

INSTRUMENT#: 2010175027, O BK 19888
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DEPUTY CLERK: SLEWIS Pat Frank, Clerk of
the Circuit Court Hillsborough County

Prepared by and return to:
Marc Spencer, Esq.
The Ryland Group, Inc.
3030 N. Rocky Point Dr. W., Suite 350
Tampa, FL 33607

**SECOND AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
BAHIA LAKES**

THIS SECOND AMENDMENT is made this 9th day of May, 2010, by THE RYLAND GROUP, INC., a Maryland corporation, hereinafter referred to as "Ryland and THE DELTONA CORPORATION, a Delaware corporation, hereinafter referred to as "Deltona", Ryland and Deltona hereinafter collectively referred to as "Declarant" whose mailing address is 9426 Camden Field Parkway, Riverview, FL 33578.

WITNESSETH:

WHEREAS, Declarant has heretofore imposed certain covenants, conditions and restrictions upon real property in Hillsborough County, Florida, by virtue of that certain Declaration of Covenants, Conditions and Restrictions for Bahia Lakes recorded August 18, 2006, in O.R. Book 16846, Page 1401; together with that certain First Amendment to Declaration of Covenants, Conditions and Restriction for Bahia Lakes recorded August 13, 2007 in O.R. Book 18025, page 1681; Assignment of Rights as Declarant recorded April 7, 2008 in O.R. Book 18554, page 1092; and further assigned by Assignment of Rights as Declarant recorded June 24, 2009 in O.R. Book 19324, page 53, of the Public Records of Hillsborough County, Florida ("Declaration"); and

WHEREAS, Article XII, Section 7 permits the amendment of the Declaration by the Declarant where the Declarant deems it necessary provided such amendment does not destroy or substantially alter the general plan or scheme of the development; and

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. All of the above recitals are true and correct and incorporated herein by reference.
2. Exhibit "E" is hereby amended so as to change the color of PVC fences from "beige" to "white" or "beige".
3. The Declaration, as amended, is hereby incorporated by reference as though fully set forth herein and, except as specifically amended hereinabove, is hereby ratified and confirmed in its entirety.
4. This Amendment shall be effective immediately upon its recording in the Public Records of Hillsborough County, Florida.

IN WITNESS WHEREOF, the undersigned, having caused this Amendment to be executed by its duly authorized officers and affixed its corporate seal the day and year first above written.

Signed, sealed and delivered in the presence of:

THE RYLAND GROUP, INC., a Maryland corporation

Susie Wargo
Printed Name: **SUSIE WARGO**
Carol Plitzinger
Printed Name: Carol Plitzinger

By: Joseph M. Fontana
Print Name: Joseph M. Fontana
As: Operational Vice President

THE DELTONA CORPORATION, a Delaware corporation

DL Robinson
Printed Name: DL Robinson
Lore Patton
Printed Name: Lore Patton

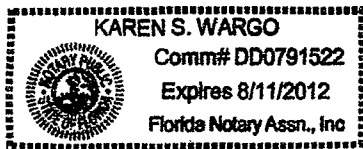
By: Bern Fisher
Printed Name: Bern Fisher
Its: Assistant Secretary

"DECLARANT"

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 20th day of May, 2010, by Joseph M. Fontana as Operational Vice President of THE RYLAND GROUP, INC., a Maryland corporation, on behalf of the corporation, who is personally known to me or who has produced _____ as identification.

Karen S. Wargo
Notary Public
Print Name: _____
My commission expires: _____



STATE OF FLORIDA
COUNTY OF MARION

I hereby certify that on this 12th day of May, 2010, before me, a Notary Public duly authorized in the state and county named above to take acknowledgments, personally appeared Beth Fisher, as Assistant Secretary of **THE DELTONA CORPORATION**, a Delaware corporation, in the foregoing instrument, soon behalf on the corporation, who is personally known to me or who has produced _____ as identification.



Lois Patton
Notary Public
Printed Name: Lois Patton
My commission expires

EXHIBIT "E"
FENCING SPECIFICATIONS

Fences/Walls

In general, fences or walls are not encouraged within the community except where they are integrated with the design of the principle dwelling and enhance the overall character of the community. Hedges and/or clusters of trees and understory shrubs are preferred. Complete enclosure of rear yards by walls and/or fencing is also discouraged as the feeling of open space and the unity of surrounding area is an important part of reinforcing the natural character of the community. Where a proposed fence or wall is deemed by the Committee to be unnecessary or unsightly and detracting from the character of the community, a landscape screen in lieu of a fence or wall may be required.

Homeowners may be permitted to add fences and/or walls to a Dwelling to privatize their Lot. In such instances, special consideration shall be given to the design, location and specifications to ensure all elements are consistent with the architectural styling of the community. The materials, height and appearance of each type of fence and wall shall be established according to its location, purpose, durability and the desired visual effect, the goal being a consistent quality of placement, design and materials.

Except as installed by Declarant, the location, type and design of all proposed fences and/or walls shall be approved by the Committee prior to installation. Unless otherwise installed by Declarant, no chain link fences shall be allowed. No barbed wire or electrical strands shall be used as a fence or part of a fence. All fences and/or walls, where permitted, shall be of the same or complementary material and design as the dwelling.

Fences and/or walls, where permitted, shall be high enough to provide definition and privacy yet low enough to remain unobtrusive. Heights shall range from a minimum of three (3) feet to a maximum of six (6) feet. No fence or wall over six (6) feet in height shall be permitted except as may be installed by the Declarant.

Fences and/or walls in the front yard areas shall not be permitted except where such elements are integral with the architecture of the principal dwelling and, in the opinion of the Committee, enhance the character of the community. In such instances, the maximum height of such elements shall not exceed three and one-half (3-1/2) feet.

Fence and Wall Specifications.

The Committee has located and pre-established a community standard for three (3) fence types and a masonry wall that are the only acceptable standards for the Community. Attachment A, Approved Fence and Wall Types, illustrates the fence and wall specifications and should be viewed when reading this section.

The Committee's approval of any fence may be conditioned upon (without limitation) the installation and continued maintenance of hedges, and continuing maintenance provisions as to the fence and landscaping in addition to those set forth herein. The owner of the Lot on which the fence shall maintain all fences in good order, clean and in first-class condition. Should fences or the associated landscaping not be maintained as stated herein, or as required by a Committee approval, the Association may require the owner of the fence to remove it upon thirty (30) days written notice to do so. Any fence shall be constructed to connect to and with any existing fences on any neighboring Lot.

Nothing stated in this section shall be interpreted to mean that the Committee is required or obligated to approve a fence for or installation on any Lot, or that because a fence has been approved on a specific Lot, that it will be approved for installation on any other Lot.

Privacy Fences.

Privacy Fences shall not exceed six (6) feet and shall be made of polyvinyl chloride (PVC). Fences shall conform to all manufacturers' specifications. The approved fence styles shall be substantially similar to those illustrated in Attachment A. In the case of PVC fences, all fences shall be white. Gates shall be in the same style and color as the fence type.

Sideyard Fences.

Sideyard fences shall be a minimum of three (3) feet and shall not exceed four (4') feet in height. Amenity fences may be substituted for sideyard fences. Sideyard fences shall be made of PVC, or aluminum where an amenity fence is substituted. Fences shall conform to the manufacturer's specifications. The approved fence styles shall be substantially similar to those illustrated in Attachment A. In the case of PVC fences, all sideyard fences shall be white. Where amenity fences are substituted, aluminum fences shall be black or dark green as approved by Committee. Gates shall be in the same style and color as the fence type.

Amenity Fences

Amenity fences shall be a minimum of three (3) feet and shall not exceed four (4) feet in height and made of aluminum or polyvinyl chloride (PVC). Fences shall conform to the manufacturer's specifications. The approved fence styles shall be substantially similar to those illustrated in Attachment A. In the case of PVC fences, all amenity fences shall be white. Gates shall be in the same style and color as the fence type. Amenity fences shall be used on the lot lines of those Lots that abut a lake, conservation area, open space, stream, pond, or similar natural area ("Amenity Lot").

Masonry/Privacy Wall

Walls can be utilized as an architectural statement, serve as planters or simply provide screening and privacy. Masonry/privacy walls may not be higher than six (6) feet and shall be constructed of eight (8") inch concrete blocks and stuccoed. Paint color shall match the exterior base color of the Dwelling. Painted concrete block walls are prohibited. Walls may be constructed of pre-colored brick or stone. The brick or stone shall be compatible with accents on the Dwelling. The use of decorative tile or stucco banding is encouraged to offer interest and architectural flair to walls.

Fence and Wall Locations.

The placement of a fence or a wall on a Lot has a direct impact on adjoining Lots and on the streetscape. These section addresses both the location of the fence or wall on a Lot and, in addition, the type of fence that is mandated for certain Lots due to the impact of the fence or wall on adjacent Lots, amenities, or the streetscape. Attachments B through E, Typical Fencing Layouts, included herein, illustrate the placement of the fences on typical non-amenity Lots and a typical amenity Lots. These exhibits should be referenced while reading the text in this section.

Fence and Wall Locations on the Lot.

On a non-amenity interior Lot, privacy fencing is permitted. Fencing must be placed along the rear and side of the Lot lines. Side yard fencing may not extend closer than ten (10') feet from the front of the elevation of the Dwelling.

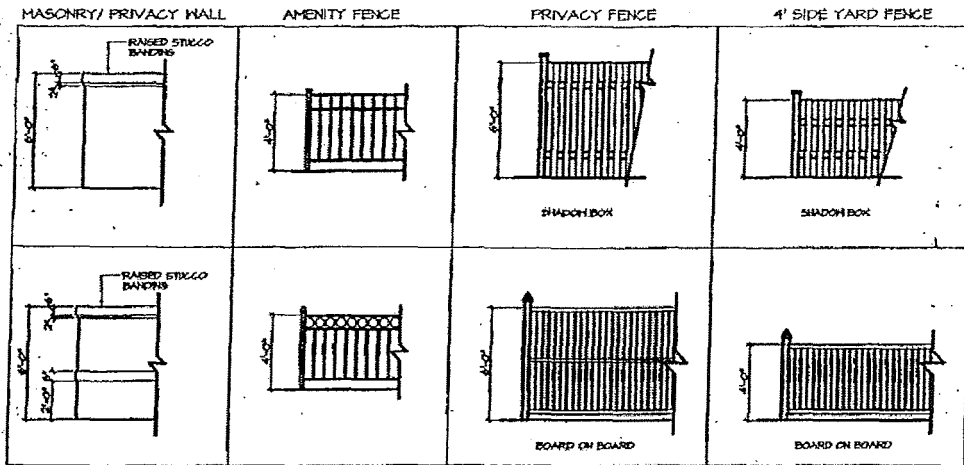
If a fence exists on an adjoining interior Lot, the new fence must attach to the existing fence regardless of its setback. When adjoining a fence to an existing fence on a corner Lot condition, special considerations shall apply. The Committee shall require a site plan showing the proposed fence location and the proposed attachment to the existing fence and the Committee shall make its decision on a case by case basis.

Placement of a fence on the street side of a non-amenity corner Lot shall require a fifteen (15') feet setback from the side property line, in addition to the ten (10') foot setback from the front of the Dwelling. Amenity fencing is required on the street side.

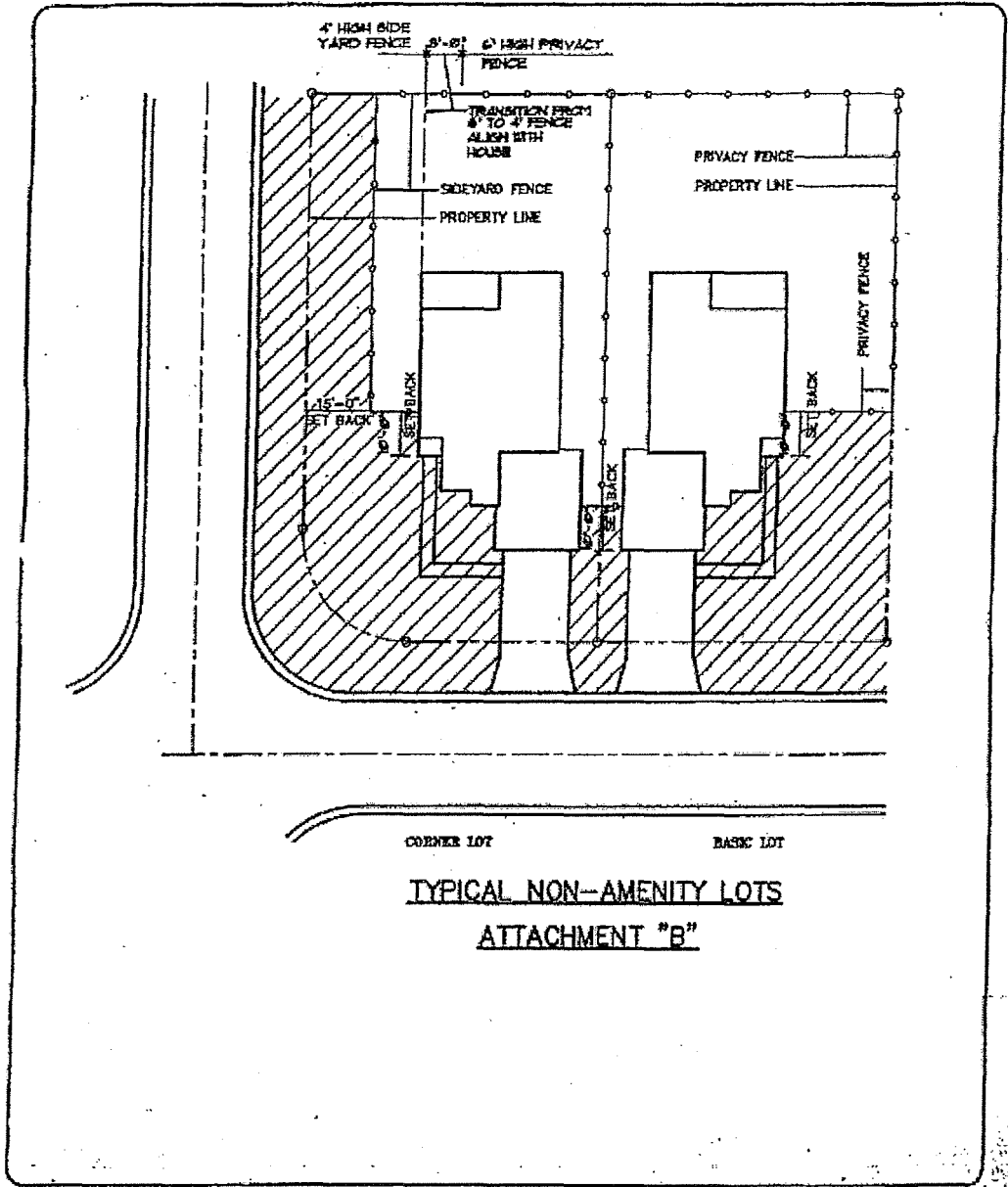
On an Amenity Lot, two (2) types of fences are permitted, Privacy Fencing and Amenity Fencing (see Fencing and Wall Specifications above). Privacy fencing must be placed along the side property line, no closer than ten (10') feet from the front of the Dwelling and must terminate on the same horizontal plane as the rear line of the Dwelling. Pool enclosures are not included in the measurement. At the point of termination of the privacy fence, a transitional section shall be placed and the remainder of the fence shall be the amenity specification, reference Attachment "F", Transition Detail. Corner Lots shall be required to utilize the amenity standard on the street side of the Lot, set back fifteen (15') feet from the property line in addition to the ten (10') feet setback from the front of the Dwelling.

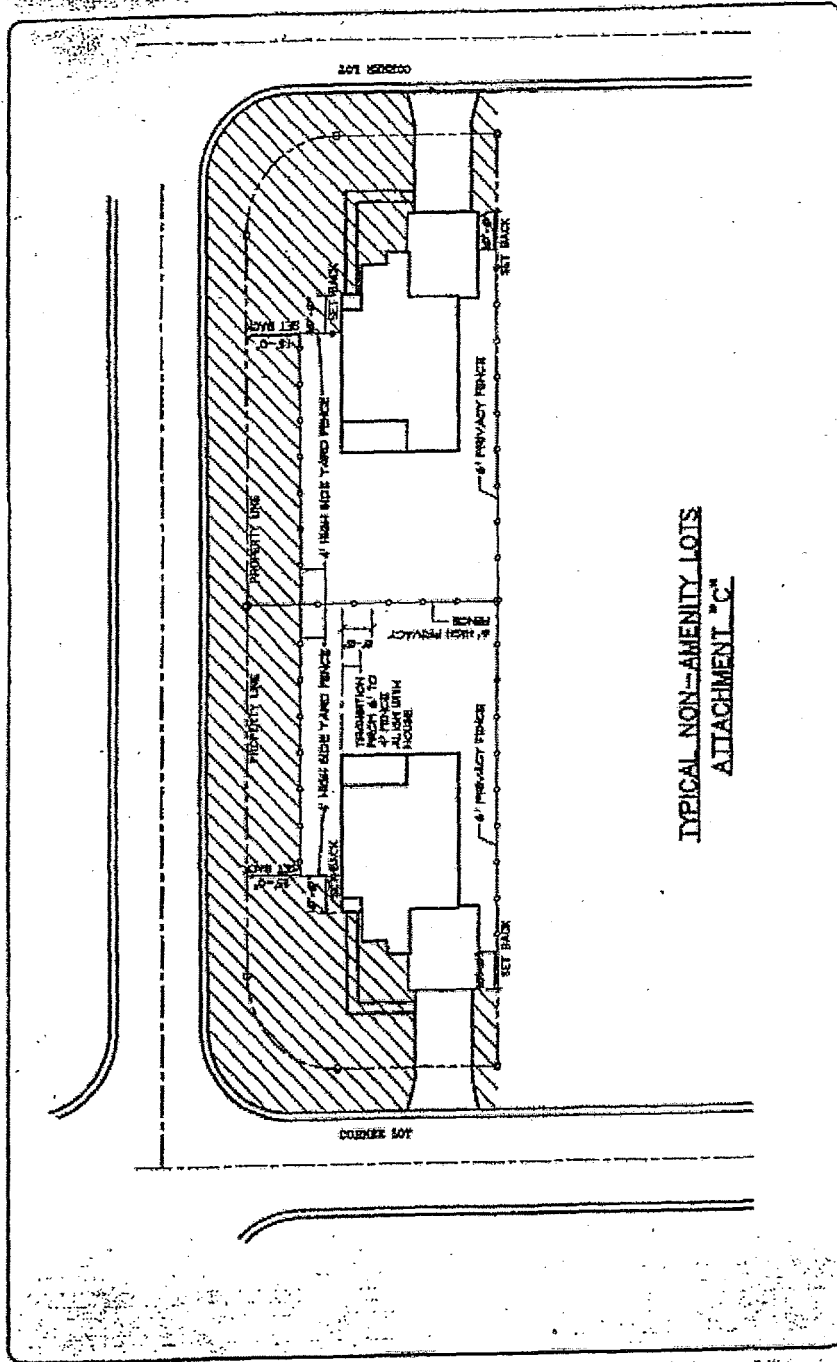
The location and placement of walls shall be considered on a case by case basis and shall closely align with the requirements for the replacement of fences (above).

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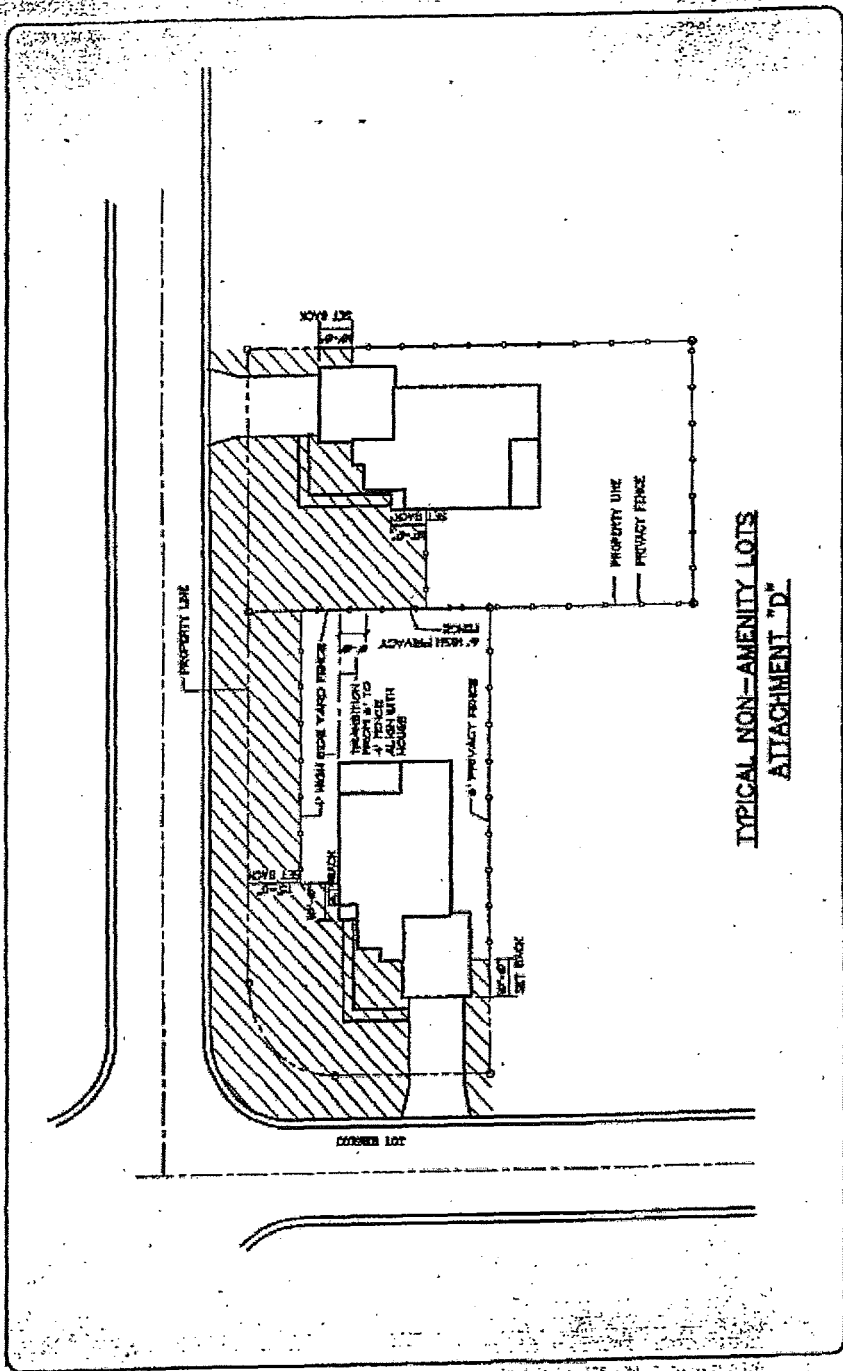


ATTACHMENT "A" (APPROVED FENCE/WALL TYPES)

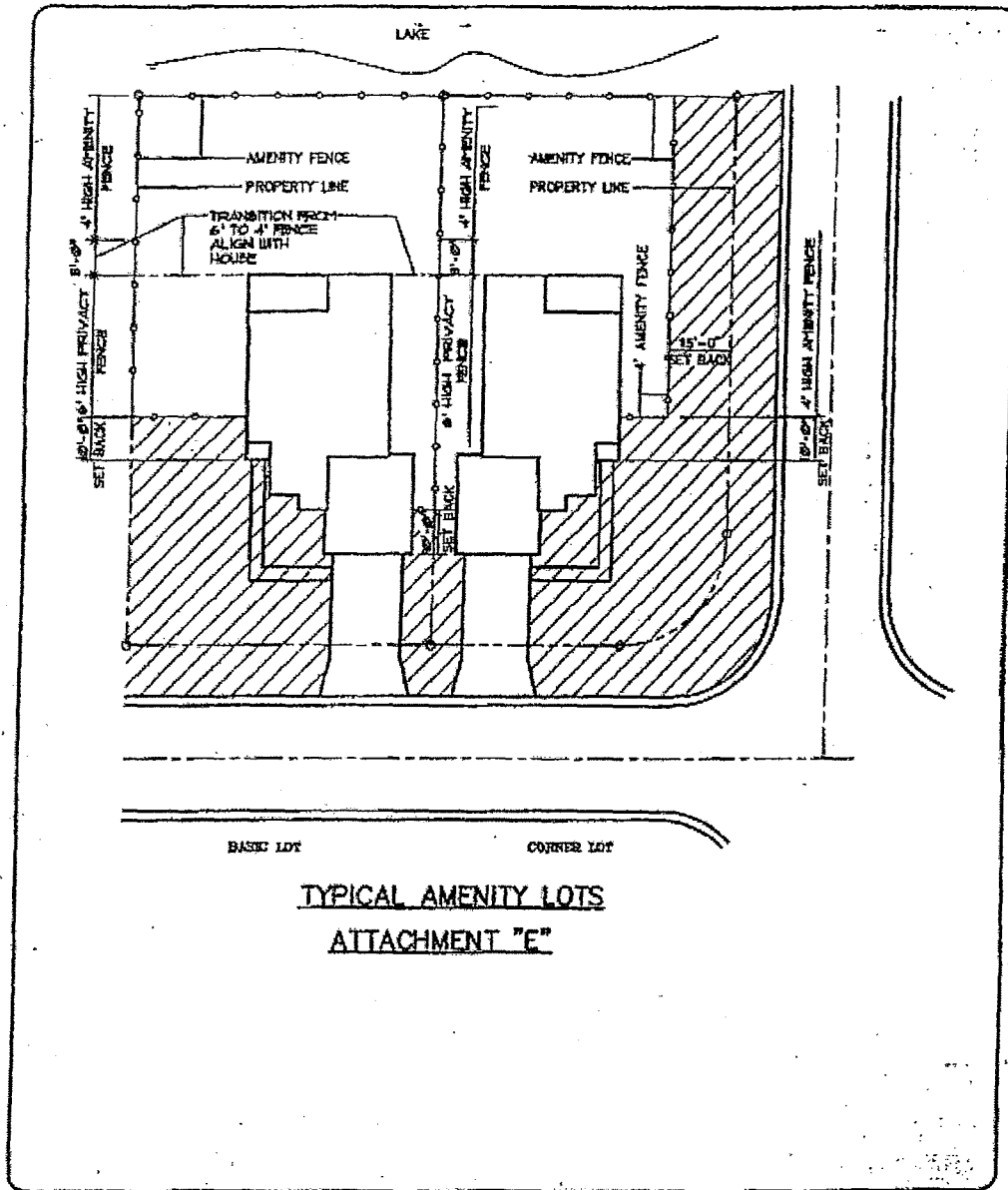




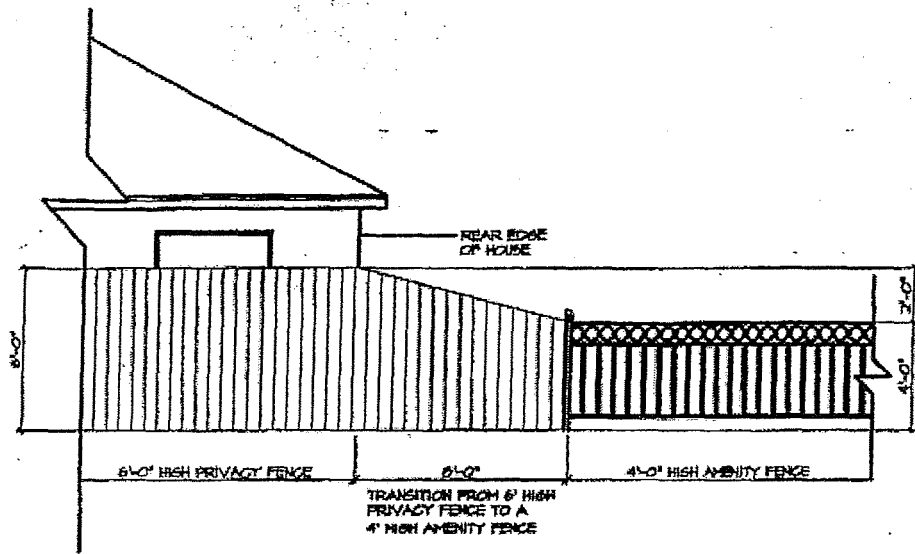
TYPICAL NON-AMENITY LOTS
ATTACHMENT "C"



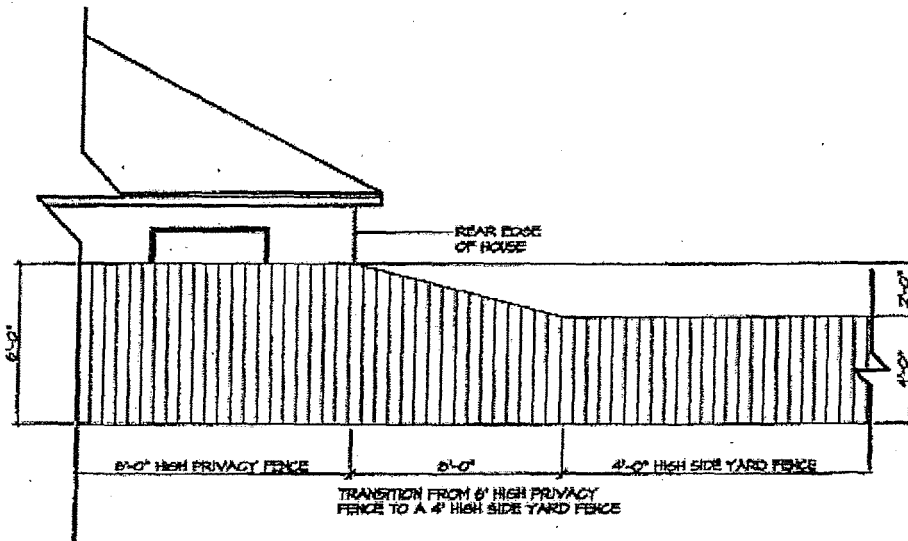
TYPICAL NON-AMENITY LOTS
ATTACHMENT "D"



TYPICAL AMENITY LOTS
ATTACHMENT "E"



TRANSITION FROM 6' HIGH PRIVACY FENCE TO A 4' AMENITY FENCE



TRANSITION FROM 6' HIGH PRIVACY FENCE TO A 4' HIGH SIDE YARD FENCE

ATTACHMENT "F"