



AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS

This amendment to Declaration of Covenants and Restrictions made this 16 day of January, 2002 by Oakwood Villas Property Owners Association, Inc.

Witnesseth

WHEREAS Oakwood Villas Property Owners Association, Inc. is a homeowners' association (The Association) which enforces that certain Declaration of Covenants and Restrictions executed the 19th day of March 1981 and recorded in the Official Records Book 2294, page 0908 of the Public Records of Brevard County, Florida; and

WHEREAS The Declaration of Covenants and Restrictions provides in Article X Section 1 an amendment procedure whereby The Declaration can be amended by the approval of two-thirds (2/3) of the lots in The Association; and

WHEREAS on January 7, 2002 a special meeting was held by The Association for the purpose of amending to The Declaration; and

WHEREAS on January 7, 2002 at least two-thirds (2/3) of the lots within The Association approved amending The Declaration.

Now therefore the owners do declare that The Declaration of Covenants and Restrictions of Oakwood Villas Property Owners Association, Inc. is hereby amended and the real property governed by The Declaration of Covenants and Restrictions and this amendment shall be held, transferred, sold, conveyed and occupied subject to The Covenants and Restrictions in the original Declaration of Covenants and Restrictions and as set forth herein:

1. Article VII of the Declaration is hereby amended to read as follows:

"Section 1. Exterior Maintenance. In addition to the covenant for maintenance assessments provided in Article V of this declaration and as part of the annual assessment, The Association shall provide exterior maintenance and shall also provide termite control as described in Section 4 of this Article, upon all common buildings and individual living units as follows: repair, replacement and care of roofs, paint and pressure wash all exterior walls and surfaces, repair and replacement of down spouts, stucco and exterior wood or trim.

The cost of said repair and replacement shall be budgeted by The Association and become part of the annual operating budget.

Section 2. Access at Reasonable Hours. For the purpose solely of performing inspection and exterior maintenance authorized by this article, the association, through its duly authorized agents or employees shall have the right, after reasonable notice to the Owner, to enter upon any Lot or the exterior of any Living unit at reasonable hours on any day except Sunday

Section 3. Maintenance. The Association shall perform common area and individual unit maintenance and includes, but not necessarily limited to, the following:

- (a) Grounds maintenance of the common area and individual unit areas, including mowing, fertilizing, insecticides, hedge trimming and all landscape bed maintenance.
- (b) Irrigation system maintenance

E1 103 Wagon Lane, Melbourne, FL 32901

Scott Ellis

Clerk Of Courts, Brevard County

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- (c) Pool maintenance including cleaning, chemicals, maintenance of pumps, pool heating, including gas or electric, and maintenance of other appropriate heating systems.
- (d) Exterior and interior maintenance of recreation building to include air conditioning and roof repair and replacement.
- (e) Parking lot cleaning and maintenance, as well as maintenance and cleaning of parking areas reserved to owner, tenants and guests.
- (f) Waste removal from common areas, if any.
- (g) Maintain perimeter feature.
- (h) Utilities for common areas including water, sewer and electricity.
- (i) Taxes and insurance including real and personal property taxes for common areas and liability and fire insurance.
- (j) Maintain an insurance policy covering all exterior items that The Association is responsible for maintaining, to the extent that such insurance policy is available.
- (k) Other miscellaneous items, which may include such as exterminating services, security system maintenance and fire extinguisher services.
- (l) Establish reserve accounts for future maintenance repairs.
- (m) Maintain the private streets and roads.
- (n) Maintain all roofs, including costs of repair and replacement (when required as decided by the Board Directors of The Association).
- (o) Maintenance of exterior of all buildings including repainting (when required as decided by the Board Directors of The Association).
- (p) Salaries of manager and/or other employees.

Section 4. Special Provision for Termite Control. The Association shall provide termite inspections and bonding to the extent available for all common buildings and individual living units. The cost of such services shall be budgeted for and become part of the annual operating budget.

In addition, The Association shall have the right to perform any and all preventative measures on any common building or individual living unit as may be required by the termite bonding company. The cost of such preventative measure shall be budgeted for and become part of the annual operating budget.

2. The remaining provisions of The Declaration dated March 19, 1981 and any other amendments thereto which are not inconsistent or in conflict with this amendment shall remain in full force and effect and are hereby readopted and restated.



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