

**Prepared by and return to:**

Becker & Poliakoff, P.A.  
Steven H. Mezer, Esq.  
1511 N. Westshore Blvd., Suite 1000  
Tampa, FL 33607

**CERTIFICATE OF AMENDMENT  
TO THE  
FOURTH AMENDED AND RESTATED AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF THE SANCTUARY AT TAMPA PALMS**

**AND  
NOTICE OF PRESERVATION PURSUANT TO SECTION 712.05(2)(b), FLORIDA STATUTES**

THIS CERTIFICATE OF AMENDMENT TO THE FOURTH AMENDED AND RESTATED AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE SANCTUARY AT TAMPA PALMS (the "Amendment") is made this \_ day of December, 2023, by The Sanctuary at Tampa Palms Homeowners Association, Inc., a Florida not for profit corporation ("Association").

**This Certificate of Amendment is indexed under the legal name of the Association executing this Certificate, references the recording information of the Declaration of Covenants, Conditions and Restrictions, and is intended to preserve and protect the Declaration of Covenants, Conditions and Restrictions from extinguishment by operation of Chapter 712, Florida Statutes.**

**RECITALS**

**WHEREAS**, the Declaration of Covenants, Conditions and Reservations of Tampa Palms Unit 4B, recorded in Official Records Book 5666, Page 010, et. seq., of the Public Records of Hillsborough County, Florida; and

**WHEREAS**, the First Amendment to Declaration of Covenants, Conditions and Restrictions of Tampa Palms Unit 4B, recorded in Official Records Book 5691, Page 1326, et. seq., of the Public Records of Hillsborough County, Florida; and

**WHEREAS**, the Second Amendment to Declaration of Covenants, Conditions and Reservations of Tampa Palms Unit 4B, recorded in Official Records Book 5951, Page 1033, et. seq., of the Public Records of Hillsborough County, Florida; and

**WHEREAS**, the Amendment to Declaration of Covenants, Conditions and Reservations of Tampa Palms Unit 4B Owners Association, Inc., recorded in Official Records Book 7303, Page 953, et. seq., of the Public Records of Hillsborough County, Florida; and

**WHEREAS**, the Certificate of Amendment to The Declaration of Covenants, Conditions and Restrictions of Tampa Palms Unit 4B Owners Association, Inc., recorded at Official Records Book 7677, Page 485, et. seq., of the Public Records of Hillsborough County, Florida; and

*Certificate of Amendment to the Fourth Amended and Restated Amendment to the Declaration of Covenants, Conditions and Restrictions of the Sanctuary at Tampa Palms*

**WHEREAS**, the Fourth Amended and Restated Amendment to the Declaration of Covenants, Conditions and Restrictions of the Sanctuary at Tampa Palms (the "Declaration"), was recorded on April 13, 2016, in Official Records Book 24007, Page 1710, et. seq. of the Public Records of Hillsborough County, Florida; and

**WHEREAS**, Section 712.05(2)(b), Florida Statutes, provides for preservation of a covenant or restriction by filing a notice of preservation with an amendment to a community covenant or restriction that references the covenant or restriction to be preserved. The covenants or restrictions to be preserved are:

- i. Declaration of Covenants, Conditions and Reservations of Tampa Palms Unit 4B, recorded in Official Records Book 5666, Page 010, et. seq., of the Public Records of Hillsborough County, Florida; and
- ii. First Amendment to Declaration of Covenants, Conditions and Restrictions of Tampa Palms Unit 4B, recorded in Official Records Book 5691, Page 1326, et. seq., of the Public Records of Hillsborough County, Florida; and
- iii. Second Amendment to Declaration of Covenants, Conditions and Reservations of Tampa Palms Unit 4B, recorded in Official Records Book 5951, Page 1033, et. seq., of the Public Records of Hillsborough County, Florida; and
- iv. Amendment to Declaration of Covenants, Conditions and Reservations of Tampa Palms Unit 4B Owners Association, Inc., recorded in Official Records Book 7303, Page 953, et. seq., of the Public Records of Hillsborough County, Florida; and
- v. Certificate of Amendment to The Declaration of Covenants, Conditions and Restrictions of Tampa Palms Unit 4B Owners Association, Inc., recorded at Official Records Book 7677, Page 485, et. seq., of the Public Records of Hillsborough County, Florida; and
- vi. Fourth Amended and Restated Amendment to the Declaration of Covenants, Conditions and Restrictions of the Sanctuary at Tampa Palms, recorded in Official Records Book 24007, Page 1710, et. seq., of the Public Records of Hillsborough County, Florida.

**WHEREAS**, Article XVI, Section 3 of the Declaration provides that the Declaration may be amended at any time upon the recording of an instrument executed by an Officer of the Association and approved by not less than two-thirds (2/3) of the votes eligible to be cast by the Members of the Association.; and

**WHEREAS**, Patrick Fahey, as President and William Schneider, as Secretary of The Sanctuary at Tampa Palms Homeowners Association, Inc., do hereby certify that the following amendment to the Declaration has been approved at the meeting held on November 28, 2023, by not less than two-thirds (2/3) of the votes eligible cast by the Members of the Association; and

**WHEREAS**, Association wishes to place this Amendment in the Public Records of Hillsborough County, Florida

Certificate of Amendment to the Fourth Amended and Restated Amendment to the Declaration of Covenants, Conditions and Restrictions of the Sanctuary at Tampa Palms

NOW THEREFORE, Association declares that every portion of the real property subject to the Declaration shall be subject to the provisions of this Amendment: Additions indicated by underlining. Deletions indicated by ~~striking through~~.

I. Article X, Sub-subsection 12 of the Fourth Amended and Restated Amendment to the Declaration of Covenants, Conditions and Restrictions of the Sanctuary at Tampa Palms is amended to read as follows:

Section 12. Roofs. All roofing material must be concrete tile, pseudo slate style, minimum weight 900 lbs per roofing square. ~~Monier Life Tile~~ Westlake Royal New Point Saxony 900 or equivalent composite faux slate tile with UV and thermal stabilizers, Class A fire rating and Class 4 impact resistance (DaVinci single width faux slate tiles or equivalent). ~~Approvable roof~~ Roof color shall be Monier Life Title Sanctuary Green or equivalent.

IN WITNESS WHEREOF, Association has executed this Amendment on behalf of the Association this 27 day of December, 2023.

Signed, sealed and delivered in the presence of WITNESSES (two per person):

THE SANCTUARY AT TAMPA PALMS HOMEOWNERS ASSOCIATION, INC., a Florida not for profit corporation

[Signature]  
Print Name: MARY MARGARET WILSON

By: [Signature]  
Patrick Fahey, President

[Signature]  
Print Name: SARAH ABDOULHOUWEN

[Signature]  
Print Name: MARY MARGARET WILSON

Attest: [Signature]  
By: [Signature]  
William Schneider, Secretary

[Signature]  
Print Name: SARAH ABDOU LHOUSSEN

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 27<sup>th</sup> day of December, 2023 by Patrick Fahey, as President and William Schneider, as Secretary of The Sanctuary at Tampa Palms Homeowners Association, Inc., a Florida not for profit corporation, on behalf of the corporation. They are personally known to me or have produced N/A as identification.

[Signature]  
Notary Public, State of Florida  
My Commission Expires:

