

3120140001080 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF CIRCUIT COURT INDIAN RIVER CO FL  
BK: 2729 PG: 1105, 1/9/2014 10:19 AM

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(DO NOT WRITE ABOVE THIS LINE)

**SECOND AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS, EASEMENTS,  
RIGHTS, LIMITATIONS, AND RESTRICTIONS  
FOR FIELDSTONE RANCH SUBDIVISION**

THIS SECOND AMENDMENT to the Declaration of Covenants, Conditions, Easements, Rights, Limitations, and Restrictions for FIELDSTONE RANCH SUBDIVISION is made and executed this 9<sup>th</sup> day of January, 2014, by GHO FIELDSTONE RANCH CORP., a Florida corporation, its successors and/or assigns ('the Developer') with the consent of The Fieldstone Ranch Homeowners' Association, Inc., a Florida not for profit corporation by William Handler, its President, with the approval of no less than sixty-six percent (66%) of the owners of the lots in the FIELDSTONE RANCH SUBDIVISION ('the Subdivision').

**WITNESSETH**

WHEREAS, the Fieldstone Ranch Subdivision Homeowners' Association, Inc. is governed by those certain Declaration of Restrictions Applicable to the FIELDSTONE RANCH SUBDIVISION, recorded on January 30, 2009, in Official Records Book 2317, Page 1528, and as amended on January 2, 2013 in Official Records Book 2633, Page 16, all of the Public Records of Indian River County, Florida; ('the Declaration') and

WHEREAS, pursuant to Article VIII section 2 of the Declaration, the Declaration may be amended by an affirmative vote of at least 66% of the total voting interest of the Association and the Association determines it is in its best interest to make the revisions contained below related to the installation of sidewalks within the subdivision; and

WHEREAS, pursuant to Article II subsection 23 of the Declaration, the Developer is granted the exclusive right to add and/or remove real property from this Development in its sole and absolute discretion; and

WHEREAS, the Developer is adding certain real property to the subdivision that will be subject to the control of the Declaration to be known as 'Phase III' specifically made up of 39 lots; and

WHEREAS, the Association may amend the Declaration upon the affirmative vote of at least sixty-six (66%) percent of the total voting interests; and

WHEREAS, the Association consents to the amendment of the Declaration to reflect the addition of the lands comprising Phase III;

NOW THEREFORE, the Fieldstone Ranch Homeowners' Association, Inc. does hereby declare that Declaration shall be amended to indicate the addition of the following described lands to the Subdivision and otherwise known as Phase III:

A PORTION OF TRACT 2, SECTION 5, TOWNSHIP 32 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF THE INDIAN RIVER FARMS COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LANDS NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 8, THE FIELDSTONE RANCH SUBDIVISION - PHASE 2, AS RECORDED IN PLAT BOOK 26, PAGES 67 THROUGH 69 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, SAID POINT ALSO LYING ON THE EASTERLY LINE OF RE-PLAT OF SPY GLASS AFFIDAVIT OF EXEMPTION SUBDIVISION, AS RECORDED IN PLAT BOOK 26, PAGES 60 THROUGH 62 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA AND SAID POINT ALSO LYING ON THE WEST LINE OF AFORESAID TRACT 2; THENCE RUN S 00°28'29"W ALONG SAID EASTERLY LINE OF SAID RE-PLAT OF SPYGLASS AFFIDAVIT OF EXEMPTION SUBDIVISION AND THE WEST LINE OF SAID TRACT 2, A DISTANCE OF 474.36 FEET TO THE SOUTH EAST CORNER OF SAID RE-PLAT OF SPYGLASS AFFIDAVIT OF EXEMPTION SUBDIVISION AND THE SOUTHWEST CORNER OF TRACT 2, SECTION 5, TOWNSHIP 32 SOUTH, RANGE 39 EAST; THENCE LEAVING SAID LINE, RUN S 89°45'05"E ALONG THE SOUTH LINE OF SAID TRACT 2, A DISTANCE OF 1326.43 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 2, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT 1 OF SAID SECTION 5; THENCE CONTINUE S 89°45'05"E, A DISTANCE OF 60.52 FEET TO A POINT LYING ON THE WESTERLY BORDER OF THE FIELDSTONE RANCH SUBDIVISION - PHASE 1, AS RECORDED IN PLAT BOOK 24, PAGES 55 THROUGH 60 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, SAID POINT ALSO BEING A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, THE RADIUS OF WHICH BEARS N 00°14'52"E, A DISTANCE OF 675.00 FEET; THENCE RUN ALONG A COMMON LINE WITH SAID THE FIELDSTONE RANCH SUBDIVISION - PHASE 1 AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°51'37", AN ARC DISTANCE OF 57.26 FEET; THENCE RUN N 05°06'28"E ON A RADIAL LINE, A DISTANCE OF 150.06 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF VENETTO WAY, A 50 FOOT WIDE PRIVATE RIGHT OF WAY, AS SHOWN ON SAID PLAT OF THE FIELDSTONE RANCH SUBDIVISION - PHASE-1, SAID POINT ALSO BEING A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, THE RADIUS OF WHICH BEARS N 05°06'28"E, A DISTANCE OF 525.00

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FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°30'18", AN ARC DISTANCE OF 68.77 FEET TO A POINT; THENCE RUN N 12°36'46"E, A DISTANCE OF 50.00 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID VENETTA WAY, SAID POINT ALSO BEING A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, THE RADIUS OF WHICH BEARS N 12°36'46"E, A DISTANCE OF 475.00 FEET; THENCE RUN EASTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 07°53'40", AN ARC DISTANCE OF 65.45 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE RUN N 04°43'06"E ON A NON-RADIAL LINE, A DISTANCE OF 150.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, THE RADIUS OF WHICH BEARS N 04°43'06"E, A DISTANCE OF 325.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°14'59", AN ARC DISTANCE OF 148.90 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE EAST, THE RADIUS OF WHICH BEARS N 66°04'28"W, A DISTANCE OF 741.58 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°14'17", AN ARC DISTANCE OF 67.80 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, THE RADIUS OF WHICH BEARS S 71°18'45"E, A DISTANCE OF 25.00 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25°22'28", AN ARC DISTANCE OF 11.07 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH, THE RADIUS OF WHICH BEARS N 45°56'17"W, A DISTANCE OF 206.00 FEET; THENCE RUN NORTHERLY, WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH CENTRAL ANGLE OF 238°58'03", AN ARC DISTANCE OF 859.18 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST, THE RADIUS OF WHICH BEARS S 75°05'40"W, A DISTANCE OF 25.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°06'08", AN ARC DISTANCE OF 16.63 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, THE RADIUS OF WHICH BEARS N 66°48'12"W, A DISTANCE OF 391.58 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°01'56", AN ARC DISTANCE OF 239.42 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTH, THE RADIUS OF WHICH BEARS N 31°46'16"W, A DISTANCE OF 75.00 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°01'08", AN ARC DISTANCE OF 41.91 FEET TO A POINT OF TANGENCY; THENCE RUN N 89°45'08"W, A DISTANCE OF 333.60 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, THE RADIUS OF WHICH BEARS N 00°14'52"E, A DISTANCE OF 25.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°15'24", AN ARC DISTANCE OF 39.38 FEET TO A POINT OF TANGENCY; THENCE RUN N 00°30'16"E, A DISTANCE OF 44.27 FEET TO THE SOUTH LINE OF AFORESAID THE FIELDSTONE RANCH - PHASE 2 AND A POINT ON A CURVE, THE RADIUS OF WHICH BEARS N 04°53'37"W, A DISTANCE OF 450.00 FEET; THENCE LEAVING AFORESAID COMMON LINE WITH THE FIELDSTONE RANCH - PHASE 1, RUN WESTERLY ALONG A COMMON LINE WITH SAID THE FIELDSTONE RANCH - PHASE 2 AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°23'52", AN ARC DISTANCE OF 42.39 FEET TO A POINT OF TANGENCY; THENCE RUN N 89°29'44"W, A DISTANCE OF 157.67 FEET TO THE WEST RIGHT OF WAY LINE OF FIELDSTONE RANCH SQUARE, A 50.00 WIDE PRIVATE RIGHT OF WAY; THENCE RUN N 00°30'16"E ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 55.36 FEET; THENCE LEAVING SAID WESTERLY RIGHT OF WAY LINE AND CONTINUING ALONG AFORESAID COMMON LINE OF THE FIELDSTONE RANCH - PHASE 2, RUN N 89°29'44"W, A DISTANCE OF 149.59 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 15.84 ACRES MORE OR LESS

Said land show be included in the definition of "Property" or "Properties" as provided in the Declaration. Phase III shall be comprised of Lots 1 through 39 of Phase III as shown on Exhibit "A". Each lot shall be deemed a "lot" as defined in the Declaration.

NOW THEREFORE, the Fieldstone Ranch Homeowners' Association, Inc. does hereby declare that Declaration shall be amended by adding the following Section 4 to Article V Architectural Control:

Section 4. Sidewalks The construction of any sidewalk segments fronting or abutting and Lot shall be the responsibility of the Owner of said Lot and that all such sidewalk segments are required to be constructed prior to Indian River County, Florida issuing a Certificate of Occupancy for the residence constructed on said Lot. This provision cannot be modified or terminated without the written approval of Indian River County, Florida. In the event that any Owner fails to complete their respective sidewalk segment(s), the Association may do so (at its option) and shall be entitled to assess said Owner for the costs of completing said work and enforce such indebtedness as the same as a general assessment and shall be permitted to have a lien against the Lot for said amount and shall be entitled to enforce said lien as if the same were a lien for a general assessment.

Upon the recordation of this Amendment in the Public Records, it shall be and become a part of the Declaration. Unless otherwise modified herein, the Declaration shall otherwise remain in full force and effect.

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IN WITNESS WHEREOF, FIELDSTONE RANCH SUBDIVISION Property Owners' Association, Inc. has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
Witness Signature

Debra J. Soucie  
Witness Print Name

[Signature]  
Witness Signature

Rene Flowers  
Witness Print Name

FIELDSTONE RANCH HOMEOWNERS' ASSOCIATION, INC., a Florida not for profit corporation

[Signature]  
By: William Handler  
Its: President

GHO FIELDSTONE RANCH CORP., a Florida corporation

[Signature]  
By: William N. Handler  
Its: Managing Member

[Signature]  
Witness Signature

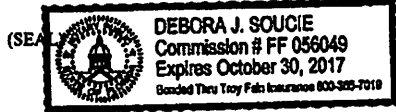
Debra J. Soucie  
Witness Print Name

[Signature]  
Witness Signature

Rene Flowers  
Witness Print Name

STATE OF FLORIDA  
COUNTY OF St. Lucie

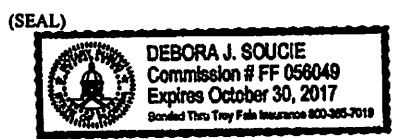
The foregoing instrument was acknowledged before me this \_\_\_ day of January, 2014, by William Handler as President of Fieldstone Ranch Homeowners' Association, Inc. a Florida not for profit corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.



[Signature]  
Notary Public

STATE OF FLORIDA  
COUNTY OF St. Lucie

The foregoing instrument was acknowledged before me this \_\_\_ day of January, 2014, by William N. Handler as President of GHO FIELDSTONE RANCH CORP., a Florida corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.



[Signature]  
Notary Public

EXHIBIT "A"

