

PREPARED BY, RECORD AND RETURN TO:

Brian K. Goodkind
Goodkind & Florio, P.A.
4121 La Playa Blvd.
Coconut Grove, Florida 33133

[Space Above This Line For Recording Data]

**FIFTEENTH AMENDMENT TO SECOND AMENDED AND RESTATED
DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR
TESORO**

AND

SUPPLEMENTAL DECLARATION

THIS FIFTEENTH AMENDMENT TO SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR TESORO AND SUPPLEMENTAL DECLARATION (this "Amendment") is entered into as of the date on which it is executed below by the by RM Tesoro, LLC, a Florida limited liability company ("Declarant"), whose address is 1401 Forum Way, Suite 700, West Palm Beach, Florida, 33401.

RECITALS

WHEREAS, Declarant, by virtue of that certain Assignment and Assumption of Declarant's Rights dated October 16, 2020 and recorded in Official Records Book 4496, Page 1647 of the Public Records of St. Lucie County, Florida, became the "Declarant" under that certain Declaration of Covenants, Restrictions and Easements for Tesoro, recorded in Official Records Book 1512, Page 2802, and Supplemental Declaration recorded in Official Records Book 1662, Page 2666; as amended and restated in Official Records Book 1759, Page 364; and amended and restated in Official Records Book 1803, Page 898; and amended and supplemented in Official Records Book 1849, Page 1691, Official Records Book 2075, Page 1983, Official Records Book 2178, Page 354, Official Records Book 2374, Page 2508, Official Records Book 2402, Page 1717, Official Records Book 2520, Page 729, Official Records Book 2520, Page 733, Official Records Book 2535, Page 2913, Official Records Book 3159, Page 28, Official Records Book 3187, Page 621, Official Records Book 3257, Page 1519, Official Records Book 4295, Page 2424, Official Records Book 4555, Page 1172, Official Records Book 4579, Page 4, Official Records Book 4625, Page 2005, and Official Records Book 4746, Page 2805; as affected by that Release from Declaration recorded in Official Records Book 2114, Page 2115 (collectively, the "Master Declaration"), as of the Public Records of St. Lucie County, Florida.

NOW, THEREFORE, Declarant hereby amends the Master Declaration as follows:

1. **Capitalized Terms.** Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Master Declaration.

2. Private Use. Article IV, Section 7(A) is amended to add the following sentence to the end of the existing paragraph: “Builders may use the POA Property in connection with the sale and marketing of homes by Builder (including construction access), subject to Declarant’s express written consent in Declarant’s sole discretion, and subject to any terms and conditions set forth in such written consent.”

3. Models. Article IV, Section 8 is amended to add the following sentence to the end of the existing paragraph: “Builders shall have the right to construct and operate model homes in connection with the marketing and sale of Homes in Tesoro, subject to and in accordance with the Design Guidelines, and each Owner’s acknowledgments in subsections (i), (ii) and (ii) of this Section 8(A) are deemed made with respect to any “model(s)” constructed and operated by Builders.”

4. Working Fund Contribution. The first sentence of Article VI, Section 14 is hereby deleted and replaced with the following sentence: “Any person or entity who is the first Owner to hold title to a Lot, other than the Declarant, an affiliate of Declarant, a Builder, or a land bank investor who purchases Unimproved Lots for the purpose of selling such Unimproved Lots to a Builder, shall pay to the POA at the time legal title is conveyed to such Owner, a “Working Fund Contribution.””

5. Parking and Vehicular Restrictions. Article IX, Section 5 is amended to add the following sentence to the end of the existing paragraph: “Notwithstanding the foregoing restrictions on parking, Declarant has the right, in Declarant’s sole discretion, to permit Builders and their contractors to park construction related vehicles during the construction of a Home in places designed by Declarant at such times, subject to Declarant’s express written consent and any terms and conditions set forth in Declarant’s written consent.”

6. Temporary Structures. Article IX, Section 14 is amended to add the following sentence to the end of the existing paragraph: “Declarant shall have the right to permit a Builder to install and use one (1) construction trailer on an Unimproved Lot owned by such Builder, subject to Declarant’s approval of the proposed trailer, location, screening, landscaping and hardscaping plans, which approval shall not be unreasonably withheld.”

7. Non-Interference. Article IX, Section 23 is amended to add the following sentence to the end of the existing first paragraph of that Section: “As a matter of clarification, the references to Declarant’s Home building activities in this paragraph and the exemptions from interference therewith shall apply equally to Builders; provided that, Declarant shall have the right to enforce any restrictions or conditions it imposes on Builders pursuant to other terms and provisions of this Master Declaration.”

8. FHA, VA and USDA Exemption. The following paragraph is added as Section 21 of Article XII of the Master Declaration:

FHA, VA AND USDA EXEMPTION. Notwithstanding any inconsistent or contrary provision, or portion thereof, in this Master Declaration, if there are any FHA, VA or USDA insured loans encumbering a Lot, and only for so long as any such loans encumber the Lot in question, any provisions or portions of this Declaration on renting, subleasing,

or reconveyance that violate the requirements or terms of such FHA, VA or USDA loan encumbering the Lot in question shall not apply to the Lot in question or its Owner.

9. Further Amendments. Notwithstanding anything to the contrary in the Declaration, the rights and privileges afforded to Builders in this Fifteenth Amendment may not be revoked or further amended in any manner that adversely affects such rights or privileges without the joinder and consent of the Builders who then-own Lots in Tesoro.

10. Effect of Amendment. Except as modified herein, the Master Declaration remains in full force. For clarification and without in any way limiting the effect of the Master Declaration generally, Article XII, Sections 4 and 5 shall be deemed to apply to this Amendment and all prior amendments of the Master Declaration.

[remainder of page intentionally blank]

