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07/10/09 _____ Dpty Clerk

PAULA S. O'NEIL, PASCO CLERK & COMPTROLLER
07/10/09 12:24pm 1 of 3
OR BK 8124 PG 962

Prepared by & Return To:
Courtenay S. Terrell, Esq.
Gardner Law Group, P.A.
101 South Franklin Street, Suite 101
Tampa, Florida 33602

**NINTH AMENDMENT TO THE
DECLARATION OF RESTRICTIONS AND COVENANTS FOR GRAND OAKS**

KNOW ALL MEN BY THESE PRESENTS:

That this Ninth Amendment to the Declaration of Restrictions and Covenants For Grand Oaks (the "**Ninth Amendment**") is made this 7th day of June, 2009 pursuant to certain powers reserved in the Declaration (as defined hereinbelow).

WITNESSETH:

WHEREAS, the Declaration of Restrictions and Covenants for Grand Oaks (the "**Original Declaration**") was originally recorded in Official Records Book 4460, Page 467 of the Public Records of Pasco County, Florida;

WHEREAS, the Original Declaration was subsequently amended by the following: (i) First Amendment to the Declaration of Restrictions and Covenants For Grand Oaks recorded in Official Records Book 4527, Page 264; (ii) Second Amendment to the Declaration of Restrictions and Covenants For Grand Oaks recorded in Official Records Book 4556, Page 1127; (iii) Third Amendment to the Declaration of Restrictions and Covenants For Grand Oaks recorded in Official Records Book 4717, Page 1312; (iv) Fourth Amendment to the Declaration of Restrictions and Covenants For Grand Oaks recorded in Official Records Book 4840, Page 913; (v) Fifth Amendment to the Declaration of Restrictions and Covenants For Grand Oaks recorded in Official Records Book 4944, Page 211; (vi) Fifth Amendment to the Declaration of Restrictions and Covenants For Grand Oaks recorded in Official Records Book 5598, Page 1146 (which amendment is in fact the sixth amendment to the Original Declaration but was titled incorrectly); (vii) Seventh Amendment to the Declaration of Restrictions and Covenants For Grand Oaks recorded in Official Records Book 5968, Page 1002; and (viii) Eighth Amendment to the Declaration of Restrictions and Covenants For Grand Oaks recorded in Official Records Book 7840, Page 1138; all of the Public Records of Hillsborough County, Florida.

WHEREAS, the Original Declaration with all amendments shall be collectively referred to herein as the "**Declaration**".

WHEREAS, Grand Oaks Master Association, Inc., a Florida not for profit corporation, is the "**Association**" as set forth in the Declaration as the homeowners' association for the real property encumbered by the Declaration;

WHEREAS, Section 4.3 of the Declaration provides that the Declaration may be amended with the approval of (i) sixty-six and 2/3 percent (66 2/3%) of the Board of Directors ("**Board**") for the Association; and (ii) seventy-five (75%) of all the votes (in person or by proxy) of the Association at a duly called meeting of the Members of the Association at which a quorum is present; and

WHEREAS, sixty-six and 2/3 percent (66 2/3%) of the Board approved this Ninth Amendment and seventy-five (75%) of all the votes (in person or by proxy) of the Association were cast in favor of this Ninth Amendment at a duly called meeting of the Members of the Association where quorum was

present.

NOW THEREFORE, the Board of Directors and the Membership of the Association desire, through this Ninth Amendment, to amend the terms of the Declaration in accordance with Section 4.3 of the Declaration, as follows:

1. The foregoing recitals are true and correct and form an integral part of this Ninth Amendment. Capitalized terms which are employed in this Ninth Amendment without being defined herein but which are defined in the Declaration shall have the same meaning in this Ninth Amendment as given in the Declaration. All exhibits, attachments and schedules attached to this Ninth Amendment are made a part hereof. Newly added language in the Declaration shall be shown as underlined text in this Ninth Amendment. Deleted language in the Declaration shall be shown as a strike-through in this Ninth Amendment.
2. Subsection 12.45 of the Declaration is hereby amended and revised as follows:

“12.45. Windows or Wall Units. No window or wall air conditioning unit may be installed in any window or wall of a Home, except where the window or wall air conditioning unit is: (i) only located in a wall or window of the Home that is primarily oriented to the rear boundary line of the Parcel; (ii) not located in any wall or window of the Home that is primarily oriented to a side boundary line of the Parcel; (iii) screened or installed in a manner so that it is not visible from the front yard of the Home after installation; (iv) primarily designed to serve an enclosed addition to the Home that is placed, attached or constructed onto the rear of the Home after the Home’s original certificate of occupancy was issued and where the walls of such addition are predominantly constructed of glass or other transparent material; and (v) approved in writing by the ACC.”
3. All other provisions of the Declaration remain unchanged.
4. If any portion of this Ninth Amendment is declared invalid, void or of no force or effect by a court of competent jurisdiction, then all other portions of this Ninth Amendment not specifically declared invalid, void or of no force or effect shall remain valid and in full force and effect.
5. This Ninth Amendment may be executed by the use of counterpart signature pages with all counterparts being deemed originals and when taken together constitute the entire Ninth Amendment.

[SIGNATURE AND ACKNOWLEDGEMENT FOLLOWS]

RE: Ninth Amendment to the Declaration of Restrictions and Covenants for Grand Oaks

IN WITNESS WHEREOF, the Board of Directors and the membership of the Association have approved and caused this Ninth Amendment to be executed as of the day and year first above written pursuant to Section 4.3 of the Declaration.

ASSOCIATION:

GRAND OAKS MASTER ASSOCIATION, INC., a Florida not for profit corporation

Signed, sealed and delivered in the Presence of the following witnesses:

Kuist
Signature of Witness
Karie Kuist
Printed Name of Witness

[Signature]
Signature of Witness
Elizabeth Rodriguez
Printed Name of Witness

By: [Signature]
Nancy Henninger, President

STATE OF FLORIDA
COUNTY OF DASLO

The foregoing instrument was acknowledged before me this 17 day of JUNE, 2009, by NANCY HENNINGER, as President of GRAND OAKS MASTER ASSOCIATION, INC., a Florida not for profit corporation, on behalf of the corporation. She is personally known to me or has produced _____ as identification.

(NOTARY SEAL)



[Signature]
Notary Public Signature
Michael Spall
(Name typed, printed or stamped)
Notary Public, State of Florida
Commission No.: DD 802225
My Commission Expires: 7/1/2012