

Rec Fee \$ 2.00 MARTHA O. HAYNIE,  
 Add Fee \$ 3.00 Orange County  
 Doc Tax \$ \_\_\_\_\_ Comptroller *Q*  
 Int Tax \$ \_\_\_\_\_ By \_\_\_\_\_  
 Total \$ 24.00 Deputy Clerk

**FOURTH AMENDMENT  
 TO  
 DECLARATION OF COVENANTS,  
 CONDITIONS AND RESTRICTIONS  
 OF SAWMILL**

3650902 Orange Co. FL.  
 11/16/90 09:24:56am

This Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill (the "Fourth Amendment") is made and entered into as of the 4<sup>th</sup> day of October, 1990, by UNIWES, INC., a Florida corporation ("Declarant").

JR 4 237 PG | 939

WHEREAS, Declarant previously executed that certain Declaration of Covenants, Conditions and Restrictions of Sawmill (the "Restrictions") on March 14, 1989; and

WHEREAS, the Restrictions were recorded on March 17, 1989, at Official Records Book 4064, Page 2681, Public Records of Orange County, Florida; and

WHEREAS, Declarant previously executed that certain First Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill (the "First Amendment"), dated March 9, 1990, and recorded March 14, 1990, in Official Records Book 4165, Page 2046, Public Records of Orange County, Florida; and

WHEREAS, Declarant previously executed that certain Second Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill (the "Second Amendment"), dated March 9, 1990, and recorded March 14, 1990, in Official Records Book 4165, Page 2049, Public Records of Orange County, Florida; and

WHEREAS, Declarant previously executed that certain Third Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill (the "Third Amendment"), dated May 29, 1990, and recorded June 27, 1990, in Official Records Book 4195, Page 2140, Public Records of Orange County, Florida; and

WHEREAS, Declarant desires to amend the terms of the Declaration to clarify the obligations of the Sawmill Homeowner's Association, Inc. (the "Association") regarding the cost of operating and maintaining certain upgraded streetlighting within the Declaration Property (as defined in the Restrictions) in excess of the amount paid by the City of Ocoee for the operation and maintenance of such streetlighting; and

WHEREAS, pursuant to Article XX of the Restrictions, the Declarant has reserved the right to amend the Restrictions to clarify the terms of the Restrictions.

NOW, THEREFORE, pursuant to Article XX, of the Restrictions, the Declarant, UNIWES, INC., a Florida corporation, hereby amends the Restrictions as follows:

1. All of the foregoing recitals are acknowledged to be true and correct and are hereby incorporated herein, all as set forth above.

Requested by/Return to:  
 Jean Gratton, City Clerk  
 City of Ocoee  
 150 N. Lakeshore Drive  
 Ocoee, FL 34761

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 Jean Gratton, City Clerk  
 City of Ocoee  
 150 N. Lakeshore Drive  
 Ocoee, FL 34761

2. Notwithstanding anything in the Declaration to the contrary, the Association shall be responsible for paying the cost of maintaining and operating the streetlighting within the Declaration Property to the extent such cost exceeds the amount for which the City of Ocoee is responsible (the "Excess Cost"). The Association shall also pay the City of Ocoee an administrative charge equal to ten percent (10%) of the Excess Cost (the "Administrative Charge").

3. The Association shall have the power and authority to assess each Lot Owner within the Declaration Property for the Excess Cost of said streetlighting and the Administrative Charge, which assessment shall be a part of the annual assessments charged each Owner pursuant to Article IV of the Restrictions. There shall be a lien for said annual assessments against each Lot within the Properties, as set forth in Article IV of the Restrictions, which lien is subject to foreclosure by the Association in the event of nonpayment of the amount secured by the lien as set forth in Article IV of the Restrictions.

4. Notwithstanding anything in the Declaration or in this Fourth Amendment to the contrary, the Restrictions may not be amended as it related to the duty to pay the Excess Cost and the Administrative Charge or the lien and enforcement provisions relating to the collection of the Excess Cost and the Administrative Charge without the consent of the City of Ocoee.

5. In the event of a conflict between the terms of this Fourth Amendment and the terms of the Restrictions, the terms of this Fourth Amendment shall control.

6. This Fourth Amendment shall only be effective upon the recording of this Fourth Amendment in the Public Records of Orange County, Florida.

IN WITNESS WHEREOF, the Declarant has caused this Fourth Amendment to be executed on the day and year first above written.

"DECLARANT"

UNIWES, INC.  
a Florida corporation

By: *Bruce W. Mylrea*  
Bruce W. Mylrea

As Its: Vice President

*Jan Rendleton*  
Witness

*June B. Hall*  
Witness

JR4237 PG1940

STATE OF FLORIDA     )  
                              ) SS.  
COUNTY OF ORANGE    )

I HEREBY CERTIFY that, on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared BRUCE W. MYLREA, well known to me to be the Vice President of UNIWES, INC., a Florida corporation, named as Declarant in the foregoing Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill, and that he acknowledged executing same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of October, 1990.

*James L. ...*  
Notary Public  
My Commission Expires: 11/01/92

JR4237 PG1941

1032/21619/88001/4THAMEND.CLH  
10/04/90.v11

**JOINDER AND CONSENT**  
**TO**  
**FOURTH AMENDMENT TO**  
**DECLARATION OF COVENANTS,**  
**CONDITIONS AND RESTRICTIONS**  
**OF SAWMILL**

The undersigned hereby certifies that he is the Vice President of Sawmill Homeowner's Association, Inc., a Florida corporation, and that the undersigned Sawmill Homeowner's Association, Inc. hereby joins in and consents to this Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill.

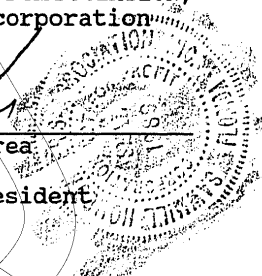
SAWMILL HOMEOWNER'S ASSOCIATION,  
INC., a Florida corporation

Jan Pendleton  
Witness

By: [Signature]  
Bruce W. Mylrea

Jane D. Hall  
Witness

As Its: Vice President

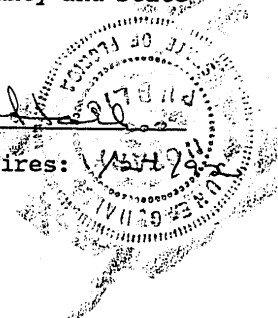


STATE OF FLORIDA     )  
                                  ) SS.  
COUNTY OF ORANGE    )

I HEREBY CERTIFY that, on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared BRUCE W. MYLREA, well known to me to be the Vice President of SAWMILL HOMEOWNER'S ASSOCIATION, INC., a Florida corporation, named in the foregoing Joinder and Consent to the Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill, and that he acknowledged executing same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of October, 1990.

Jane D. Hall  
Notary Public  
My Commission Expires: 10/31/91



**JOINDER AND CONSENT**  
**TO**  
**FOURTH AMENDMENT TO**  
**DECLARATION OF COVENANTS,**  
**CONDITIONS AND RESTRICTIONS**  
**OF SAWMILL**

The undersigned hereby certifies that it is the owner and holder of that certain Mortgage recorded August 30, 1988, in Official Records Book 4009, Page 4639; that certain Assignment of Leases and Rents recorded August 30, 1988, in Official Records Book 4009, Page 4665; and that certain UCC Financing Statement recorded August 30, 1988, in Official Records Book 4009, Page 4677, all being recorded in the Public Records of Orange County, Florida, encumbering the real property affected by this Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill. The undersigned hereby joins in and consents to this Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill.

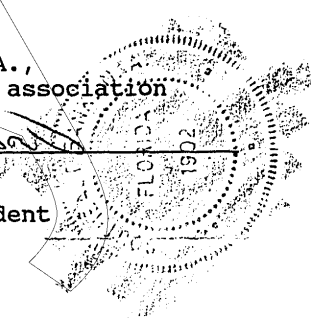
Jamet E. Munce  
Witness

Mark E. Shull  
Witness

SOUTHEAST BANK, N.A.,  
a national banking association

By: J. Todd South

As Its: Vice President



STATE OF FLORIDA     )  
                                  ) SS.  
COUNTY OF ORANGE    )

I HEREBY CERTIFY that, on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared J. TODD SOUTH, well known to me to be the Vice President of SOUTHEAST BANK, N.A., a national banking association, executing the foregoing Joinder and Consent to Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Sawmill, and that he acknowledged executing same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 23<sup>rd</sup> day of October, 1990.

Jamet E. Munce  
Notary Public

My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA AT LAW  
MY COMMISSION EXPIRES APRIL 11, 1993  
BRUCE THOM RUCKENBERY & ASSOCIATES



**RECORDED & RECORD VERIFIED**

Martha O. Haynes  
County Comptroller, Orange Co., FL

OR 4237 PG 1943