

Prepared By and Return To:

Meridythe Kanaga
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MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
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**THIRD AMENDMENT TO DECLARATION OF
PROTECTIVE COVENANTS AND RESTRICTIONS
FOR BRANTLEY PLACE**

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS OF BRANTLEY PLACE is made and entered into this 8th day of September, 2001 by BRANTLEY PLACE HOMEOWNERS ASSOCIATION, INC, a Florida corporation.

WITNESSETH:

WHEREAS, the DEVELOPER executed and recorded that certain Declaration of Protective Covenants and Restrictions of Brantley Place, dated August 15, 1996, and recorded in Official Records Book 3167, Pages 0006-0044, Public Records of Seminole County, Florida on December 5, 1996 (the "Declaration"); and

WHEREAS, the ASSOCIATION is desirous of amending certain provisions of the Declaration pursuant to the Article X, Section 6 of the Declaration.

NOW, THEREFORE, in consideration of the premises and covenants herein contained, and notwithstanding contained Declaration to the contrary, the ASSOCIATION hereby amends, modifies and adds to the Declaration as follows:

**ARTICLE IX
RESTRICTIVE COVENANTS
(Page 35)**

Section 25. IMPOSITION OF FINES FOR VIOLATIONS. It is acknowledged and agreed among all OWNERS that the Board of Directors may impose a fine or fines against the OWNER, his family, guests, invitees, tenants, or employees who fail to comply with any covenant, restriction, rule, or regulation contained herein.

(a) NOTICE. The Board of Directors shall notify the OWNER of the nature of the alleged infraction or infractions. Included in the notice shall be the date and time of a Board meeting, at which time the OWNER shall have the right to present reasons why penalty(ies) should not be imposed.

(b) HEARING. The facts of the alleged infractions shall be presented to the Board of Directors, after which the OWNER shall have a reasonable opportunity to present his defenses and reasons why penalties should not be imposed. A written decision of the Board of Directors shall be submitted to the OWNER no later than ten (10) days after the Board meeting.

(c) APPEAL. Any OWNER aggrieved by the decision of the Board of Directors may, within seven (7) days of the Board's decision, file a written appeal with the Secretary of the association. An appeals committee will be appointed by the Board within seven (7) days of receipt of the appeal, which committee shall consist of three (3) non-interested members of the association. The appeals committee will meet promptly upon designation, shall review the matter, and shall serve a written determination on both the Board and the aggrieved person by mail or personal delivery. In no case shall the appeals committee's finding be binding on either Party; however, the Board of Directors may elect to review its decision in light of the findings of the appeals committee.

Section 26. AMOUNT OF FINES. The Board of Directors may impose fines in amounts reasonable related to the severity of the offense and deemed adequate to deter future offenses, within the following limits:

(1) First noncompliance or violation of stated provision: a fine not in excess of twenty-five dollars (\$25).

(2) Second noncompliance or violation of stated provision: a fine not in excess of fifty dollars (\$50).

(3) Third and subsequent noncompliance, or violation or violations that are of a continuing nature: a fine not in excess of one hundred dollars (\$100).

Section 27. COLLECTION OF FINES. A fine shall be treated as an assessment, payable to the association within ten (10) days after written notice to the OWNER of the imposition of the fine, as provided above. The filing of an appeal, as provided above, shall postpone the due date until five (5) days after the written decision of the appeals committee has been served on the OWNER by mail or personal delivery.

Section 28. APPLICATION. All moneys received from fines shall become part of the reserve funds.

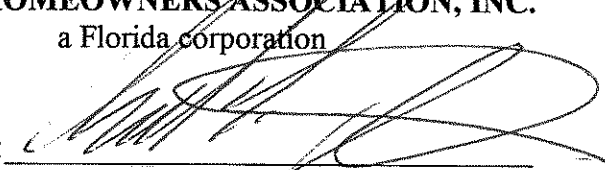
Section 29. NON-EXCLUSIVE REMEDY. A fine shall not be construed to be an exclusive remedy, and shall exist in addition to all other rights and remedies to which the Association may be otherwise entitled.

IN WITNESS WHEREOF, BRANTLEY PLACE HOMEOWNERS ASSOCIATION has caused this instrument to be executed as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

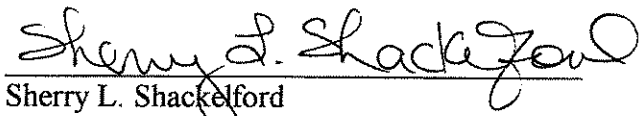
**BRANTLEY PLACE
HOMEOWNERS ASSOCIATION, INC.**
a Florida corporation


Meridythe Kanaga

By: 
Charles C. Smith, President

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

The foregoing instrument was acknowledged before me this 14th day of September 2001, by Charles C. Smith, President of **BRANTLEY PLACE HOMEOWNERS ASSOCIATION, INC.**, a Florida corporation. He is personally known to me and who did take an oath.


Sherry L. Shackelford
Notary Public

NOTARY PUBLIC-STATE OF FLORIDA
SHERRY L. SHACKELFORD
COMMISSION # CC806883
EXPIRES 2/13/2003
BONDED THRU ASA 1-888-NOTARY1