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Pgs 1841 - 1879; (39pgs)  
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PAT FRANK CLERK OF COURT  
HILLSBOROUGH COUNTY  
DEPUTY CLERK C Lewis

**CERTIFICATE OF AMENDMENT AND IRREVOCABLE CONSENTS AND JOINDERS TO AMENDMENTS TO ARTICLE VII, SECTION 8., AND ARTICLE VIII, SECTION 6., OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ABERDEEN CREEK**

WHEREAS, ABERDEEN CREEK, as more particularly described in Plat Book 90, page 41, is a subdivision created pursuant to that Declaration of Covenants, Conditions and Restrictions of Aberdeen Creek, as recorded in Official Records Book 10640, Page 1355, et. seq.(hereinafter the "Declaration of Covenants, Conditions and Restrictions for Aberdeen Creek"), all of the Public Records of Hillsborough County, Florida and

WHEREAS, Article VIII, Section 6., of the Declaration of Covenants, Conditions and Restrictions for Aberdeen Creek, provides that it may be amended by an instrument signed by members entitled to cast not less than two thirds (2/3) of the votes of each class of the membership pursuant to Article IV, Section 2., of the Declaration of Covenants, Conditions and Restrictions for Aberdeen Creek, therefore,

WE, the undersigned members who are entitled to cast not less than two-thirds (2/3) of the votes of each class of membership pursuant to Article IV, Section 2., of the Declaration of Covenants, Conditions and Restrictions for Aberdeen Creek, hereby irrevocably, jointly and collectively consent to the Amendment to Article VII, Section 8., and jointly and collective consent to the Amendment to Article VIII, Section 6., of the Declaration of Covenants, Conditions and Restrictions for Aberdeen Creek as stated hereinbelow:

**Article VII Section 8 of the Declaration of Covenants, Conditions and Restrictions of Aberdeen Creek is amended to read as follows:**

Section 8. Dwellings. Only one Dwelling may be constructed on any Lot. The minimum square footage of each Dwelling constructed after the recording of this amendment shall be 1400 2,000 square feet of air conditioning living space and an attached garage with parking capacity for at least two (2) full sized automobiles. No trailer, manufactured home, manufactured building, mobile home, tent, shack, garage, barn, storage shed, structure of a temporary character, or other outbuilding shall be constructed or parked on any Lot at any time, except for a construction shack, security trailer, temporary structure or temporary toilet during construction of a Dwelling by Declarant or its transferees. Any Dwelling constructed on a Lot shall be in accord with the front yard and rear yard setback requirements set forth in the Hillsborough County Zoning Regulations. No structural or non-structural additions shall be permitted without written permission of the Architectural Committee. All driveways and sidewalks shall be constructed, reconstructed or repaired with the materials and in the manner in which they were originally constructed, and no colors, coatings, pavers, epoxies or similar treatments shall be permitted.

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**Article VIII Section 6 of the Declaration of Covenants, Conditions and Restrictions of Aberdeen Creek is amended to read as follows:**

Section 6. Amendment. The provisions of this Declaration will run with and bind the Properties, and will inure to the benefit of and be enforceable by the Association for so long as the Properties are used in whole or in part as a residential community, and in all events, for at least twenty-five (25) years following the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten years. This Declaration may be amended by an instrument signed by the affirmative vote of members entitled to cast not less than two thirds (2/3) of the votes of each class of the membership, pursuant to Article IV, Section 2 hereof. No amendment shall be effective which shall impair or prejudice the rights or priorities of the Declarant, or any Institutional Mortgagee without the specific written approval of the Declarant or Institutional Mortgagee effected thereby. Any amendment affecting the Surface Water Management System Facilities or the operation and maintenance of the Surface Water Management System Facilities shall have the prior written approval of the Southwest Florida Water Management District. ~~During the first two years after execution hereof, Declarant may amend this Declaration by recording an instrument stating such amendment, for the sole purpose of complying with requirements of the Federal Housing Administration, Veterans Administration, or Southwest Florida Water Management District.~~


**CODING:** The full text to be amended is stated: New words to be inserted are double-underlined. Text to be deleted is ~~stricken through~~.

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**THEREFORE**, We, **ROB FISHER**, as President and **CLIFFORD REISS**, as Secretary of Aberdeen Creek Homeowners Association, Inc. do hereby affirm and certify that attached hereto are written consents to the Amendments to Article VII, Section 8. and Article VIII, Section 6., of the Declaration of Covenants, Conditions and Restrictions for Aberdeen Creek, as executed and acknowledged by not less than two-thirds (2/3) of the membership, as evidenced by the Irrevocable Consents and Joinders attached hereto, and as a result thereof, the amendments to Article VII, Section 8 and Article VIII, Section 6., of the Declaration of Covenants, Conditions and Restrictions for Aberdeen Creek are duly adopted as stated herein above.

ABERDEEN CREEK HOMEOWNERS  
ASSOCIATION, INC.


  
By: ROB FISHER, President

  
By: CLIFFORD REISS, Secretary

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this 29<sup>th</sup> day of October, 2005, before me personally appeared ROB FISHER, as President and CLIFFORD REISS, as Secretary of Aberdeen Creek Homeowners Association, Inc., and after being duly sworn, under oath, severally acknowledged, executing the same under the authority duly vest in them by said corporation.

Witness my hand and official seal in the county and state last aforesaid this 29<sup>th</sup> day October, 2005.

NOTARY PUBLIC-STATE OF FLORIDA  
 Victoria S. Garcia  
Commission # DD428095  
Expires: JUNE 29, 2009  
Bonded Thru Atlantic Bonding Co., Inc.

  
NOTARY PUBLIC

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