

REC 35.50

THIS INSTRUMENT PREPARED BY AND RETURN TO:
JEFFREY D. KNEEN, ESQ.
LEVY KNEEN, P.L.
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WEST PALM BEACH, FL 33401
(561) 478 4711



**SECOND AMENDMENT TO BELLECHASE MASTER DECLARATION
OF COVENANTS AND RESTRICTIONS**

THIS SECOND AMENDMENT TO THE BELLECHASE MASTER DECLARATION
OF COVENANTS AND RESTRICTIONS ("Amendment") is made and entered into this 8th
day of July, 2011, by B-T ONE, LLC, a Florida limited liability company (hereafter
referred to as the "Developer").

WITNESSETH

WHEREAS, the Bellechase Master Declaration of Covenants and Restrictions was
recorded on December 13, 2002 in Official Records Book 3300 at Pages 1155, et. seq., and
amended in Official Records Book 4921 at Page 217, of the Public Records of Marion County,
Florida, (the "Master Declaration"); and

WHEREAS, Article 12, Section 12.1 of the Master Declaration gives Developer the
authority to amend the Master Declaration without the joinder of the Owners or mortgagees or
the Association.

NOW, THEREFORE, the Developer hereby amends the Master Declaration as follows:

1. **Recitals.** The above-mentioned recitals are hereby incorporated and made a part
of this Second Amendment as if more fully set forth herein.

2. **Amendment.** The Master Declaration is amended and modified as follows:

Article 6 is hereby amended as follows adding the following new Section 6.13:

Section 6.13 Builder Class Lots. In order to encourage development, build-out
and sales of Lots and Residences in Bellechase, upon request by an Owner, the
Developer, in its sole and exclusive discretion, may classify and designate certain

vacant Lots in Bellechase as “Builder Class Lots” and shall so state such Lots to be Builder Class Lots and the Owner of such Lots in an instrument recorded in the Public Records of Marion County, Florida, executed by Developer (“Recorded Designation”).

6.13.1 In order for an Owner’s Lots to be classified and designated as Builder Class Lots, the Owner must hold title to no less than five (5) Lots in Bellechase. In the event an Owner’s Lots are classified and designated as Builder Class Lots by the Developer in accordance with this Section 6.13, such Lots shall retain their classification and designation as Builder Class Lots for so long as the (i) Owner described in the Recorded Designation holds title to the Lot; and (ii) Owner’s Lot classified and designated a Builder Class Lot by the Developer satisfies the requirements of a Builder Class Lot under this Section 6.13 even if the Owner holds title to less than five (5) Lots in Bellechase.

6.13.2 The assessments due from an Owner of a Builder Class Lot shall be an amount equal to twenty-five percent (25%) of the amount of assessments due for Lots in Bellechase under the provisions of Sections 6.2, 6.3, 6.4, 6.5 and 6.6 herein.

6.13.3 In the event an Owner conveys, transfers or is otherwise divested of title to a Lot classified and designated as a Builder Class Lot by the Developer in accordance with this Section 6.13, regardless of whether a certificate of occupancy is issued for the Lot, the Lot shall no longer be classified and designated a Builder Class Lot. The Developer may re-classify and re-designate such Lot(s) a Builder Class Lot(s) in a new Recorded Designation in accordance with this Section 6.13.

6.13.4 At such time that a Residence is completed on a Builder Class Lot and a certificate of occupancy is issued by the applicable governmental authority, such Lot shall no longer be classified and designated Builder Class Lot regardless of any Recorded Designation to the contrary, and the Owner thereof shall pay all assessments according to the provisions of Article 6 hereof; provided, however, that use of a completed unoccupied Residence on a Builder Class Lot for a sales model shall continue to be classified as a Builder Class Lot for the purposes of this Section 6.13 until title is conveyed to a third-party. An Owner of Builder Class Lots may only have one (1) sales model per five (5) Lots owned.

6.13.5 No Lot shall remain classified and designated a Builder Class Lot for a period in excess of six (6) months when improvements approved in accordance with this Declaration are substantially completed, but for which the Owner has not obtained a certificate of occupancy issued by the applicable governmental authority unless such Lot is a sales model.

6.13.6 The designation of a Lot as a Builder Class Lot shall not impact the Owner's obligations to comply with all other provisions of this Declaration, including, but not limited to, Article 7 and Article 8.

6.13.7 The language of the Declaration, and this Section 6.13, shall take precedence over any Recorded Designation and to the extent there is a conflict of between a Recorded Designation and this Declaration, the Declaration shall control.

6.13.8 Nothing in this Section 6.13 shall interpreted to require Developer to classify or designate any Lots as Builder Class Lots.

3. **Construction.** To the extent that the terms, covenants and conditions of this Amendment are inconsistent with the terms of the Master Declaration, the terms, covenants and conditions of this Amendment shall control. In all other respects, the terms, covenants and conditions of the Master Declaration shall remain in full force and effect and unchanged in any manner. All capitalized terms not specifically defined in this Second Amendment shall be given their meanings assigned in the Master Declaration.

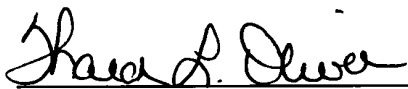
IN WITNESS WHEREOF, Developer has caused this Amendment to be executed as of the date first set forth above.

Signed, sealed and delivered in the presence of:

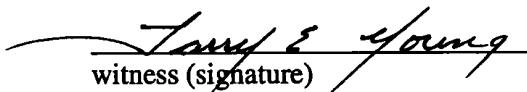
"DEVELOPER"
B-T ONE, LLC, a Florida limited liability company

By: KIMBER, INC., a Florida corporation as its LLC Manager

By: 
Roy T. Boyd III, its President


witness (signature)

print name: Sharon L. Oliver


witness (signature)

print name: LARRY E. YOUNG

STATE OF FLORIDA)
)ss:
COUNTY OF MARION)

The foregoing instrument was acknowledged before me this 8 day of July 2011, by ROY T. BOYD, III, as President of Kimber, Inc., a Florida corporation, as LLC Manager of B-T One LLC, a Florida limited liability company. He is personally known to me or has produced _____ (type of identification) as identification.

Sharon L. Oliver

NOTARY PUBLIC

Print/Type Name Sharon L. Oliver

My Commission Expires:

3-31-2013

NOTARY STAMP/SEAL

