HEET 2 Of	2

EXHIBIT "B" Page 1 of 2

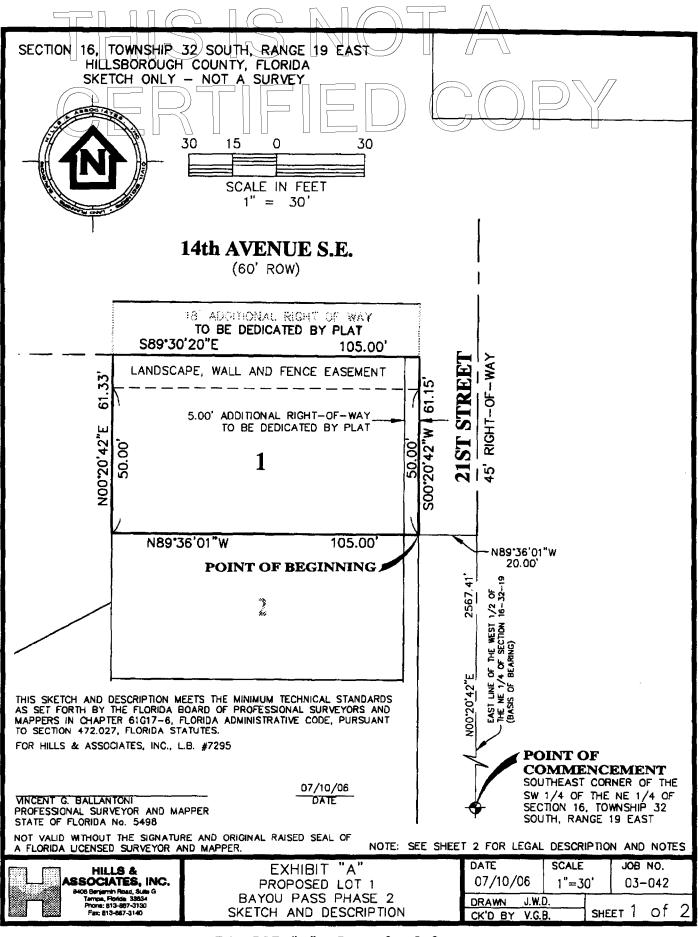


EXHIBIT "B" Page 2 of 2

# JOINDER AND CONSENT

The undersigned, Jesus and Victoria Ornelas, owners of the property more particularly described in the attached Exhibit "C" hereby join in and consent to the Declaration of Protective Covenants, Conditions Restrictions and Easements for Bayou Pass Village Subdivision,, and hereby subject the following Property to the provisions of the Declaration of Protective Covenants, Conditions Restrictions and Easements for Bayou Pass Village Subdivision, recorded February 18th, 2005, at O.R. Book 14700, Page 1164; and as supplemented; all of the public records of Hillsborough County, Florida.

Executed and declared in the presence of:

Print Name

Marion P. Marth Marion R. Mathiasn Print Name

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

elas

The foregoing instrument was acknowledged before me this 2/3/2 day of 2006 by Jesus Ornelas, who is personally known to me or who has produced as identification. .



nice M. Clan Notary Public anice

Printed, typed or stamped name of Notary

Commission Number:

Executed and declared in the presence of: ONICE M. anc Print Name Marion P. Marth Victoria Ornelas Marion P. Mathiason Print Name

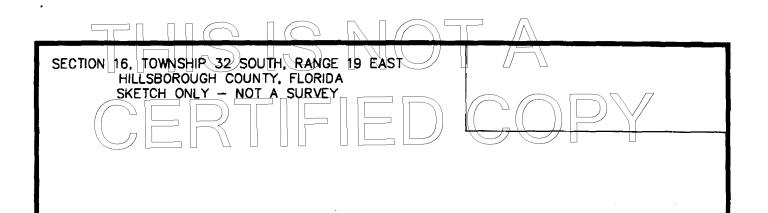
STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 2/st day of 2006 by Victoria Ornelas, who is personally known to me or who has produced as identification. Driver's licen



ice M. Clany otary Public Printed, typed or stamped name of Notary

Commission Number:



#### LEGAL DESCRIPTION:

A portion of land lying in the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 16, Township 32 South, Range 19 East, Hillsborough County, Florida; being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 16, Township 32 South, Ronge 19 East, Hillsborough County, Florida; thence along the East line of the West 1/2 of the Northeast 1/4 of said Section 16, N00°20'42"E, for 1519.14 feet; thence leaving said East line, N89°30'20"W, for 20.00 feet to the West right of way line of 21st Street and the POINT OF BEGINNING; thence continue N89°30'20"W, for 105.00 feet; thence N00°20'42"E, for 66.12 feet; thence S89°36'01"E, for 105.00 feet to said West right of way line; thence along said West right of way line, S00°20'42"W, for 66.29 feet to the POINT OF BEGINNING and containing 0.16 acres more or less.

#### NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED UPON ASSUMED DATUM, MORE SPECIFICALLY THE EAST LINE OF THE WEST 1/2 OF THE NE 1/4 OF SECTION 16, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA. SAID BEARING: N00"20"42"E.

2. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY HILLS & ASSOCIATES, INC.

3. THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED WITHOUT THE BENIFIT OF A TITLE POLICY AND IS SUBJECT TO ANY AND ALL RECORDED AND OR UNRECORDED EASEMENT, RIGHT-OF-WAY, RESCRICTIONS, ETC.

4. THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

HILLS & ASSOCIATES, INC. 8408 Bevierrein Rosci, Sulle Q Terropa, Rovica 33834 Prome: 813-887-3130 Fax: 813-887-3140	EXHIBIT "A" PROPOSED LOT 21 BAYOU PASS PHASE 2 SKETCH AND DESCRIPTION	DATE 06/28/06	SCALE 1"=30	)' (03-	NO. -042	
		DRAWN J.W. CK'D BY V.G.		SHEET 2	of	2

EXHIBIT "C" Page 1 of 2

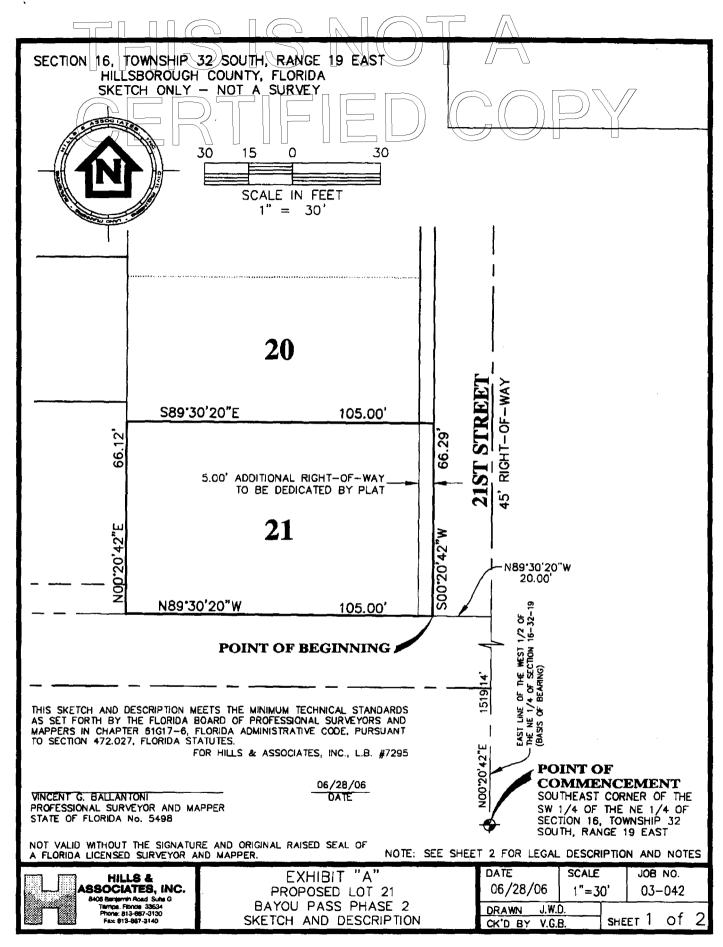


EXHIBIT "C" Page 2 of 2