

Prepared by:  
John "Jay" A. Fraiser, Esq.  
McDonald Fleming Moorhead  
127 Palafox Place, Suite 500  
Pensacola, FL 32502

**CERTIFICATE OF FIRST AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS  
AND EASEMENTS FOR AVALON ESTATES**

STATE OF FLORIDA  
COUNTY OF SANTA ROSA

AVALON ESTATES ASSOCIATION, INC. ("**Association**"), a Florida not-for-profit corporation, by and through its undersigned officer, certifies that,

WITNESSETH:

WHEREAS, the Declaration of Covenants, Conditions, Restrictions and Easements for Avalon Estates was recorded on September 24, 2009 in Official Records Book 2930, at Page 1669 *et. seq.* of the public records of Santa Rosa County, Florida ("**Declaration**");

WHEREAS, in accordance with Section 12.6 of the Declaration, the Declaration may be amended at any time by consent of Owners of 50% or more of the Lots; and

WHEREAS, a duly noticed meeting of the members was held on September 11, 2018, at which a quorum was obtained and 50% or more of the Lots have consented to and approved the following Amendment to the Declaration; and

WHEREAS, at a duly noticed meeting of the Association's Board of Directors held on \_\_\_\_\_ 2018, the Board of Directors certified that the required number of members of the Association approved the following Amendment to the Declaration and that the Board of Directors of the Association also approves of the following Amendment to the Declaration; and

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the Declaration is amended as follows<sup>1</sup>:

**[AMENDED TEXT FOLLOWS ON THE NEXT PAGE]**

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<sup>1</sup> Underlined words are being added; stricken works are being deleted.

**Article III, Section 3.4(e) of the Declaration is hereby amended to read as follows:**

(e) Driveways. All Lots must have a paved driveway of a stable and permanent construction extending from the adjacent street to the dwelling or fence line. All driveways must be of concrete, asphalt, or other approved material.

**Article III, Section 3.4(g) of the Declaration is hereby amended to read as follows:**

(g) Pools, Play Facilities, and Lighting. All recreation facilities constructed or erected on a Lot, including without limitation, swimming pools and any other play or recreation structures, basketball backboards, platforms, playhouses, dog houses, or other structures of a similar kind or nature must be adequately walled, fenced, or landscaped in a manner specifically approved by the Architectural Review Committee before such facility is constructed or erected. Outdoor Christmas lighting or Christmas ornamentation shall only be displayed on any Lot from the first weekend of November of the current year until the third weekend of January of the immediate following year.

**Article IV, Section 4.3 of the Declaration is hereby amended to read as follows:**

4.3 Leasing. Leasing of Lots for terms of less than seven months is shall not be permitted. Owners will be liable for any violations of this Declaration committed by their tenants.

**Article IV, Section 4.6 of the Declaration is hereby amended to read as follows:**

4.6 Litter, Trash, Garbage. No garbage, trash, refuse, or rubbish may be deposited, dumped, or kept on any Lot except in closed sanitary containers. The containers must be county approved and must be stored in the Owner's garage or on the side of the Owner's house no less than three (3) feet back from the garage-side front corner of the Owner's house. Trash containers, lawn equipment, and/or any other items must be kept inside a garage or otherwise hidden from public view. Trash containers may be placed at the front of the Lot on the day designated for pickup, but only if promptly returned to the proper storage area as soon as possible.

**Article IV, Section 4.8 of the Declaration is hereby amended to read as follows:**

4.8 Parking of Wheeled Vehicles and Boats. Cars, trucks, tractors, recreational vehicles, and trailers (collectively called "Vehicles") must be kept at all times completely inside a garage or on the Owner's driveway and are not permitted to be parked elsewhere on a Lot or on a street within the Plat except as otherwise specifically permitted in this paragraph. No boat Boats are permitted to be stored on an Owner's driveway, but no boat in excess of an overall length of nineteen (19) feet shall be stored upon a Lot or home site except as otherwise specifically permitted approved by the Architectural Review Committee and under no circumstances shall a boat be parked or stored in a manner that blocks any sidewalk within Avalon Estates. In any event, all boats,

trailers, and campers located upon an Owner's property shall be parked upon a concrete pad and shall be kept in an aesthetically pleasing condition. Absolutely no RV or other large touring vehicle shall be parked upon an Owner's Lot. Private cars or private trucks (exclusive of all other Vehicles) owned by an Owner or an Owner's guests may be parked in the Owner's driveway, but only if they do not display commercial signs. Vehicles may display commercial advertisements if said Vehicles are a sedan, light truck, SUV, mini-van or other similar passenger automobile. Absolutely no utility trucks, utility vans, or commercial trailers shall be permitted to park within Avalon Estates except as otherwise specifically approved by the Architectural Review Committee. No inoperable cars or trucks may be parked or stored upon the Owner's property for a period of more than 48 hours. Commercial Vehicles may be parked in a street or driveway when necessary for providing services to an Owner only, or for pickup and delivery service, but only while undertaking this activity and never overnight. Recreational vehicles, travel trailers, trailers, and campers may be parked in the driveway of a Lot for up to a total of 48 hours per week for loading and unloading only, and never for dwelling purposes. No Vehicles may be repaired or maintained on or adjacent to a Lot, except within a garage. Visitors or guests may park an automobile on the street directly in front of an Owner's property for no more than 72 hours and shall not impede the flow of traffic or in any way block the progress of emergency vehicles throughout Avalon Estates except as otherwise specifically approved by the Architectural Review Committee. Under no circumstances shall an Owner, visitor, or guest park any automobile or any Vehicle in a manner that blocks any sidewalk or upon any grass area or Common Area located within Avalon Estates. Vehicles engaged in construction of subdivision improvements or dwellings on behalf of Declarant will be permitted within ~~Brandon Oaks~~ Avalon Estates for such purposes. Any automobile or Vehicle parked on a street or Common Area located within Avalon Estates may be subject to being towed at the Owner's expense.

**Article IV, Section 4.9 of the Declaration is hereby amended to read as follows:**

4.9 Garage Doors. ~~Garage doors must be kept closed except when opened to permit persons or vehicles to enter and exit from a garage. All garage doors must be operational and in good condition and are strongly encouraged to be closed so as to protect the aesthetically pleasing appearance of Avalon Estates.~~

**Article IV is hereby amended to include a new Section 4.13 to read as follows:**

4.13 Patio Rooms and Screen Rooms. All patio rooms and/or screen rooms must be constructed with materials of the same (or substantially similar) color, style and level of design as the dwelling attached thereto. Patio rooms and screen rooms are subject to the architectural review requirements set forth in Article III of this Declaration. Any application for the construction of a patio room or screen room must be accompanied by a listing of material specifications and pictorial depiction of anticipated as-built appearance.

WHEREAS, all provisions of the Declaration not amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the Association hereby certifies the foregoing Amendment to the Declaration was duly adopted and that the Association has caused this Amendment to be executed by its President, this 20<sup>th</sup> day of September, 2018.

WITNESSES:

[Signature]  
Print Name: John "Jay" Fraizer

[Signature]  
Print Name: Clara N. Wheeler

**AVALON ESTATES ASSOCIATION, INC.**, a Florida not-for-profit corporation

[Signature]  
Hilton Perry, President

STATE OF FLORIDA  
COUNTY OF SANTA ROSA

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of September, 2018, by Hilton Perry, as President of Avalon Estates Association, Inc., a Florida not-for-profit corporation.

[Signature]  
NOTARY PUBLIC  
Print Name: Clara N. Wheeler

X Personally Known  
OR  
Produced Identification  
Type of Identification Produced \_\_\_\_\_

