

Prepared by and Return to:

David M. Felice, Esq.
Terra Law Firm, P.A.,
4809 Ehrlich Road, Suite 104
Tampa, FL 33624

R-ENV

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**CERTIFICATE OF AMENDMENT TO
THE DECLARATION OF COVENANTS AND RESTRICTIONS
FOR SILVERTHORN**

WHEREAS, the Amended and Restated Declaration of Covenants and Restrictions for Silverthorn was recorded on February 2, 2007, in Official Record Book 2395, Page 1859, of the Public Records of Hernando County, Florida (the "Amended and Restated Declaration"); and

WHEREAS, the Amended and Restated Declaration superseded the original Declaration of Covenants and Restrictions for Silverthorn, recorded at Official Record Book 975, Page 1632, of the Public Records of Hernando County, Florida, and all prior amendments to said original Declaration; and

WHEREAS, after the date of the Amended and Restated Declaration, several amendments had been adopted and recorded in the Public Records of Hernando County, Florida; and

WHEREAS, Silverthorn/Hernando Homeowners' Association, Inc. (the "Association") consolidated the Amended and Restated Declaration along with its approved and adopted amendments in the Consolidated and Restated Declaration of Covenants and Restrictions for Silverthorn recorded at Official Record Book 2901, Page 1667, of the Public Records of Hernando County (the "Declaration"); and

WHEREAS, Article IX, Section 4 of Declaration provides that the covenants, conditions and restrictions of the Declaration may be amended by an instrument approved by persons or entities able to exercise a majority of the voting power of the Association members who are present and voting at a regularly called annual or special meeting of the members, provided that at least thirty percent (30%) of the membership is represented at such meeting; and

WHEREAS, the Association does hereby desire to certify the adoption of those amendments attached hereto as Exhibit "A" and made a part hereof;

NOW, THEREFORE, the Association, by and through its duly authorized officer, does hereby certify that, at a duly called meeting of its members held on December 1, 2015, in accordance with the requirements of the applicable Florida Statutes and the governing documents

of the Association, the Amendment to Article VII, Sections 5 and 6 of the Declaration, attached hereto as **Exhibit A**, were duly adopted by the membership.

IN WITNESS WHEREOF, SILVERTHORN / HERNANDO HOMEOWNERS' ASSOCIATION, INC. has caused this instrument to be signed by its duly authorized officer on this 28th day of December, 2015.

WITNESSES:

SILVERTHORN/HERNANDO HOMEOWNERS' ASSOCIATION, INC.

Jack Smith
Print Name: Jack Smith

By: *Robert Nyovich*
ROBERT NYOVICH, President

Humberto Gonzalez
Print Name: Humberto Gonzalez

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 28th day of December 2015, by ROBERT NYOVICH, President of SILVERTHORN/HERNANDO HOMEOWNERS' ASSOCIATION, INC., who is personally known to me, and who did take an oath under the laws of the State of Florida, who executed the foregoing Certificate of Amendment to the Amended and Restated Declaration of Covenants and Restrictions for Silverthorn, and acknowledged the execution thereof to be his free act and deed as such officer, for the uses and purposes therein mentioned, and that execution of said instrument is the act and deed of said corporation.

AFFIX NOTARY SEAL

Mandy Brittain
Print Name: Mandy Brittain
Notary Public



Exhibit A

**ADOPTED AMENDMENTS TO THE CONSOLIDATED AND RESTATED
DECLARATION OF COVENANTS AND RESTRICTIONS
FOR SILVERTHORN**

The following is the adopted amendment to the Consolidated and Restated Declaration of Covenants and Restrictions for Silverthorn, recorded on May 7, 2012, in Official Record Book 2901, Page 1667, Public Records of Hernando County, Florida (new wording is double underlined; deleted wording is ~~stricken through~~).

ARTICLE VII

ARCHITECTURAL, MAINTENANCE AND USE RESTRICTIONS

Section 5. Walls, Fences, Hedges and Landscaping.

1. All landscaping plans, walls and hedges must receive prior written approval of the Architectural Review Committee, as provided for in Article VI of these restrictions, before implementation. The Association does not permit fences to be installed at individual homes/villas except for those fences required pursuant to governmental regulation such as fences enclosing a swimming pool or spa. Fences which are legally in existence as of the effective date of this amendment are "grand fathered" and will be permitted to remain, but such fences are not to be replaced, in whole or in part, without prior written approval by the Board of Directors. If fifty percent (50%) or more of a nonconforming fence needs to be replaced, this will not be permitted and the fence must be removed. Walls are only to be permitted in the event that these are determined to be necessary by the Board of Directors, and approved in writing, as retaining walls to prevent damage to property as a result of grading or other conditions which may lead to erosion or other damage if a retaining wall is not constructed.

2. No hedge or shrub which obstructs sight lines and elevations between two and six feet above the roadway shall be placed or permitted to remain on any corner Lot within the triangle area formed by the street property lines and the line connecting them at points twenty (20) feet from the intersection of the street lines, or in a case of rounded property corner from the intersection of the property lines extended. The same sight line limitations shall apply on any Lot within ten (10) feet from the intersection of the street property line and the edge of the driveway. No trees shall be planted within such distance of such intersections unless the foliage line is maintained at a sufficient height to prevent obstruction of such sight lines. No plantings of any type shall be placed or allowed to remain (unless said plantings received prior ARC approval) on any area between the sidewalk and the street.

3. No chain link fences shall be permitted upon a residential Lot except for the community perimeter fence. Chain link fences may be permitted in Common Area as deemed essential by the Association.

4. Shock collar fencing for the purpose of confining pets on a Lot shall be permitted only when installed and used as set forth in this subsection and in section 6, subsection 2 of this Article. Shock collar fencing is not to be used to confine a pet in a front yard. Shock collar fencing may be used to confine a pet in rear and side yards, but may not be used beyond the front of the building at any point. Further, on corner Lots shock collar fencing may not be used to confine a pet in the side yard which is adjacent to the road right of way (the "roadway side"). In such case shock collar fencing used in the rear yard may not extend beyond the roadway side of the building at any point. For the purposes hereof, "shock collar fencing" shall mean an electronic system to contain a pet within a predetermined boundary without the use of a physical barrier by delivering an electric shock to the pet if it crosses beyond the boundary.

Installation of shock collar fencing and modification, repair or replacement of existing shock collar fencing shall be subject to the approval requirements of Article VI of this Declaration. Boundaries of wireless shock collar fencing in existence on any Lot on (insert date of subsection adoption) must be adjusted to comply with the requirements of this subsection. Boundaries of wired shock collar fencing in existence on (insert date of subsection adoption) may remain in place until such time as the Lot is conveyed to a third party unrelated to the Owner or until the wired boundary requires substantial modification, at which time the wired boundary must be adjusted to comply with the requirements of this subsection. For the purposes hereof, "substantial modification" shall mean replacement or repair exceeding 50% of the wired boundary, or any repair or replacement of the wired boundary located outside of the allowable area as set forth above.

Section 6. Animals.

1. No animals, livestock or poultry of any kind shall be raised, bred, pastured or maintained on any Lot, except household pets, for the sole pleasure and purpose of the occupants, but not for any commercial use or purpose. Birds shall be confined to cages and shall not be allowed to become a noise nuisance to surrounding property. Except for aquarium fish, in no event shall more than three (3) pets be housed on any Lot.

2. No person owning or having possession, charge, custody or control of any pet shall cause, permit or allow the pet to stray, run, be, go or in any other manner be at large in or upon any street, sidewalk or park, or on private property of others without the express or implied consent of the owner of such private property. Pets shall be on a leash when outside of a Dwelling, or confined by shock collar fencing with the Owner present outdoors and actively monitoring the pet. Governmental or municipality animal control laws apply at all times, and are incorporated herein by reference. If any pet becomes a nuisance or an unreasonable disturbance to other residents at Silverthorn, the Board may require the removal of such pet, following notice to the pet owner and the opportunity for a hearing.

END OF ADOPTED AMENDMENTS