

**AMENDED AND RESTATED RESTRICTIONS OF
BRIAR CREEK MOBILE HOME COMMUNITY I A CONDOMINIUM**

These Amended and Restated Restrictions of Briar Creek Mobile Home Community I, a Condominium, amend and restate those certain Restrictions attached to the Declaration of Condominium, and recorded in O.R. Book 4535, 1165, of the Public Records of Pinellas County, Florida, as amended.

1. No persons who have not yet attained the age of eighteen (18) years of age shall be permitted to reside the lands, except that children under such age may be permitted to visit and temporarily reside thereon, provided that such temporary residence shall not exceed sixty (60) days in any one calendar year or sixty (60) days within any consecutive twelve (12) month period, whichever may provide the least permissible residence. At least one of the purchasers or renters of a unit must have attained fifty-five (55) years of age. The Board of Directors shall establish rules pertaining to the use of common facilities by guests under the age of eighteen (18) years.

2. Automobiles must be parked in spaces provided on your own lot or as otherwise designated by the Board of Directors. Vehicles will not be permitted to stand overnight in the street except for the purpose of preparing such vehicle for a trip within the following forty-eight (48) hours. Speed limits within the Park will be authorized by the Board of Directors, and such speed limits will be designated by signs. All motorized vehicles must have an exhaust system noise level equivalent to manufacturer's original equipment.

3. Planting of flowers and shrubs is encouraged, since these add much to the beautification of the Park. No vegetables are to be grown on your lot. The addition of landscaping to any lot will be considered an exterior alteration and require Board approval. The Board shall have the authority to enforce rules restricting size, type and placement of landscaping on each lot, provided that bushes shall be restricted to a height of no more than five (5) feet in planter box.¹

~~Use of water by hand sprinkling is allowed. Home owners may use automatic sprinklers, but only when the resident is outside to keep control of its use. Excessive water from automatic sprinklers on any road is strictly forbidden, and any violation may revert to a complete ban on automatic sprinklers.~~² Use of permanent sprinklers using common water supply and use of any sprinkler on any automatic timer is prohibited. For the purposes of this section, a sprinkler on automatic timer is any sprinkler which will initiate and water a lot without the necessity of the owner's physical presence on the lot and direct input to initiate the system. Permanent sprinklers not using common water are allowed, provided they are not operated by means of an automatic timer. For the purposes of this section, a permanent sprinkler is any sprinkler which cannot be readily moved by hand to different parts of a lot or off the lot entirely.³

4. Mowing will be done by the Park. Other than this, each resident is responsible to keep his lot in a neat, orderly condition at all times. No unsightly storage permitted under or around the mobile home. In the event the resident does not keep his lot up to minimum requirements, the

¹ Amended 12/04/06

² Amended 12/04/06

³ Amended 12/04/06

Board of Directors reserves the right to have the work done, and the costs will be charged to the resident's account.

5. All recreation facilities are provided for your enjoyment. We ask that you treat these facilities carefully, as if they were your property, and that you abide by all posted rules and regulations regarding them. Private use of the Recreation Hall must be reserved with the Chairman of the Recreation Hall. The Recreation Hall, pool, and shuffleboard courts close at hours as authorized by the Board of Directors.

6. Each mobile home must be skirted, have a planter built in front, and include an attached⁴ carport and utility building. All mobile homes, buildings, patios, and carports in the entire park must be kept in good and orderly condition and well painted. In order to maintain some degree of conformity, all additions must be made with the approval of the Board of Directors. One above ground hot tub may be placed in each carport with prior Board approval, but must be screened from the view of persons outside the subject lot. The screening shall be considered an exterior. alteration and the type, style and color of the screening shall be subject to Board approval. The Board may enforce rules regarding the type, style and color of screening permitted.⁵

7. No fences of any kind shall be permitted. For the purposes of this section, fence is defined as anything including, but not limited to, plants, trellises, or fencing of any material, or anything else the purpose of which is to provide privacy from persons off the subject property, to contain animals on the subject property, to deny access to the lot or any portion of the lot from outside the fence, or to generally mark the boundary of the subject property or any portion of the property.⁶

Except as otherwise provided herein, no cars, trailers, boats, trucks, recreational vehicles, motor homes, or commercial vehicles of any kind shall be parked on the common elements, without a guest sticker; provided, however, that trucks and commercial vehicles may be temporarily parked while present in the Park in the course of business. Repairing of cars, building or storage of boats, campers or trucks larger than a standard pick-up truck is prohibited, whether on the condominium lot or parcel or in or on the streets.⁷ Additionally, no inoperative vehicles shall be parked in such areas, nor shall the repairing of such vehicles be made.

8. Wrap all garbage. Do not pour grease down drains. Place grease in cans or bottles and deposit in garbage cans.

9. Coin-operated laundry facilities are available for your convenience. Two (2) drying yards are also provided. No clothes-line or clothes are to be hung on mobile home spaces that are visible from the outside of the unit. Always leave the laundry machines and facilities clean for the next person.

10. Always consider your neighbor. Avoid any excessive noise. Play radios and televisions softly at all times. No boisterous parties allowed. Improper conduct of any kind, as determined by the Board of Directors, will not be tolerated.

⁴ Amended 12/04/06

⁵ Amended 12/04/06

⁶ Amended 12/04/06

⁷ Amended 12/04/06

11. The owners and/or the Association are not responsible for damage, injury or loss by accident, theft or fire to either the property or person of residents or guests in the Park, and you are hereby notified that you assume all risks and relinquish all and any claims for damages and/or loss.

12. Alcoholic beverages will not be permitted or consumed in or on any of the common elements, unless authorized in writing by the Board of Directors. Authorized use of alcoholic beverages will be B.Y.O.B. If, at any time, authorized use of alcoholic beverages becomes out of control, its use will be curtailed at the discretion of the Board of Directors.

13. Complaints or recommendations regarding the enforcement of these restrictions should be directed to the Board of Directors, in writing.

14. After notification to the Board of Directors, one 14" by 12" "FOR SALE" sign may be permitted inside a window of a mobile home unit. During an "OPEN HOUSE", one sign on the premises, and one 18" x 24" directional sign per owner or⁸ real estate company will be allowed. No other signs of any kind shall be displayed on anything within⁸ the Park without authorization from the Board of Directors. General notices and articles for sale may be prepared for posting on the bulletin board after approval by the Board of Directors. Any "OPEN HOUSE" shall be attended by either a representative of the owner or a real estate agent at all times.

15. One adult eighteen (18) years of age and older must accompany children under sixteen (16) years of age at the pool side, Recreation Hall, pool hall, or shuffleboard courts each time children use these facilities. Residents and guests must have authorized tags at pool side, or when using the pool or hot tub, and conform to the rules posted at the recreation facilities as authorized from time to time by the Board of Directors.

16. No peddling, soliciting or commercial enterprise of any kind will be permitted without permission of the Board of Directors.

17. Pets shall be permitted, but only on that portion of Briar Creek Mobile Home Community I designated by the Board of Directors as the area where pets can be kept. Effective immediately, the Park shall be divided into two (2) parts, the "pet section" and the "cat only"-section. In the "pet section" Pets, as defined herein, pets shall be restricted to one (1) domesticated cat or one (1) domesticated dog of a breed that shall not exceed more than twenty-five (25) pounds when mature (such as poodle, terrier, pekinese). In the "cat only" section, no pets shall be permitted except one (1) domesticated cat which must be kept inside the residence at all times. No other pets of any kind, nor more than one (1) of the described pets at any time, shall be permitted in any residence. All such pets must be registered with the Board of Directors of the Association. The lot owner will be required to maintain the pet at all times under a leash. In no event shall the pet be allowed to enter the recreational area and/or any other areas of Briar Creek other than those areas so designated for pets and/or to cause a nuisance or disturbance of any kind. Any pet causing, creating, or contributing to a nuisance or unreasonable disturbance or annoyance or noise shall be permanently removed from the Park upon ten (10) days written notice from the Board. The Board's decision that a pet constitutes a nuisance, or that it creates an unreasonable disturbance or annoyance or noise shall be conclusive. Lot owners wishing to have pets other than a dog or cat must have prior approval of the Board of Directors. Authorized areas for pet shall be established by rules adopted by the Board of Directors. Any pets properly residing within a

⁸ Amended 12/04/06

condominium unit at the time of adoption of this Rule shall be allowed to continue in residence despite provisions within this section which would make their presence otherwise non-conforming, provided they are registered with the Board of Directors within twenty (20) days following adoption of this Rule. No such non-conforming pets may be replaced upon their demise, or permanent removal from the Park, if such replacement shall constitute a violation of this section as amended⁹

18. All golf carts shall be registered with the Board of Directors and insured. A golf cart is a motorized vehicle and no one under the age of 16 shall be allowed to drive it as per Florida Statutes. All liability shall be that of the owner of the golf cart being driven (Rules of the Road apply).¹⁰

⁹ Amended 5/5/05

¹⁰ Amended 12/04/06

**CERTIFICATE OF AMENDMENT TO
AMENDED AND RESTATED RESTRICTIONS
OF BRIAR CREEK MOBLE HOME COMMUNITY L A CONDOMINIUM**

This is to certify that at a duly called meeting of the members of Briar Creek Mobile Home Community I; toe. (the "Association"), held on December 6, 2004, at which a quorum of the voting interests were present, the attached Amendment to the Amended and Restated Restrictions for Briar Creek Mobile Home Community, a condominium., was duly adopted by the membership as required by the governing documents. The Amended and Restated Restrictions for Briar Creek Mobile Home Community I, a condominium., was attached to the Amended and Restated Declaration of Condominium which was originally recorded in Official Records Book 10820, Page 675, Public Records of Pinellas County, Florida. The Amended and Restated Restrictions was recorded in Official Records Book 10820, at Page 721, aforesaid records. The Condominium Plat related thereto is found in Condominium Plat Book 34, Page 94 of Pinellas County Public Records. The attached consists of one page.

IN WITNESS WHEREOF, BRIAR CREEK MOBILE HOME COMMUNITY I, INC., INC. has caused this instrument to be signed by its duly authorized officer on this 30th day of April, 2005.

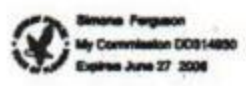
<p><u>Mary Anne Sturgeon</u> Signature of Witness #1 <u>Mary Anne Sturgeon</u> Printed Name of Witness #1</p> <p><u>Joyce M. Gillen</u> Signature of Witness #2 <u>Joyce M. Gillen</u> Printed Name of Witness #2</p>	<p>BRIAR CREEK MOBILE HOME COMMUNITY I, INC.</p> <p>By: <u>Alton R. Dettmer</u> Signature <u>ALTON R. DETTMER, PRESIDENT.</u> Printed Name and Title</p>
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STATE OF FLORIDA)
COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 30 day of April, 2005, by Alton Dettmer, as President of BRIAR CREEK MOBILE HOME COMMUNITY I, INC., a Florida corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.

Simon Ferguson
Notary Public - State of Florida at Large

My Commission Expires:



**APPROVED AMENDMENT TO THE AMENDED AND RESTATED RESTRICTIONS
FOR BRIAR CREEK MOBILE HOME COMMUNITY L A CONDOMINIUM**

Insertions are underlined; deletions are ~~stricken through~~

1. Amend Restriction 7 of the Amended and Restated Restrictions to read as follows:

These Amended and Restated Restrictions of Briar Creek Mobile Home Community I, a Condominium, amend and restate those certain Restrictions attached to the Declaration of Condominium, and recorded in O.R. Book 4535, 1165, of the Public Records of Pinellas County, Florida, as amended.

7. No fences of any kind shall be permitted. *Except* as otherwise provided herein, no trailers, boats, trucks, recreational vehicles, motorhomes, or commercial vehicles of any kind shall be parked on the common elements, without a guest sticker, provided, however, that trucks and commercial vehicles may be temporarily parked while present in the Park in the course of business. Repairing of cars, building or storage of boats, campers or trucks larger than a standard pick up truck is prohibited, whether on the condominium lot or parcel or in or on the streets. Additionally, no inoperative vehicles shall be parked in such areas, nor shall the repairing of such vehicles be made.

END OF APPROVED AMENDMENT

**APPROVED AMENDMENT TO
AMENDED AND RESTATED RESTRICTIONS OF
BRIAR CREEK MOBILE HOME COMMUNITY I- A CONDOMINIUM**

Insertions are underlined; deletions are ~~stricken through~~

1. Section 17 of the Amended and Restated Restrictions is amended to read as follows:

17. Pets shall be permitted, but only on that portion of Briar Creek Mobile Home Community I designated by the Board of Directors as the area where pets can be kept. Effective immediately, the Park shall be divided into two (2) parts, the "pet section" and the "cat only" section. In the "pet section" Pets, as defined herein, pets shall be restricted to one (1) domesticated cat or one (1) domesticated dog of a breed that shall not exceed more than twenty-five (25) pounds when mature (such as poodle, terrier, pekinese). In the "cat only" section, no pets shall be permitted except one (1) domesticated cat which must be kept inside the residence at all times. No other pets of any kind, nor more than one (1) of the described pets at any time, shall be permitted in any residence. All such pets must be registered with the Board of Directors of the Association. The lot owner will be required to maintain the pet at all times under a leash. In no event shall the pet be allowed to enter the recreational area and/or any other areas of Briar Creek other than those areas so designated for pets and/or to cause a nuisance or disturbance of any kind. Any pet causing, creating, or contributing to a nuisance or unreasonable disturbance or annoyance or noise shall be permanently removed from the Park upon ten (10) days written notice from the Board. The Board's decision that a pet constitutes a nuisance, or that it creates an unreasonable disturbance or annoyance or noise shall be conclusive. Lot owners wishing to have pets other than a dog or cat must have prior approval of the Board of Directors. Authorized areas for pet shall be established by rules adopted by the Board of Directors. Any pets properly residing within a condominium unit at the time of adoption of this Rule shall be allowed to continue in residence despite provisions within this section which would make their presence otherwise non-conforming, provided they are registered with the Board of Directors within twenty (20) days following adoption of this Rule. No such non-conforming pets may be replaced upon their demise, or permanent removal from the Park, if such replacement shall constitute a violation of this section as amended

END OF APPROVED AMENDMENT