

Prepared by and return to:  
Kirk T. Bauer, Esquire  
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(904) 734-3313

**FIRST AMENDMENT TO THE**  
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**  
**OF**  
**CROSS CREEK DELAND, PHASE III, A SUBDIVISION**

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of Cross Creek DeLand, Phase III, a Subdivision, dated September 10, 1999, and recorded in Official Records Book 4475, Page 2044, Public Records of Volusia County, Florida, govern the real property and improvements located within CROSS CREEK DELAND, PHASE III, a subdivision, as recorded in Plat Book 47, Page 86, Public Records of Volusia County, Florida; and

WHEREAS, Article X, Section 3 of the said Declaration provides the Declarant reserved the right to amend at any time any article or section or any part thereof without the consent of Association members;

WHEREAS, the Declarant, SOUTHLAND HOMES, CORP., desires to amend said Declaration of Covenants, Conditions and Restrictions; and

THEREFORE, Declarant, SOUTHLAND HOMES, CORP., hereby declares its intent to, and does hereby, amend said Declaration of Covenants, Conditions and Restrictions, as follows:

1. The following paragraph is added to Article V of the above described Declaration of Covenants, Conditions and Restrictions:

Article V, Section 15. Initiation Assessment. In addition to the other assessments provided for herein, the Association shall have the right to collect an "initiation assessment" initially being in the amount of One Hundred (\$100.00) Dollars and increased or decreased by the Board of Directors of the Association in the future. Said initiation assessment shall be due from each Owner at such time as said Owner, other than the Declarant, shall purchase a Lot. The initiation assessment shall be due and payable at each subsequent conveyance of said Lot to subsequent Owners. Sections 8, 9, 10 and 11 of Article V shall apply to the collection of the initiation assessments.

IN WITNESS WHEREOF, Declarant has caused its hand and seal to be affixed this 15<sup>th</sup> day of ~~August~~ <sup>September</sup>, 2000.

Witnesses

[Signature]  
Dianne E. Allan

SOUTHLAND HOMES CORP.

By: [Signature]  
Ray Hagood, as President

STATE OF FLORIDA  
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of ~~August~~ <sup>September</sup>, 2000, by Ray Haygood, as President of SOUTHLAND HOMES CORP., ( ) who is personally known to me OR ( X ) has produced the following as identification: FL DL N230-725-47-164-0.



Dianne E. Allan  
MY COMMISSION # CC309605 EXPIRES  
February 10, 2004  
BONDED THRU TROY FARM INSURANCE, INC.

[Signature]  
Notary Public - State of Florida

Notary's Printed Signature  
My Commission Expires: