CHARLOTTE COUNTY CLERK OF CIRCUIT COURT OR BOOK: 4415, PGS: 236 , PAGE: 1 OF 3
INSTR # 2691158 Doc Type: AGR, Recorded: 3/13/2019 at 11:41 AM
Rec. Fee: RECORDING $27.00 Cashier By: SHERLYL

Babcock Property Holdings, LLC

STATE OF FLORIDA

COUNTY OF CHARLOTTE

Cross-Reference to Charter: O.R. Book 4105 Page 15
O.R. Book 4377 Page 1001
Cross-Reference to Supplement: O.R. Book 4399 Page 782

FIRST AMENDMENT TO THE SUPPLEMENT TO THE COMMUNITY CHARTER FOR BABCOCK RANCH RESIDENTIAL PROPERTIES

(Village III Golf Parcel)

THIS FIRST AMENDMENT to the Supplement to the Community Charter for Babcock Ranch Residential Properties ("**Amendment**") is made this 19th day of February 2019, by Babcock Property Holdings, L.L.C., a Delaware limited liability company ("**Founder**").

WITNESSETH

WHEREAS, on July 22, 2016, Founder filed that certain Community Charter for Babcock Ranch Residential Properties, which was recorded as Instrument No. 2453865 in Official Records Book 4105, Page 15, *et seq.*, of the Public Records of Charlotte County, Florida, and which has been amended by that Amended and Restated Community Charter for Babcock Ranch Residential Properties recorded in the Public Records of Charlotte County, Florida on November 8, 2018 as Instrument No. 2660285 in Official Records Book 4377, Page 1001, *et seq.* (as amended and supplemented, the "**Charter**"); and

WHEREAS, pursuant to the terms of Sections 17.1 and 17.3 of the Charter, the Founder may execute and record a Supplement to the Charter submitting to the terms of the Charter all or any portion of the additional property described in Exhibit "B" to the Charter (the "**Expansion Property**") and/or imposing additional covenants and easements on any property submitted thereby or previously submitted to the Charter; and

WHEREAS, pursuant to Sections 3.2 and 3.3 of the Charter, any Supplement may assign the real property described therein to one or more Delegate Districts for purposes of representative voting on matters presented for a vote of the Association's membership and to one or more Service Areas for purposes of receiving special benefits or services from the Association; and

WHEREAS, the Founder executed and filed that Supplement to the Community Charter for Babcock Ranch Residential Properties (Village III Golf Parcel) which was recorded on January 23, 2019 as Instrument No. 2678152 in Official Records Book 4399, Page 782, *et seq.* (the "**Village III Supplement**"), submitting to the terms of the Charter and the Village III Supplement a portion of the Expansion Property described in Exhibit "A" thereof (the "**Additional Property**") and assigning the Additional Property to a Delegate District and Service Area for the purposes set forth in Exhibit "B" thereof; and

WHEREAS, pursuant to Section 4.1 of the Village III Supplement, the Founder reserved the right to amend the Village III Supplement for any purpose during the Development and Sale Period (as defined in the Charter), so long as the amendment has no material adverse effect upon any right of any Owner without such Owner's consent in writing and does not adversely affect the title to any Unit without the Owner's consent in writing (the terms "Owner" and "Unit" having the meanings set forth in the Charter); and

WHEREAS, the Founder desires to amend and restate the Supplement to: (i) expand the references to the Charter on the first page thereof to include a reference to the amendment to the Charter at O.R. Book 4377, Page 1001, *et seq.*; and (ii) change the designation of the Service Area to which the Additional Property is assigned from "Service Area No. 5" to "Service Area No. 8"; and

WHEREAS, this Amendment does not adversely affect the rights of any Owner or title to any Unit;

NOW, THEREFORE, pursuant to the powers retained by Founder under the Supplement, the Founder hereby amends the Village III Supplement as follows:

1.

On the first page of the Village III Supplement, the cross-references to the Charter preceding the title is amended to include a cross-reference to O.R. Book 4377, Page 1001, and the first paragraph after the word "W I T N E S S E T H" is amended to read as follows:

> WHEREAS, on July 22, 2016, Founder filed that certain Community Charter for Babcock Ranch Residential Properties, which was recorded as Instrument No. 2453865 in Official Records Book 4105, Page 15, *et seq.*, of the Public Records of Charlotte County, Florida, and which has been amended by that Amended and Restated Community Charter for Babcock Ranch Residential Properties recorded in the Public Records of Charlotte County, Florida on November 8, 2018 as Instrument No. 2660285 in Official Records Book 4377, Page 1001, *et seq.* (as amended and supplemented, the "**Charter**"); and

2.

Exhibit "A" and Exhibit "B" to the Village III Supplement are amended by deleting the words "Service Area No. 5" each place they appear and replacing them with the words "Service Area No. 8."

IN WITNESS WHEREOF, the Founder hereby executes this Amendment by and through its authorized representatives on the date and year first above written.

FOUNDER: **BABCOCK PROPERTY HOLDINGS, L.L.C.,** a Delaware limited liability company

By: _____
Name: Richard P. Severance
Its: President

Address: 42850 Crescent Loop, Suite 200
Babcock Ranch, FL 33982

Signed, sealed and delivered
in the presence of:

Erica S Woods
Print Name: Erica S Woods

Kathleen E. Valentine
Print Name: Kathleen E. Valentine

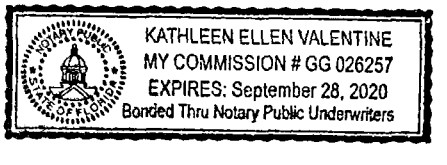
STATE OF FLORIDA
COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 19th day of February, 2019, by Richard P. Severance, as President of BABCOCK PROPERTY HOLDINGS, L.L.C., a Delaware limited liability company, on behalf of such limited liability company. He/she is personally known to me and did not take an oath.

Given under my hand and official seal this 19th day of February, 2019

[SEAL]

Kathleen Ellen Valentine
Title: Notary Public
Serial Number, if any GG 026257
My Commission Expires: 9/28/2020



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5972.01/CADocs/Supp-Resid/VillageIII Golf-1st Amend/013119/jps