

PREPARED BY AND RETURN TO:

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Tampa, Florida 33602

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**FOURTH AMENDMENT AND FIRST SUPPLEMENTAL DECLARATION
TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY**

THIS FOURTH AMENDMENT AND FIRST SUPPLEMENTAL DECLARATION TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY (this **“Fourth Amendment and First Supplement”**) 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”**) and consented to by LENNAR HOMES, LLC, a Florida limited liability company (**“Lennar”**).

RECITALS

A. The Declarant recorded that certain COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY in the Official Records as Instrument Number 2018212347, and that certain FIRST AMENDMENT TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY in the Official Records as Instrument Number 2018426708, and that certain SECOND AMENDMENT TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY in the Official Records as Instrument Number 2019428168, and that certain THIRD AMENDMENT TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY in the Official Records as Instrument Number 2021523040, 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, except the consent of an Authorized Builder so long as such Authorized Builder shall own any Lot.

C. Pursuant to Section 5.1 of the Declaration, the Declarant may annex additional land by recording a Supplemental Declaration.

D. The Turnover has not yet occurred.

E. The Declarant wishes, in accordance with the Declaration, to file of record this Fourth Amendment and First Supplement for the purpose of annexing additional land to MEDLEY AT SOUTHSORE BAY and amending the Declaration as provided herein.

NOW THEREFORE, the Declarant hereby amends and supplements 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. The text will not be double-underlined or stricken when whole sections or paragraphs are added or deleted in their entirety.

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

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

3. Annexation. The Declaration is hereby amended by the addition of the real property legally described and depicted in Schedule A, attached hereto and incorporated herein by this reference (collectively, the "Additional Property"). The Additional Property shall be subject to each and every term, condition, covenant, easement and restriction of the Declaration as it exists and as it may be amended from time to time.

4. The definition of "District" or "CDD" in Section 2 of the Declaration is hereby deleted and replaced as follows [*SEE GOVERNING DOCUMENTS FOR COMPLETE CURRENT TEXT*]:

"District" or "CDD" shall mean, as applicable, either the HIDDEN CREEK COMMUNITY DEVELOPMENT DISTRICT ("Hidden Creek CDD") or the SOUTHSORE BAY COMMUNITY DEVELOPMENT DISTRICT ("Southshore Bay CDD"), each a local unit of special-purpose government organized and existing pursuant to Chapter 190, Florida Statutes, together with any additional community development districts (as defined in Chapter 190, Florida Statutes) or special districts (as defined in Chapter 189, Florida Statutes) that may service MEDLEY AT SOUTHSORE BAY or any portion thereof. As further described in this Declaration, certain portions of MEDLEY AT SOUTHSORE BAY will be serviced by the Hidden Creek CDD and certain portions of MEDLEY AT SOUTHSORE BAY will be serviced by the Southshore Bay CDD. Accordingly, certain Owners are members of the Hidden Creek CDD and certain Owners are members of the Southshore Bay CDD. WHEN THE TERM "DISTRICT" OR "CDD" IS USED HEREIN, IT SHALL MEAN EITHER THE HIDDEN CREEK CDD OR THE SOUTHSORE BAY CDD, AS THE CONTEXT REQUIRES

DEPENDING UPON WHETHER THE RESPECTIVE LOT IS ENCUMBERED BY THE HIDDEN CREEK CDD OR THE SOUTHSORE BAY CDD, AND DEPENDING UPON WHETHER THE RESPECTIVE FACILITIES ARE OWNED AND/OR MAINTAINED BY THE HIDDEN CREEK CDD OR THE SOUTHSORE BAY CDD.

5. Section 16 of the Declaration is hereby amended as follows:

16. ~~Hidden Creek Community Development District. Community Development Districts.~~ WHEN THE TERM "DISTRICT" OR "CDD" IS USED HEREIN, IT SHALL MEAN EITHER THE HIDDEN CREEK CDD OR THE SOUTHSORE BAY CDD, AS THE CONTEXT REQUIRES DEPENDING UPON WHETHER THE RESPECTIVE LOT IS ENCUMBERED BY THE HIDDEN CREEK CDD OR THE SOUTHSORE BAY CDD, AND DEPENDING UPON WHETHER THE RESPECTIVE FACILITIES ARE OWNED AND/OR MAINTAINED BY THE HIDDEN CREEK CDD OR THE SOUTHSORE BAY CDD.

6. Section 16.1 of the Declaration is hereby amended as follows:

16.1 Generally. Portions of MEDLEY AT SOUTHSORE BAY may be owned by either the Hidden Creek Community Development District (the "~~CDD~~" or "~~District~~") HIDDEN CREEK CDD or the SOUTHSORE BAY CDD, such as the entryways, open space areas, Perimeter Walls/Fences, the SWMS, and/or utilities. In the event that any portions of MEDLEY AT SOUTHSORE BAY are owned by the CDD, such facilities shall not be part of the Common Areas, but will be part of the infrastructure facilities owned by the CDD (the "**Facilities**"). EACH PERSON BY ACCEPTANCE OF A DEED TO A LOT HEREBY ACKNOWLEDGES AND AGREES THE FACILITIES ARE NOT COMMON AREA OWNED AND CONTROLLED BY THE ASSOCIATION AND FURTHER WAIVES ANY CLAIM OR RIGHT TO HAVE ANY PORTION OF THE FACILITIES BE CONSIDERED AS COMMON AREA.

7. Ratification. 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.

8. Covenant. This Fourth Amendment and First Supplement shall be a covenant running with the land and shall be effective immediately upon its recording in Hillsborough County, Florida.

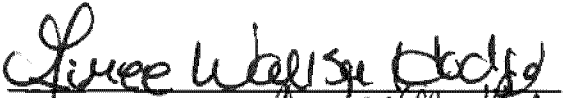
[Signatures on the Following Page]


IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this Fourth Amendment and First Supplement to be executed by its duly authorized representative as of this ____ day of _____, 2022.


WITNESSES:

"DECLARANT"

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


Print Name: Aimee Walker Hodge

By: 
Name: John M. Ryan
Title: Manager



Print Name: Karessa Lopez

[Company Seal]

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12th day of August, 2022, 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.





Notary Public
Print Name: Karessa Lopez
My Commission Expires: 5/31/2025


IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this Fourth Amendment and First Supplement to be executed by its duly authorized representative as of this ____ day of _____, 2022.

WITNESSES:

"DECLARANT"

DUNE FB DEBT LLC, a Delaware limited liability company


Print Name: James Walker Hodge

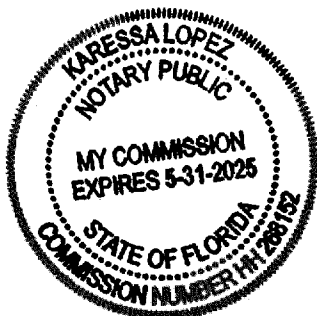
By: 
Name: John M. Ryan
Title: Manager



Print Name: Karessa Lopez

[Company Seal]

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12th day of August, 2022, 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: Karessa Lopez
My Commission Expires: 5/31/2025

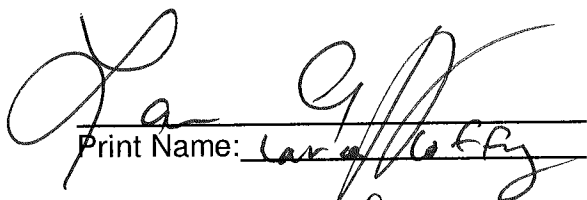
JOINDER

MEDLEY AT SOUTHSORE BAY COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation (the "**Association**") does hereby join in the FOURTH AMENDMENT AND FIRST SUPPLEMENTAL DECLARATION TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY (the "**Fourth Amendment and First Supplement**"), 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 Fourth Amendment and First Supplement and does not affect the validity of the Fourth Amendment and First Supplement as the Association has no right to approve the Fourth Amendment and First Supplement.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 3 day of August, 2022.

WITNESSES:**"ASSOCIATION"**

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


Print Name: Lori Campagna

By: 
Name: Lori Campagna
Title: President



Print Name: Caroline Orellana

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 3 day of August, 2022, 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.



Carey Gutierrez
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG958988
Expires 2/17/2024


Notary Public
Print Name: Carey Gutierrez
My Commission Expires: _____

Authorized Builder Consent

LENNAR HOMES, LLC, a Florida limited liability company ("**Lennar**") does hereby consent to this FOURTH AMENDMENT AND FIRST SUPPLEMENT TO COMMUNITY DECLARATION FOR MEDLEY AT SOUTHSORE BAY (the "**Fourth Amendment and First Supplement**"), to which this Authorized Builder Consent is attached. Lennar agrees this Authorized Builder Consent is for the purpose of evidencing Lennar's consent, in Lennar's capacity as an "Authorized Builder" as defined in the Declaration, to the Fourth Amendment and First Supplement in accordance with Section 4.3 of the Declaration.

IN WITNESS WHEREOF, the undersigned has executed this Authorized Builder Consent on this 3 day of August, 2022.

WITNESSES:

"LENNAR"

LENNAR HOMES, LLC, a
Florida limited liability company

By: [Signature]
Name: Parker Hirons
Title: Vice President

[Company Seal]

[Signature]
Print Name: Caroline Orellana
Caroline Orellana
Print Name: Caroline Orellana

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 3 day of August, 2022, by Parker Hirons, as Vice President of LENNAR HOMES, LLC, a Florida limited liability company. He ☒ is personally known to me or ☐ has produced _____ as identification.



Carey Gutierrez
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG958988
Expires 2/17/2024

Carey Gutierrez
Notary Public
Print Name: Carey Gutierrez
My Commission Expires: _____

Schedule A

Legal Description

All of the lands, FOREST BROOKE ACTIVE ADULT PHASES 4, 5B, 6B, 8B, AND COLLECTOR ROAD 2ND EXTENSION PHASE 2, as depicted on the plat or map thereof, recorded in Plat Book 141, Page 82, in the Public Records of Hillsborough County, Florida.

AND

All of the lands, FOREST BROOKE ACTIVE ADULT PHASES 6A, 7, AND COLLECTOR ROAD SECOND EXTENSION PHASE 3, as depicted on the plat or map thereof, recorded in Plat Book 142, Page 287, in the Public Records of Hillsborough County, Florida.