

PREPARED BY AND RETURN TO:
PORT RICHEY VILLAGE INVESTMENTS, L.L.C.
1682 West Hibiscus Blvd.
Melbourne, FL 32901

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

THIS FOURTH AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, (hereinafter referred to as the "Amendment") dated as of the 9 day of April, 2008, by PORT RICHEY VILLAGE INVESTMENTS, L.L.C., a Florida limited liability company, hereinafter referred to as "Declarant" or as "Developer".

WITNESSETH:

WHEREAS, the Developer originally platted the property (the "Property") as WATERSTONE PHASE ONE, according to the Plat thereof as recorded in Plat Book 52, Page(s) 35-47, inclusive, Public Records of St. Lucie County, Florida, which Property is subject to the Declaration of Covenants, Conditions and Restrictions for Waterstone Phase One as recorded in Official Records Book 2550, Page 2128; and that certain First Amendment to Master Declaration of Covenants, Conditions and Restrictions as recorded in Official Records Book 2635, Page 2986, and that Second Amendment to Master Declaration of Covenants, Conditions and Restrictions as recorded in Official Records Book 2708, Page 1507; and that Third Amendment to Master Declaration of Covenants, Conditions and Restrictions as recorded in Official Records Book 2851, Page 72-74, inclusive, all of the Public Records of St. Lucie County, Florida, and all amendments thereto (the "Declaration"); and subject to the By-Laws as recorded in Official Records Book 2550, Page 2113, Public Records of St. Lucie County, Florida; and subject to the Articles of Incorporation filed with the Secretary of State and recorded in Official Records Book 2550 Page 2101, Public Records of St. Lucie County, Florida; and

WHEREAS, pursuant to Article VIII, Section 2. Duration, Modification and Amendment, of the Declaration, the Declaration may be changed, modified or amended in whole or in part by executing a written instrument making such changes and having the same duly recorded in the Public Records of St. Lucie County, Florida.

WHEREAS, pursuant to Article VIII, Section 4. Future Development Within the Project, of the Declaration, the Developer reserved the right to add property to the Subdivision.

NOW, THEREFORE, in consideration of the premises, the Developer does hereby add the following property to the Subdivision and amend the Declaration as follows:

1. The Declarant is the owner of the following described property in the County of St. Lucie, State of Florida, which is more particularly describe in Exhibit "A" hereof and which is platted as:

**WATERSTONE PHASE TWO
Sections 11 and 14, Township 34 South, Range 39 East
St. Lucie County, Florida**

according to the Plat thereof as recorded in Plat Book 59, Page(s) 1-2, Public Records of St. Lucie County, Florida, which Property the Declarant hereby adds to the Subdivision, and which Property is hereby subject to this Declaration, Articles of Incorporation and By-Laws.

2. ARTICLE II. ARCHITECTURAL AND AESTHETIC REQUIREMENTS, Section 5. Landscaping, sub-sections (c) and (f) are hereby deleted in their entirety and replaced with the following sub-sections (c) and (f):

(c) A minimum of four (4) trees are required to be planted in the yard of each residence: at least two (2) of these required trees must be Live Oak trees in 30 gallon containers or equivalent, not less than 10' to 12' feet in height with 4' to 5' of spread and 2" in caliper at breast height; and the other two (2) required trees may be any of the following type trees in not less than 15 gallon containers or equivalent, 7' to 9' feet in height with 3' to 4' of spread and 1" in caliper at breast height: Live Oak, Laurel Oak, Magnolia, Maple, Elm, East Palatka Holly, Tabebuia, Crape Myrtle, Bauhinia and others as approved by the ARC. Two (2) palms

trees with a minimum of 4' of clear trunk; Sable, Foxtail, Majesty, Royal, double/triple-trunk Alexander, triple-trunk Adonidia, Medjool, Sylvestris, Coconut and any other as approved by the ARC may be substituted for any two (2) of the trees listed, except for the required two (2) thirty (30) gallon Live Oak trees. These four (4) required trees shall remain perpetually on each lot. Notwithstanding the foregoing, trees must conform to any stricter standards required by any applicable governmental entity. In the event any of these required four (4) trees die either by disease or neglect, they shall be replanted with the same or other approved type of tree to comply with these minimum requirements. Upon notification by the Association and/or the local governing agency, each homeowner shall have thirty (30) days to replant/replace said trees required under these restrictions.

(f) A typical planting plan for the purpose of a uniform streetscape shall be followed as part of any landscape plan. This streetscape shall require the planting of one (1) of the required Live Oak trees in the front setback of each Lot.

3. ARTICLE II. ARCHITECTURAL AND AESTHETIC REQUIREMENTS, Section 5. Landscaping, is hereby amended by adding the following sub-section (k):

(k) Owner's of Lots 1-15, as indicated on the plat of WATERSTONE PHASE TWO, as recorded in Plat Book 59, Page(s) 1-2, Public Records of St. Lucie County, Florida, shall be required to install a Mirror Leaf Viburnum hedge ("the hedge") along the rear Lot line adjacent to Waterstone Boulevard to create a visual screen. The hedge shall be uniformly installed using 3 gallon containers or equivalent on 4' centers across the rear lot line of each lot in conjunction with the normal landscaping of the Lot and shall be irrigated by the irrigation system installed on each Lot. The street-side of the hedge shall be maintained by the Association and allowed to grow to maximum height of six (6') feet. The Lot Owner shall be responsible to maintain the inside of the hedge along their property line. In the event any Owner of Lots 1-15, as indicated on the plat of WATERSTONE PHASE TWO, as recorded in Plat Book 59, Page(s) 1-2, Public Records of St. Lucie County, Florida, wishes to construct a fence along the rear Lot line of said Lots 1-15 as indicated above, the fence must be constructed on the Lot Owner's side of the hedge. The street side of the hedge must remain in its natural state as planted so as to create visible from Waterstone Boulevard and must continue to be irrigated by the irrigation system on the respective Lot in the event a fence is constructed.

4. All other terms and conditions of the Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has caused these presents to be executed in its name by its duly authorized officer, as of the 9 day of April, 2008.

Signed, sealed and delivered
in the presence of:

PORT RICHEY VILLAGE INVESTMENTS, L.L.C.,
a Florida corporation

Bonnie L. Kennedy
Witness

By: [Signature]
Name: Hugh M. Evans, Jr., As its Member

BONNIE L. KENNEDY

Print Witness Name

Lisa A Eubank
Witness

Print Witness Name

**STATE OF FLORIDA
COUNTY OF BREVARD**

I HEREBY CERTIFY that on this day, before me an officer duly authorized in the State and in the County aforesaid to take acknowledgments, personally appeared **HUGH M. EVANS, JR.**, as a Member of **PORT RICHEY VILLAGE INVESTMENTS, L.L.C.**, a Florida limited liability company, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same. The said person was not under oath.

WITNESS my hand and official seal this 9 day of April, 2008.

Bonnie L. Kennedy
Notary

My Commission Expires



BONNIE L. KENNEDY
MY COMMISSION # DD 438869
EXPIRES: October 9, 2009
Bonded Thru Budget Notary Services