

PREPARED BY AND RETURN TO:

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-----SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA-----

**THIRD AMENDMENT TO COMMUNITY DECLARATION FOR
MEDLEY AT SOUTHSORE BAY**

THIS THIRD AMENDMENT TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY (this “**Amendment**”) is made by DUNE FL LAND I SUB LLC, a Delaware limited liability company and DUNE FB DEBT LLC, a Delaware limited liability company (collectively, the “**Declarant**”) and joined by the MEDLEY AT SOUTHSORE BAY COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation (the “**Association**”).

RECITALS

A. The Declarant recorded that certain COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY in Official Records Book 25800, Page 1357, Instrument Number 2018212347, of the Public Records of Hillsborough County, Florida, and that certain FIRST AMENDMENT TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY in Official Records Book 26152, Page 314, Instrument Number 2018426708, and that certain SECOND AMENDMENT TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY in Official Records Book 27002, Page 138, Instrument Number 2019428168, all of the Public Records of Hillsborough County, Florida, as may be further amended and/or supplemented from time to time (collectively, the “**Declaration**”).

B. Pursuant to Section 4.3 of the Declaration, the Declarant may amend the Declaration prior to the turnover, without the joinder or consent of any person or entity whatsoever.

C. The Turnover has not yet occurred.

NOW THEREFORE, the Declarant hereby amends the Declaration as set forth herein.

Words in the text which are lined through (———) indicate deletions from the present text; words in the text which are double-underlined indicate additions to the present text.

1. The foregoing recitals are true and correct and are incorporated into and form a part of this Amendment. All initially capitalized terms not defined herein shall have the meanings set forth in the Declaration.

2. In the event there is a conflict between this Amendment and the Declaration, this Amendment shall control. Whenever possible, this Amendment and the Declaration shall be construed as a single document. Except as modified hereby, the Declaration shall remain in full force and effect.

3. Section 12.22 of the Declaration is hereby amended to add the following sentence at the end of said Section 12.22 [SEE GOVERNING DOCUMENTS FOR COMPLETE CURRENT TEXT]:

Notwithstanding any inconsistent or contrary provision in this Declaration, if and only for so long as any Lot is encumbered by a mortgage insured by the Federal Housing Administration ("FHA"), Veterans Administration ("VA") or United States Department of Agriculture ("USDA"), any restrictions in this Declaration on renting, subleasing, or reconveyance of Lots that violate any mandatory FHA, VA, or USDA underwriting guidelines or requirements shall not apply to such Lot or its Owner, to the extent of any such violation, with any non-violating portion of such restrictions remaining in full force and effect.

4. The Declaration, as amended, is hereby incorporated by reference as though fully set forth herein and, except as specially amended hereinabove, is hereby ratified and confirmed in its entirety.

5. This Amendment shall be a covenant running with the land and shall be effective immediately upon its recording in Hillsborough County, Florida.

[Signatures on the Following Page]

IN WITNESS WHEREOF, the Declarant has executed this Amendment on the date first stated above.

WITNESSES:

"DECLARANT"

DUNE FL LAND I SUB, LLC, a
Delaware limited liability company

By: [Signature]
Name: John M. Ryan
Title: Manager

[Company Seal]

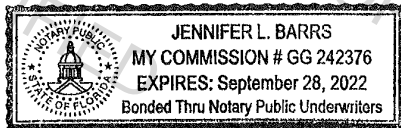
[Signature]
Print Name: Michael Lawson

[Signature]
Print Name: Jennifer Barrs

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12 day of October, 2021, by John M. Ryan, as Manager of DUNE FL LAND I SUB, LLC, a Delaware limited liability company. He ☒ is personally known to me or ☐ has produced _____ as identification.



[Signature]
Notary Public
Print Name: _____
My Commission Expires: _____

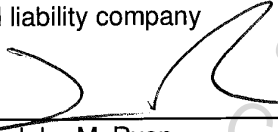
IN WITNESS WHEREOF, the Declarant has executed this Amendment on the date first stated above.


WITNESSES:

"DECLARANT"

DUNE FB DEBT LLC, a Delaware limited liability company


Print Name: Michael Lawson

By: 
Name: John M. Ryan
Title: Manager

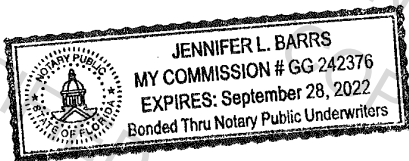

Print Name: Jennifer Barrs

[Company Seal]

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12 day of October, 2021, by John M. Ryan, as Manager of DUNE FB DEBT LLC, a Delaware limited liability company. He ☒ is personally known to me or ☐ has produced _____ as identification.




Notary Public
Print Name: _____
My Commission Expires: _____

JOINDER

MEDLEY AT SOUTHSORE BAY COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation (the "**Association**") does hereby join in THIRD AMENDMENT TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY (the "**Amendment**"), to which this Joinder is attached, and the terms thereof are and shall be binding upon the undersigned and its successors in title. The Association agrees this Joinder is for the purpose of evidencing the Association's acceptance of the Amendment and does not affect the validity of the Amendment as the Association has no right to approve the Amendment.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 12 day of October, 2021.

WITNESSES:

"ASSOCIATION"

MEDLEY AT SOUTHSORE BAY COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation

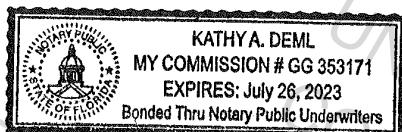
Print Name: Lori Campagna

By: Lori Campagna
Name: Lori Campagna
Title: President

Print Name: John Karaphillis

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12 day of October, 2021, by Lori Campagna, as President of MEDLEY AT SOUTHSORE BAY COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation. She ☒ is personally known to me or ☐ has produced _____ as identification.



Notary Public Kathy A Deml

Print Name: Kathy A Deml

My Commission Expires: 7/26/2023