

3

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2020084205 3 PG(S)
June 29, 2020 11:43:24 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

✓

Prepared by and Return to:
Richard A. Ulrich, Esq.
Ulrich, Searlett, Wickman & Dean, P.A.
713 S. Orange Avenue, Ste. 201
Sarasota, Florida 34236



CERTIFICATE OF AMENDMENT
TO
AMENDED AND RESTATED SECOND SUPPLEMENT LAND USE PROVISIONS FOR
THE PATIOS HOMES OF CHESTNUT CREEK

THE UNDERSIGNED, as President of PATIO HOMES OF CHESTNUT CREEK OWNERS ASSOCIATION, INC., a Florida not for profit corporation (hereinafter the "Association") hereby certifies that the Land Use Provisions of The Patio Homes of Chestnut Creek Subdivision originally recorded in Official Records Book 2034 Page 2557, et seq., Official Records Book 2153, Page 1749, Official Records Book 2153, Page 1754, Official Records Book 2196, Page 2172, and Official Records Instrument Number 1999066676 respectively, of the Public Records of Sarasota County, Florida, as amended, (the "Declaration), were duly amended by the required vote of the members of the Association at a meeting of the Association held on February 26, 2020. The document for amendment as submitted to members showed deleted terminology struck through and added terminology underlined, as follows:

ARTICLE VI
ARCHITECTURAL CONTROL

Section 6.2. Prohibition of Alterations and Additions. Except as hereinafter provided, no addition to, alteration of or change in color and material used shall be made to any Dwelling Unit except as may be specifically permitted by the Association in writing.

c) Prohibited Modifications. In no instance shall construction or installation of the following improvements be allowed:

~~(8)~~—(c) (8) The Association will allow, at the owner's choice, improvements to a driveway and/or walkway of their Dwelling Unit as follows:

- 1. ~~1.~~—The Driveway and/or walkway may only be "stained" (not painted) with a concrete sand color. The color will be included in the ARB guidelines approved by the Board. Prior written approval must be obtained. (See ARB Guidelines for details);

2. ~~2~~ — If the Owner decides, the improvement to the driveway and/or walkway can be the installation of Pavers. The color and/or style of the pavers will be approved by the Board and incorporated into the ARB Guidelines. There will be ONLY one color/style for Phase I (Red Tile Roof Homes) and one color/style for Phase II (White Tile Roof Homes). The approved color will be listed in the ARB Guidelines. In addition, if the Owner's driveway crosses the county sidewalk, they must obtain the required permit from the county, at their expense, to "pave over the sidewalk included in the ARB Guidelines and approved by the Board.

3. The dimensionality of the original footprint for driveways and walkways may be altered with strict adherence to the following guidelines:

(a) Width of driveways can be no less than the current footprint and no more than 18 feet.

The resulting width must be "symmetrical" to the existing/current driveway not all on one side or the other. That is, if the resident elects to use the maximum width of 18 feet, it must be 9 feet from center line of Garage door on each side.

(b) Width of walkways must adhere to the current footprint unless prior written approval from the ARB and Patios Board of Directors is obtained.

Any ground between the innermost edge of the walkway footprint and the dwelling itself can be filled to create an uninterrupted surface. The outermost edge of the walkway can be expanded wherever a curved design is desired to soften the angularity of the existing footprint with its 90 degree turns, the extent of said curving to be approved on an individual basis at the ARB and Grounds Committee discretion.

(c) The apron transitioning from street to driveway must not be more than 6 feet greater than the driveway width. That is, if the resulting driveway width is 16 feet, then the apron must not be more than 22 feet, but must taper to the allowable width for driveways (Sec 3. (a) above). If the resulting driveway is 18 feet, then the apron must not be more than 24 feet. Each side of the "new" apron can extend no more than three feet from each side of the new driveway, however the Apron must not begin before the driveway meets the edge of the current county sidewalk closest to the street. If there is no sidewalk, the apron again will be no more than 6 feet greater than the

driveway width. The taper must start at the same point of the current driveway but no more than 6 feet vertically from gutter.

(d) Any modification of the irrigation system necessitated by expansion of driveway or walkway is the responsibility of the homeowner; however, any such modification cannot deprive existing vegetation of adequate irrigation coverage. Failure in any instance resulting from the owner's modifications will result in the owner being made responsible for necessary repairs as ordered by the ARB.

4. Paver blocks whose color and/or style have been approved by the Board and incorporated into ARB Guidelines as listed in Patios Redbook can be substituted for concrete on driveways and walkways. Driveways that cross the county sidewalk, pavers can be allowed provided the owner acquires the required permit from the county at the owner's expense and supplied to ARB prior to construction.

DATED this 16 day of June, 2020.

Signed, sealed, and delivered
in our presence:

[Signature]
Print Name: Mark Reese
Witness

[Signature]
Print Name: Wendy Wood
Witness

**The Patio Homes of Chestnut Creek
Owners Association, Inc.**

By: [Signature]
Steve Chiara, President

ATTEST:
[Signature]
William Davis, Secretary

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 16 day of June, 2020, by Steve Chiara, as President and William Davis, as Secretary, of The Patio Homes of Chestnut Creek Owners Association, Inc., who is personally known to me or who has produced _____ as identification.



JACALYN K WOOD
MY COMMISSION # GG 091846
EXPIRES: April 20, 2021
Bonded Thru Budget Notary Services

[Signature]
Print Name: _____
Notary Public: