

PREPARED BY AND RETURN TO:

Christian F. O'Ryan, Esq.
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401 East Jackson Street, Suite 2100
Tampa, Florida 33602

-----SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA-----

**FOURTH SUPPLEMENTARY DECLARATION TO DECLARATION OF COVENANTS
AND RESTRICTIONS FOR AVALON VILLAGE**

THIS FOURTH SUPPLEMENTARY DECLARATION TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR AVALON VILLAGE (this "**Fourth Supplement**") is made by LANDBUILDER, LLC., a Florida limited liability company (the "**Developer**") and joined by THE HOMEOWNERS' ASSOCIATION OF AVALON VILLAGE, INC. a Florida not-for-profit corporation (the "**Association**").

RECITALS

A. Developer, by virtue of that certain Assignment of Developer's Rights, recorded in Official Records Book 3104, Page 783, from Eagle FL V SPE, LLC, a North Carolina limited liability company, to Hunters Lake, LLC, a Florida limited liability company (now known as Landbuilder, LLC, a Florida limited liability company) is the "**Developer**" under that certain Declaration of Covenants and Restrictions for Avalon Village, recorded in Official Records Book 2084, Page 1236 (the "**Original Declaration**"), as amended by that certain First Amendment to Declaration of Covenants and Restrictions for Avalon Village, recorded in Official Records Book 2084, Page 1337 (the "**First Amendment**"), and as amended by certain Second Amendment to Declaration of Covenants and Restrictions for Avalon Village, recorded in Official Records Book 2145, Page 268 (the "**Second Amendment**"), and as supplemented by that Supplemental Declaration of Declaration of Covenants and Restrictions for Avalon Village, recorded in Official Records Book 3447, Page 842 (the "**First Supplement**"), and as amended by that certain Certificate of Amendment to the Declaration of Covenants and Restrictions, recorded in Official Records Book 3515, Page 533 (the "**Third Amendment**"), and as supplemented by that certain Supplemental Community Declaration of Avalon Village, recorded in Official Records Book 3603, Page 1250 (the "**Second Supplement**"), and as amended by that Third Amendment to Declaration of Covenants and Restrictions for Avalon Village, recorded in Official Records Book 3732, Page 1530 (misnumbered) (the "**Fourth Amendment**"), and as amended by that Fifth Amendment to Declaration of Covenants and Restrictions for Avalon Village, recorded in Official Records Book 3792, Page 459 (the "**Fifth Amendment**"), and as further supplemented by that certain Third Supplementary Declaration to Declaration of Covenants and Restrictions for Avalon Village, recorded in Official Records Book 3792, Page 423 (the "**Third Supplement**"), all of which were recorded in the Public Records of Hernando County,

Florida. The Original Declaration, together with the First Amendment, Second Amendment, the First Supplement, the Third Amendment, the Second Supplement, the Fourth Amendment, the Fifth Amendment and the Third Supplement shall hereinafter be collectively referred to as the "Declaration."

B Pursuant to Section 5.3 of the Declaration, the Developer shall have the right, in its sole discretion, to designate land, easements, use rights and personal property owned by the Developer as Common Area by recording a Supplementary Declaration executed by the Developer.

C The Developer is owner of the land described on Exhibit A (the "Additional Common Area Land").

NOW THEREFORE, the Developer hereby desires to file of record this Fourth Supplement for the purpose of designating certain easements and land as Common Areas of the Association.

1. Recitals and Defined Terms. The foregoing recitals are true and correct and are incorporated into and form a part of this Fourth Supplement. All initially capitalized terms not defined herein shall have the meanings set forth in the Declaration.

2. Conflicts. In the event there is a conflict between this Fourth Supplement and the Declaration, this Fourth Supplement shall control. Whenever possible, this Fourth Supplement and the Declaration shall be construed as a single document. Except as modified hereby, the Declaration shall remain in full force and effect.

3. Designation of Common Areas. Pursuant to Section 5.3 of the Declaration, the Developer hereby designates the Additional Common Area Land and as Common Area of the Association. Such areas may abut, or be proximate to, the Property, and may be owned by, used by, or dedicated to, others including, without limitation, a utility, governmental, or quasi-governmental entity, or members of the public. The costs associated with maintenance, repair and replacement of the improvements comprising the Additional Common Area Land shall be common expenses of the Association to be collected and paid in the manner prescribed by the Declaration.

4. Approval and Ratification. The Declaration, as modified by this, is hereby incorporated by reference as though fully set forth herein and, except as specially amended hereinabove, is hereby ratified and confirmed in its entirety.

5. Covenant. This Fourth Supplement shall be a covenant running with the land and shall be effective immediately upon its recording in Hernando County, Florida.

[Signatures on the Following Page]

IN WITNESS WHEREOF, the undersigned, being the Developer, has caused this Fourth Supplement to be executed by its duly authorized representative as of this 30th day of December, 2019.

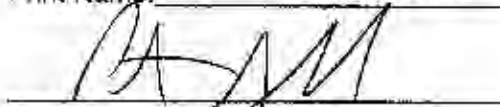
WITNESSES:

"DEVELOPER"

LANDBUILDER, LLC., a Florida limited liability company



Print Name: GINA M. BLAIR



Print Name: Pete Slocum

By: 
Name: Devon S. Rushnell
Title: Manager/President

[Company Seal]

STATE OF FLORIDA)
COUNTY OF Sarasota)

The foregoing instrument was acknowledged before me by means of physical presence this 30th day of December, 2019, by Devon S. Rushnell, as Manager/President of LANDBUILDER, LLC., a Florida limited liability company. He [is personally known to me] [has produced n/c as identification].


Notary Public GINA M. BLAIR
Print Name: _____
My Commission Expires: _____



IN WITNESS WHEREOF, the undersigned, being the Developer, has caused this Ninth Amendment to be executed by its duly authorized representative as of this 15th day of September, 2022.

WITNESSES:

"DEVELOPER"

LANDBUILDER, LLC., a Florida limited liability company

By: 

Name: Devon S. Rushnell

Title: Manager/President

[Company Seal]

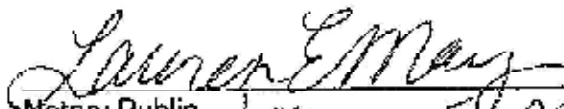

Print Name: Lauren E. May


Print Name: Sam Klint

STATE OF FLORIDA)

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before by means of ☒ physical presence or ☐ online notarization this 15th day of September, 2022, by Devon S. Rushnell, as Manager/President of LANDBUILDER, LLC., a Florida limited liability company, on behalf of the company. He [is personally known to me] [has produced as identification].


Notary Public
Print Name: Lauren E. May
My Commission Expires: 8/2/2024



Lauren E. May
Notary Public
State of Florida
Comm# HH025893
Expires 8/2/2024

JOINDER

THE HOMEOWNERS' ASSOCIATION OF AVALON VILLAGE, INC., a Florida not-for-profit corporation (the "**Association**") does hereby join in the TENTH AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR AVALON VILLAGE (the "**Ninth Amendment**"), to which this Joinder is attached, and the terms thereof are and shall be binding upon the undersigned and its successors in title. The Association agrees this joinder is for the purpose of evidencing the Association's acceptance of the Tenth Amendment and does not affect the validity of the Tenth Amendment as the Association has no right to approve the Tenth Amendment.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 15 day of September, 2022.

WITNESSES:

"ASSOCIATION"

THE HOMEOWNERS' ASSOCIATION
OF AVALON VILLAGE, INC., a Florida
not-for-profit corporation

Lauren E. May
Print Name: Lauren E. May

By: [Signature]
Name: Devon S. Rushnell
Title: President

Sarah Flint
Print Name: Sarah Flint

[Corporate Seal]

STATE OF FLORIDA)

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 15th day of September, 2022, by Devon Rushnell, as President of THE HOMEOWNERS' ASSOCIATION OF AVALON VILLAGE, INC., a Florida not-for-profit corporation. He [is personally known to me] [has produced _____ as identification].

Lauren E. May
Notary Public
Print Name: Lauren E. May
My Commission Expires: 8/2/2024



Lauren E. May
Notary Public
State of Florida
Comm# 1H026893
Expires 8/2/2024

X

EXHIBIT A

LEGAL DESCRIPTION FOR ADDITIONAL PROPERTY / EXEMPT PROPERTY

A PARCEL OF LAND LYING IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 23 SOUTH, RANGE 18 EAST, HERNANDO COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF AFOREMENTIONED SECTION 34. SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE PLAT OF VILLAGES AT AVALON PHASE IV, AS RECORDED IN PLAT BOOK 43, PAGES 38-41 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, MARKED BY A 4"X4" CONCRETE MONUMENT STAMPED "PRM LB 148"; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID SUBDIVISION AND THE NORTH LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34, RUN S89°54'48"E, 316.00 FEET TO THE WEST BOUNDARY LINE OF SAID VILLAGES AT AVALON PHASE IV; THENCE ALONG SAID WEST BOUNDARY LINE, RUN S01°02'02"E, 300.18 FEET; THENCE S00°04'05"E, 291.93 FEET TO A POINT ON A CURVE TO THE RIGHT, BEING CONCAVE TO THE NORTHWEST, HAVING A CENTRAL ANGLE OF 55°01'56", A RADIUS OF 245.00 FEET, AND A CHORD BEARING AND DISTANCE OF S43°59'16"W, 226.38 FEET; THENCE ALONG THE ARC OF SAID CURVE 235.32 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT, BEING CONCAVE TO THE NORTHEAST, HAVING A CENTRAL ANGLE OF 29°46'14", A RADIUS OF 275.00 FEET, AND A CHORD BEARING AND DISTANCE OF N31°50'21"W, 141.29 FEET; THENCE ALONG THE ARC OF SAID CURVE 142.89 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, BEING CONCAVE TO THE SOUTHWEST, HAVING A CENTRAL ANGLE OF 59°49'36", A RADIUS OF 325.00 FEET, AND A CHORD BEARING AND DISTANCE OF N46°52'02"W, 324.15 FEET; THENCE ALONG THE ARC OF SAID CURVE 339.36 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, BEING CONCAVE TO THE NORTHEAST, HAVING A CENTRAL ANGLE OF 76°38'46", A RADIUS OF 15.00 FEET, AND A CHORD BEARING AND DISTANCE OF N38°27'27"W, 18.60 FEET; THENCE ALONG THE ARC OF SAID CURVE 20.07 FEET; THENCE S89°51'55"W, 50.00 FEET; THENCE S00°08'05"E, 80.43 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, BEING CONCAVE TO THE WEST, HAVING A CENTRAL ANGLE OF 04°14'31", A RADIUS OF 275.00 FEET, AND A CHORD BEARING AND DISTANCE OF S01°59'11"W, 20.36 FEET; THENCE ALONG THE ARC OF SAID CURVE 20.36 FEET; THENCE S89°51'55"W, 122.86 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE ALONG SAID WEST LINE, RUN N00°08'05"W, 500.94 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE ALONG SAID NORTH LINE, RUN S89°54'17"E, 332.67 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.34 ACRES MORE OR LESS

This instrument was prepared by,
and after recording return to:

NORTON, HAMMERSLEY,
LOPEZ & SKOKOS, P.A.
1819 Main Street, Suite 610
Sarasota, Florida 34236

SUPPLEMENTAL COMMUNITY DECLARATION OF
AVALON VILLAGE

This Supplemental Community Declaration of Avalon Village, dated this 22th day of March, 2023, is executed by LANDBUILDER, LLC, a Florida limited liability company, hereinafter called "Declarant".

WHEREAS, Declarant has previously recorded that certain Declaration of Covenants and Restrictions for Avalon Village, recorded at Official Records Book 2084, Page 1236 as amended and/or supplemented in Official Records Book 2084, Page 1337, Official Records Book 2145, Page 268, Official Records Book 3447, Page 842, Official Records Book 3497, Page 1825, Official Records Book 3515, Page 533, Official Records Book 3603, Page 1250, Official Records Book 3732, Page 1530, Official Records Book 3792, Page 459, Official Records Book 3792, Page 473, Official Records Book 3837, Page 1950, and Official Records Book 3865, Page 1364, and Official Records Book 3975, Page 1341 and Official Records Book 4085, Page 331, and Official Records Book 4213, Page 1340, all in the Public Records of Hernando County, Florida (collectively, the "Declaration"), and Designation of Builder Under the Declaration recorded at Official Records Book 2511, Page 599, updated later and recorded at Official Records Book 3111, Page 28; and

WHEREAS, Declarant is permitted to make this Supplemental Declaration under the provisions of Article III, Section 3.2 of the Declaration; and

WHEREAS, Declarant desires to subject to the terms and provisions of the Declaration to the following parcel of real property described as follows (the "Real Property"):

**SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED HEREIN BY THIS REFERENCE.**

The Real Property also shall be referred to herein as the ("Annexed Property").

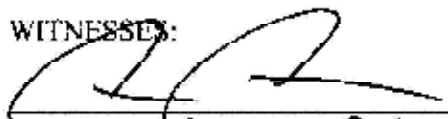
WHEREAS, Developer is the owner in fee simple of the Real Property and has the right, therefore, to subject the Real Property to the Declaration.

NOW, THEREFORE, Developer hereby declares that the Annexed Property is submitted, subjected, annexed, and added to the Declaration and to the property defined and described therein,

and shall be transferred, held, sold, conveyed, and developed subject to all of the easements, covenants, restrictions, conditions and other terms and provisions of the Declaration to the same extent as if the Annexed Property had originally been made subject to the Declaration. Henceforth, all references in the Declaration to the "Property" or "Subdivision" shall be deemed for all purposes to include both the real property described in the Declaration (and any previous additions thereto) and the Real Property. All owners of the Annexed Property are subject to the same obligations and restrictions, and are entitled to the same rights and privileges (including without limitation membership in the Association that enforces the Declaration) as are the owners of all other properties that are subject to the Declaration.

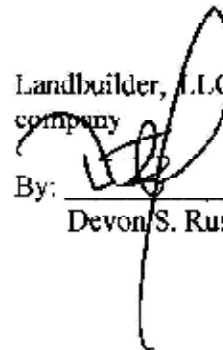
IN WITNESS WHEREOF, the undersigned, being Declarant hereunder, has hereunto set its hand and seal this 22nd day of March, 2023.

WITNESSES:


Print Name: Sarah Cadwell

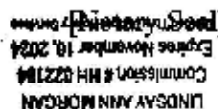

Print Name: Taylor Haynes

Landbuilder, LLC, a Florida limited liability company

By: 
Devon S. Rushnell, President

STATE OF Florida
COUNTY OF Hernando

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22nd day of March, 2023, by Devon S. Rushnell, as President of Landbuilder LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or who has produced N/A as identification.


LINDSAY ANN MORGAN
Commission Expires November 14, 2024



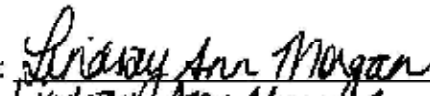
Notary Public: 
Print Name: Lindsay Ann Morgan
My Commission Expires: 11-16-2024



Exhibit "A"**OVERALL LEGAL DESCRIPTION FOR PHASE 1 PLAT OF AVALON WEST**

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 23 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE ALONG THE EAST BOUNDARY LINE OF SAID SOUTHEAST 1/4 N00°27'36"W, 40.00 FEET TO A CONCRETE MONUMENT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY LINE ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, RUN N89°46'24"W, 1321.66 FEET TO THE WEST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, AND THE SOUTHEAST CORNER OF LINDEN RETREAT SUBDIVISION AS RECORDED IN PLAT BOOK 23, PAGES 33-34 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG THE EAST BOUNDARY LINE OF SAID LINDEN RETREAT, RUN N00°09'01"W, 1274.08 FEET TO THE NORTH BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, AND THE SOUTH BOUNDARY LINE OF EAST LINDEN ESTATES, UNIT-6 SUBDIVISION, AS RECORDED IN PLAT BOOK 23, PAGES 8-10 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID EAST LINDEN ESTATES, UNIT-6, RUN S89°41'11"E, 660.68 FEET TO THE EAST BOUNDARY LINE OF SAID EAST LINDEN ESTATES, UNIT-6; THENCE ALONG THE EAST BOUNDARY LINE OF SAID EAST LINDEN ESTATES, UNIT-6, RUN N00°12'06"W, 657.25 FEET TO THE NORTH BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE ALONG SAID NORTH BOUNDARY LINE, RUN S89°38'22"E, 660.51 FEET TO THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, AND THE WEST BOUNDARY LINE OF THE VILLAGES AT AVALON, PHASE 3C AS RECORDED IN PLAT BOOK 42, PAGES 24-28 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG THE WEST BOUNDARY LINE OF SAID VILLAGES AT AVALON, PHASE 3C, RUN S00°11'07"E, 656.54 FEET TO THE SOUTH BOUNDARY LINE OF SAID VILLAGES AT AVALON, PHASE 3C AND THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE CONTINUE ALONG THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, S00°10'51"E, 1272.24 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY LINE ROAD AND THE POINT OF BEGINNING.

CONTAINING 48.58 ACRES MORE OR LESS.

LESS AND EXCEPT RIGHT OF WAY FOR COUNTY LINE ROAD FUTURE RIGHT OF WAY**LEGAL DESCRIPTION:**

PARCEL R/W-1 (RESERVED FOR COUNTY LINE ROAD):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 23 SOUTH, RANGE 18 EAST; THENCE ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, RUN N00°09'01"W, 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY LINE ROAD AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE N00°09'01"W, 75.00 FEET; THENCE S 89°46'23"E, 268.35 FEET TO THE WEST RIGHT OF WAY LINE OF GREYMANOR ROAD. SAID POINT BEING ON A NON-TANGENT CURVE TO THE LEFT, BEING CONCAVE TO THE EAST, HAVING A CENTRAL ANGLE OF 8°35'27", A RADIUS OF 340.00 FEET, AND A CHORD BEARING AND DISTANCE OF S04°32'05"W, 50.96 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE, AND THE ARC OF SAID CURVE, 51.00 FEET; THENCE S00°14'14"W, 24.19 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, RUN N89°46'24"W, 264.02 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION:

PARCEL R/W-2 (RESERVED FOR COUNTY LINE ROAD):

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 23 SOUTH, RANGE 18 EAST; THENCE ALONG THE EAST LINE OF SAID SECTION 33, RUN N00°27'36"W, 40.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY LINE ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, RUN N89°46'24"W, 977.63 FEET TO THE EAST RIGHT-OF-WAY LINE OF GREYMANOR ROAD; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, RUN N00°14'14"E, 24.17 FEET TO THE PC OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE EAST, HAVING A CENTRAL ANGLE OF 09°16'27", A RADIUS OF 260.00 FEET, AND A CHORD BEARING AND DISTANCE OF N04°52'28"E, 42.04 FEET; THENCE ALONG THE ARC OF SAID CURVE 42.09 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE EAST, HAVING A CENTRAL ANGLE OF 21°56'10", A RADIUS OF 25.00 FEET, AND A CHORD BEARING AND DISTANCE OF N20°28'46"E, 9.51 FEET; THENCE ALONG THE ARC OF SAID CURVE 9.57 FEET; THENCE S89°46'24"E, 970.41 FEET TO THE EAST LINE OF SAID SECTION 33; THENCE ALONG SAID EAST LINE, RUN S00°10'18"E, 75.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, AND THE POINT OF BEGINNING.