

Indian River Preserve Property Owners Association, Inc.

AMENDMENT TO THE ARCHITECTURAL DEVELOPMENT GUIDELINES FOR INDIAN RIVER PRESERVE PROPERTY OWNERS ASSOCIATION f/k/a WALKABOUT PROPERTY OWNERS ASSOCIATION

On December __, 2019, the Board of Directors of Indian River Preserve Property Owners Association, Inc. (the "Association"), at a special meeting, moved, seconded, and adopted the following Resolutions:

WHEREAS, in accordance with the law and the bylaws of the association and in accordance with the Declaration of Restrictive Covenants and Conditions for the Association recorded in Official Records Book 5404, Page 3641, as amended in Official Records Book 5522, page 7854; together with Assignment of Developer Declarant Rights to Florida Land and Cattle Corporation in Official Records Book 6823, page 2540, as amended in Official Records Book 7573, pages 1215 and 1220, and any amendments thereto, of the Public Records of Brevard County, Florida the association, all development guidelines and approvals are rendered by the Architectural Review Committee (the "Committee"); and

WHEREAS, the Association, has empaneled its Architectural Review Board a/k/a Architectural Review Committee which has promulgated and published Architectural Development Guidelines that apply to all lots located in the Association, which such Architectural Guidelines may be amended from time to time; and

WHEREAS, the Association, by the Association's Architectural Review Board a/k/a Architectural Review Committee, desires to amend the Architectural Development Guidelines in accordance with its authority to do so under Article IX of the Declaration, as more particularly set forth below; and

WHEREAS, the undersigned, Declarant, hereby approves and is joining in this Amendment to express its consent thereto, pursuant to its authority under and in accordance with that certain Total and Exclusive Assignment of Developer/Declarant Rights recorded in the Public Records of Brevard County, Florida, at Official Records Book 6823, Page 2540.

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NOW, THEREFORE, BE IT RESOLVED, that the following amendments to the Architectural Development Guidelines, attached hereto as Exhibit A, are hereby approved, ratified and adopted as follows:

Section VI.

Site Design Criteria

A. Structures

3. Fences/Gates/Walls/Columns/Archways on Residential Lots

Fences/ Gates/ Walls/ Columns/ Archways shall be designed as an extension of the architectural mass and shall be detailed to unify the entire site design. Use of these elements to enclose space, provide for variety in the scale of exterior space, and to create a series of entrances among outdoor rooms is encouraged. Galvanized steel picket, aluminum picket, wrought iron, stucco box and white vinyl fences may be used. All white vinyl fences shall meet ASTM standards and wind and NOA codes. The color of all metal fences shall be dark bronze or copper. CHAIN LINK FENCES/GATES, ELDED WIRE FENCES/GATES, LOUVERED CONCRETE PANEL FENCES/GATES, AND WOOD FENCES/GATES SHALL NOT BE ALLOWED. Where a fence is provided on the rear lot abutting a lake bank the Lot Owner/Builder/Developer shall provide cord grass at a minimum 2', but no more than 4' in width on the upper portion of the lake bank adjacent to the rear lot line. All fence posts shall be set in concrete. No accent or other decorative features may be added to fences or gates. Gates must not exceed 4' in width. Fences must not exceed 6' in height except on the Lakes and Conservation area property lines. Fences 4' in height and composed of white vinyl open or view picket fences are permitted at the lakes and conservation property lines with landscape pairings per the landscape guidelines contained elsewhere herein. Any fence on the main street of the community shall have landscape pairings per the landscape guidelines contained elsewhere herein.

All fences around pool and all fences locate at or near the rear property line and shall be 4' in height per the Brevard County pool ad fence code.

No fences will be allowed in the front yard (the entire area between the front of the house to the street ROW, from the side interior lot line to side exterior lot or corner line).

Only on ARC approved tennis courts may chain link fences be used in combination with a black vinyl coating, wind screens, and adequate planting. (The Master Developer may use vinyl coated chain link fence integrated with shrubs and concrete solid panel fences in certain common areas and buffers.)

CBS walls, concrete walls, columns, and archways may be used and shall repeat architectural details, materials, color and texture of the principal structure.

Any and all fence requests must be submitted to and approved by the ARC prior to commencing construction.

Except as specifically amended hereby and/or as may be contained in any prior Association, Architectural Review Board a/k/a Architectural Review Committee, or Declarant, issued architectural approval relative to any Lot(s) within Community, the Architectural Development Guidelines remain in full force and effect as previously promulgated and published, and as same may be further amended or supplemented from time to time.

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I HEREBY CERTIFY that the foregoing Amendment to the Association's Architectural Development Guidelines for Indian River Preserve f/k/a Walkabout has been duly adopted as of this _____ day of _____, 2019.

Witnesses:

Signed, sealed and delivered in the presence of: **INDIAN RIVER PRESERVE PROPERTY OWNERS ASSOCIATION, INC.**
f/k/a Walkabout Property Owners Association, Inc.

Print Name: _____

By: _____
Dale Lyon, President

Print Name: _____

Signed, sealed and delivered in the presence of: **ARCHITECTURAL REVIEW BOARD**
a/k/a **ARCHITECTURAL REVIEW COMMITTEE** Indian River Preserve Property Owners Association, Inc.
f/k/a Walkabout Property Owners Association, Inc.

Print Name: _____

By: _____
Dale Lyon, Chairman

Print Name: _____

Declarant's Consent and joinder to the foregoing Amendment to the Architectural Development Guidelines for Walkabout n/k/a Indian River Preserve executed this __ day of _____, 2019

Witnesses:

Signed, sealed and delivered in the presence of:

Heidi Benefiel

Print Name: Heidi Benefiel

Rosa Granados

Print Name: Rosa Granados

DECLARANT:

**INDIAN RIVER PRESERVE ESTATES
CORP., a Nevada corporation**

By: Igor Olenicoff

Igor Olenicoff, President