

**1<sup>st</sup> AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS, EASEMENTS & RESTRICTIONS FOR JOHNS  
LANDING**

THIS 1<sup>ST</sup> AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS & RESTRICTIONS FOR JOHNS LANDING is made and executed this ~~11/1~~ day of April, 2001, by Roberts/Cura Company, a Florida joint venture (hereinafter referred to as the "Developer").

**RECITALS**

A. Developer caused the Declaration of Covenants, Conditions, Easements & Restrictions for Johns Landing ("Declaration") to be recorded in Official Records Book 6022, Page 2293 of the official records of Orange County, Florida.

B. Developer is entitled to amend the terms and provisions of, and the covenants, conditions, restrictions, easements and reservations set forth in the Declaration upon the affirmative written consent or the vote of not less than two-thirds (2/3) of the total votes of the members of the Association, and without requiring the joinder or consent of any other person or party whomsoever, provided any such amendment must be approved by the Federal Housing Administration and the Veterans Administration; and

C. Developer controls more than two-thirds (2/3) of the total votes of the members of the Association and this amendment has been approved (or said has approval has been waived) by the Federal Housing Administration and the Veteran's Administration; and

D. Developer desires to amend the Declaration to modify certain covenants and restrictions.

**NOW, THEREFORE**, for and in consideration of the premises hereof, Developer does hereby amend the Declaration as hereinafter set forth.

Article VII, Paragraph 7(a), Commercial and Recreational Vehicles, is amended as follows:

7. Commercial and Recreational Vehicles.

(a) No truck, bus, trailer or other "commercial vehicle" (as that term is hereinafter defined) and no mobile home, motor home, house trailer, camper, van, ~~boat, boat trailer,~~ horse trailer or other recreational vehicle or the like shall be permitted to be parked or stored on Residential Property unless the same shall be parked or stored entirely within and fully enclosed by a garage; nor shall any such commercial or recreational vehicle or the like be



permitted to be parked or stored on any street within the Subject Property. Notwithstanding the foregoing, however, it is expressly provided that commercial vehicles shall be permitted to be parked on or in front of (but not adjacent to) Residential Property on which bona fide ongoing construction activity is taking place; nor shall the foregoing provisions of this Subsection (a) apply to parking on "a temporary or short term basis" (as that term is hereinafter defined).

Boats and boat trailers may be parked or stored on Residential Property so long as same are kept behind a properly erected and maintained fence, which fence is approved by the Association, provided no part or portion of a boat or trailer is visible from any adjacent street. For the purposes of this section, the phrase "visible from any adjacent street" shall mean visible by a person six feet in height or smaller, standing on any portion of an adjacent street, and viewing the boat or trailer's location therefrom.

Article VIII, Paragraph 13, Garages and Carports, is amended as follows:

13. Garages and Carports. No carports shall be placed, erected, constructed, installed or maintained on Residential Property. Each single family residential dwelling constructed and maintained on Residential Property shall have an attached garage as an appurtenance thereto. All single family residential lake front dwellings, having one or more of its boundaries abutting the lake, and all lots designated as lake view lots according to the attached Exhibit "A," ~~single family residential dwellings constructed on Residential Property having a lake view, from which a full or partial view of the lake exists,~~ shall only consist of side-entry or courtyard style garages. All garages shall be for not less than two (2) standard sized passenger automobiles. Garages for more than three (3) automobiles must be specifically approved by the Architectural Review Board. Each garage shall have a minimum width, as measured from inside walls, of ten (10) feet per car and a minimum depth for each car of twenty-one (21) feet. Garages may also contain appropriately sized storage rooms, recreational workshops and tool rooms as approved by the Architectural Review Board. All garages must have garage doors that are operated by electric door openers kept in operable condition and all garage doors shall remain closed at all times; save and except for the temporary opening and use of same in connection with the ingress and egress of vehicles and the conduct of other activities customarily performed in garages. No garage shall be converted to another use (e.g., living space) without the substitution, on the Lot involved, of another garage meeting the requirements of this Article 8.13 of this Declaration and the approval of the Architectural Review Board as otherwise provided in this Declaration. Notwithstanding the foregoing provisions of this Article 8.13, because of the peculiarities of the size, shape, configuration, location and other physical characteristics of many Lots within Johns Landing, it may be impossible or impractical to design, erect, construct, install or maintain garages in such manner that the garage doors thereof do not face and are not visible from any street or the front of any residence. Accordingly, it is expressly provided that Developer without the consent of the Architectural Review Board, or the Architectural Review Board only with the consent of Developer, in their sole and absolute discretion, shall be entitled, and are hereby authorized, to grant waivers of and/or variances from such restriction in any particular instance and with respect to any particular Lot or Improvement. To the extent that any such waiver and/or





- Lot 159
- Lot 158
- Lot 157
- Lot 156
- Lot 155
- Lot 154
- Lot 153
- Lot 152
- Lot 138
- Lot 137
- Lot 136
- Lot 124
- Lot 123
- Lot 122
- Lot 121
- Lot 120
- Lot 119
- Lot 118
- Lot 117
- Lot 116
- Lot 115
- Lot 114
- Lot 113
- Lot 112
- Lot 90
- Lot 89
- Lot 88

Lake View Lots

EXHIBIT "A"