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THIS INSTRUMENT PREPARED BY
AND RETURN TO:

Kristy Boss, Esq.
Taylor Morrison
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Suite 512
Tampa, FL 33607

SIXTH AMENDMENT TO AMENDED AND RESTATED MASTER DECLARATION FOR SOLIVITA™

THIS SIXTH AMENDMENT TO AMENDED AND RESTATED MASTER DECLARATION FOR SOLIVITA™ (this "**Sixth Amendment**") is made this 27 day of January, 2020, by Avatar Properties Inc., a Florida corporation ("**Developer**") and joined in by Solivita Community Association, Inc., a Florida not-for-profit corporation ("**Association**").

RECITALS

A. That certain Amended and Restated Master Declaration for Solivita™ was recorded in Official Records Book 9142 at Page 1843 through 2018, as amended by virtue of that certain First Amendment to Amended and Restated Master Declaration for Solivita™ recorded in Official Records Book 9811 at Page 570, Second Amendment to Amended and Restated Master Declaration for Solivita™ recorded in Official Records Book 9952 at Page 41, Third Amendment to Amended and Restated Master Declaration for Solivita™ recorded in Official Records Book 10401 at Page 1687, Fourth Amendment to Amended and Restated Master Declaration for Solivita™ recorded in Official Records Book 10668 at Page 55, and the Fifth Amendment to Amended and Restated Master Declaration for Solivita™ recorded in Official Records Book 10842 at Page 1196, all of the Public Records of Polk County, Florida (collectively, the "**Amended and Restated Master Declaration**") respecting the residential community known as Solivita ("**Community**").

B. Section 5.3 of the Amended and Restated Master Declaration provides that, prior to the Turnover Date (as defined in the Amended and Restated Master Declaration), Developer, shall have the right to amend the Amended and Restated Master Declaration as it deems appropriate, without the joinder or consent of any person or entity whatsoever. The Turnover Date has not yet occurred.

C. Section 6.1 of the Amended and Restated Master Declaration provides that, prior to the Turnover Date (as defined in the Amended and Restated Master Declaration), Developer has the right to annex additional lands to the Community without the joinder or consent of any other party by the recording of an amendment to the Amended and Restated Master Declaration. The Turnover Date has not yet occurred.

D. Developer desires to amend the Amended and Restated Master Declaration as set forth herein.

possible, this Sixth Amendment together with the Amended and Restated Master Declaration shall be construed as a single document. Except as modified hereby, the Amended and Restated Master Declaration shall remain in full force and effect.

3. Definitions. All initially capitalized terms not defined herein shall have the meanings set forth in the Amended and Restated Master Declaration, except that the defined terms are hereby modified as follows:

> "**Declaration**" shall mean the Amended and Restated Master Declaration, the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment and this Sixth Amendment together with all amendments and modifications thereof.

4. Annexation. The real property described in **Exhibits A-1 and A-2** attached hereto is hereby annexed into and made a part of the real property described in **Exhibit 1** of the Amended and Restated Master Declaration and, as such, is part of the Community and is subject to the provisions of the Declaration and the jurisdiction of the Association.

5. Legal Description. The real property described in **Exhibit 1** of the Amended and Restated Master Declaration is hereby deleted in its entirety and replaced with the real property described in **Exhibit B** attached hereto.

6. Covenant. This Sixth Amendment shall be a covenant running with the land.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal as of this 27 day of January, 2020.

WITNESSES:

Print Name: Jane Wiggins

Print Name: Ruben Pereira

AVATAR PROPERTIES INC.,
a Florida corporation

By: _____
Name: BRIAN BRUNHOFER
Title: Vice President

{SEAL}

STATE OF FLORIDA)
)SS.:
COUNTY OF Orange)

The foregoing was acknowledged before me this 27 day of January, 2020 by BRIAN BRUNHOFER, as Vice President of AVATAR PROPERTIES INC., a Florida corporation, who is personally known to me or who has produced _____ as identification on behalf of the corporation.

My commission expires:

NOTARY PUBLIC
State of Florida at Large
Print name: Cindy Adams

MY COMMISSION # GG 263903
EXPIRES: October 19, 2022
Bonded Thru Notary Public Underwriters

JOINDER

SOLIVITA COMMUNITY ASSOCIATION, INC.

SOLIVITA COMMUNITY ASSOCIATION, INC. ("**Association**") does hereby join in the Sixth Amendment to the Amended and Restated Master Declaration for Solivita™ (the "**Sixth Amendment**") to which this Joinder is attached, and the terms thereof are and shall be binding upon the undersigned and its successors in title. Association acknowledges that this Joinder is for convenience purposes only and does not apply to the effectiveness of the Sixth Amendment, as Association has no right to approve the Sixth Amendment.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 27 day of Jawary, 2020.

WITNESSES:

Print Name: John Wiggins

Print Name: Ruben Pereira

SOLIVITA COMMUNITY ASSOCIATION, INC., a Florida not for profit corporation

By:
Name: MATTHEW CUARTA
Title: Vice President

{SEAL}

STATE OF FLORIDA)
) **SS.:**
COUNTY OF Orange)

The foregoing instrument was acknowledged before me this 27 day of January, 2020, by MATTHEW CUARTA as Vice President of SOLIVITA COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation, who is personally known to me or who has produced _____ as identification, on behalf of the corporation.

My commission expires:

CINDY ADAMS
MY COMMISSION # GG 263903
EXPIRES: October 19, 2022
Bonded Thru Notary Public Underwriters

NOTARY PUBLIC
State of Florida at Large

Print Name Cindy Adams

EXHIBIT A-1
LEGAL DESCRIPTION OF THE PROPERTY (PLAT) BEING ANNEXED

All of the property within the plat of **SOLIVITA PHASE 5-B,** according to the plat thereof, as recorded in Plat Book 177 at Page 1-4, of the Public Records of Polk County, Florida; more particularly described as follows:

A Tract of land being a portion of Tract FD-1, SOLIVITA PHASE 5A, according to the Plat thereof, as recorded in Plat Book 165, Pages 10 through 21 of the Public Records of Polk County, Florida. Said Lands lying in Section 15, Township 27 South, Range 28 East, Polk County, Florida and being more particularly described as follows:

Begin at the Northeast Corner of TRACT LD-4 of said SOLIVITA PHASE 5A, also being on the South right of way line of CYPRESS PARKWAY, per POINCIANA NEIGHBORHOOD 1 EAST, VILLAGE 4, according to the plat thereof, as recorded in Plat Book 56, Pages 25 through 31 of the Public Records of Polk County, Florida; thence along said South right of way line, South 89°54'30" East, a distance of 1,294.42 feet to the Northwest corner of TRACT C-15 of aforementioned SOLIVITA PHASE 5A, said point also being the Northeast corner of aforesaid Tract FD-1; thence departing said South right of way line, run southerly, along the West and East lines of said Tracts and the following courses: South 22°22'24" West, a distance of 29.47 feet; thence South 13°37'02" West, a distance of 58.21 feet; thence South 07°30'48" West, a distance of 53.27 feet; thence South 22°34'36" West, a distance of 30.83 feet; thence South 09°16'07" East, a distance of 51.44 feet; thence South 11°03'48" East, a distance of 25.66 feet; thence South 23°08'21" West, a distance of 46.79 feet; thence South 00°30'15" East, a distance of 54.00 feet; thence South 30°22'14" West, a distance of 74.48 feet; thence South 33°56'24" East, a distance of 71.81 feet; thence South 02°15'39" East, a distance of 35.05 feet; thence South 02°59'50" West, along said West and East lines, and the Southerly extension thereof, a distance of 139.44 feet; thence departing said East and West lines, run South 43°37'34" East, a distance of 37.26 feet to the point of curvature of a curve to the right having a radius of 30.00 feet, a chord bearing of South 02°00'44" East and a chord distance of 39.85 feet; thence along the arc of said curve through a central angle of 83°13'40", a distance of 43.58 feet to the point of reverse curvature of a curve to the left having a radius of 215.00 feet, a chord bearing of South 19°48'03" West and a chord distance of 145.66 feet; thence along the arc of said curve through a central angle of 39°36'06", a distance of 148.60 feet to the point of tangency; thence South 00°00'00" East, a distance of 288.65 feet to the point of curvature of a curve to the right having a radius of 60.00 feet, a chord bearing of South 44°59'55" West and a chord distance of 84.85 feet; thence along the arc of said curve through a central angle of 89°59'51", a distance of 94.25 feet to the point of tangency; thence, South 89°59'51" West, a distance of 169.78 feet to the point of curvature of a curve to the right having a radius of 59.97 feet, a chord bearing of North 33°13'12" West and a chord distance of 100.36 feet; thence along the arc of said curve through a central angle of 113°35'52", a distance of 118.90 feet; thence leaving said curve along a non-tangent line South 23°19'38" West, a distance of 25.44 feet to the point of curvature of a curve to the right having a radius of 715.00 feet, a chord bearing of South 26°18'24" West and a chord distance of 74.33 feet; thence along the arc of said curve through a central angle of 05°57'33", a distance of 74.37' feet to a point on a non-radial line; thence along said non-radial line North 63°15'31" West, a distance of 115.14 feet to a point on a curve concave Northwesterly, to which the

of a curve to the left having a radius of 595.00 feet, a chord bearing of North 82°12'49" West and a chord distance of 528.75 feet; thence along the arc of said curve through a central angle of 52°45'37", a distance of 547.90 feet to a point lying on the Westerly line of aforesaid Tract FD-1; thence departing said North right of way line of Village Center Road, run along the Westerly line of said Tract FD-1, the following courses: North 18°35'37" West, a distance of 26.69 feet to a point on a non-tangent curve concave Westerly, having a radius of 60.00 feet, a chord bearing of North 10°17'57" East and a chord distance of 109.03 feet; said curve being on the East line of Tract P-10, per the plat of Solivita Phase 5A; thence along the East line of Tract P-10 the following six courses; run along the arc of said curve through a central angle of 130°37'15", a distance of 136.79 feet to a point on a non-tangent curve concave Northeasterly, having a radius of 260.00 feet, a chord bearing of North 32°58'19" West and a chord distance of 195.13 feet; thence along the arc of said curve through a central angle of 44°04'43", a distance of 200.02 feet to the point of tangency; thence North 10°55'57" West, a distance of 166.35 feet to the point of curvature of a curve to the right having a radius of 1,058.00 feet, a chord bearing of North 05°27'56" West and a chord distance of 201.54 feet; thence along the arc of said curve through a central angle of 10°55'52", a distance of 201.85 feet to the point of tangency; thence North 00°00'00" East, a distance of 385.21 feet to the point of curvature of a curve to the left having a radius of 40.00 feet, a chord bearing of North 30°06'51" West and a chord distance of 40.14 feet; thence along the arc of said curve through a central angle of 60°13'42", a distance of 42.05 feet to the West line of Tract FD-1 of the plat of Solivita Phase 5A, being a point on a non-tangent line; thence departing the East line of Tract P-10 and said curve run along the West line of Tract FD-1 the following seven courses; North 00°00'00" East, a distance of 120.28 feet; thence North 90°00'00" East, a distance of 40.14 feet; thence North 00°00'00" East, a distance of 50.00 feet to a point on a non-tangent curve, concave Southerly, having a radius of 145.00 feet, a chord bearing of South 84°10'39" East and a chord distance of 29.42 feet; thence run along the arc of said curve through a central angle of 11°38'43", a distance of 29.47 feet to the point of reverse curvature of a curve to the left having a radius of 12.00 feet, a chord bearing of North 73°41'26" East and a chord distance of 11.25 feet; thence along the arc of said curve through a central angle of 55°54'32", a distance of 11.71 feet to the point of reverse curvature of a curve to the right having a radius of 60.00 feet, a chord bearing of North 80°47'49" East and a chord distance of 68.93 feet; thence along the arc of said curve through a central angle of 70°07'17", a distance of 73.43 feet to a point on radial line; thence departing said curve and along said radial line, North 25°51'27" East, a distance of 66.86 feet to the Point of Beginning.

Said lands containing 39.644 acres, more or less.

EXHIBIT A-2
LEGAL DESCRIPTION OF THE PROPERTY (PLAT) BEING ANNEXED

All of the property within the plat of **SOLIVITA PHASE 5E-S AMENDMENT,** according to the plat thereof, as recorded in Plat Book 177 at Page 33, of the Public Records of Polk County, Florida; more particularly described as follows:

A TRACT OF LAND, BEING LOTS 548 THROUGH 558 AND A PORTION OF TRACT LD-3, SOLIVITA PHASE 5E-S, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 169, PAGES 42 THROUGH 46 OF SAID PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LYING IN SECTION 14, TOWNSHIP 27 SOUTH, RANGE 28 EAST, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 558 OF SAID PLAT OF SOLIVITA PHASE 5E-S, FOR A POINT OF BEGINNING; SAID POINT LIES ON THE SOUTHERLY RIGHT-OF-WAY LINE OF PALM TREE DRIVE, AS RECORDED IN PLAT BOOK 169, PAGES 42 THROUGH 46, SAID PUBLIC RECORDS, SAID POINT ALSO LIES ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID NON-TANGENT CURVE, HAVING A RADIUS OF 1190.00 FEET, A CENTRAL ANGLE OF 17°02'13", AN ARC LENGTH OF 353.85 FEET, A CHORD LENGTH OF 352.55 FEET AND A CHORD BEARING OF NORTH 64°12'04" EAST TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID CURVE, HAVING A RADIUS OF 572.00 FEET, A CENTRAL ANGLE OF 10°08'09", AN ARC LENGTH OF 101.19 FEET, A CHORD LENGTH OF 101.06 FEET AND A CHORD BEARING OF NORTH 60°45'02" EAST TO THE NORTHWEST CORNER OF LOT 547 OF SAID PLAT OF SOLIVITA PHASE 5E-S; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, RUN SOUTH 24°10'54" EAST, ALONG THE WEST LINE OF SAID LOT 547 AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 115.00 FEET TO A POINT LYING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 457.00 FEET, A CENTRAL ANGLE OF 10°08'09", AN ARC LENGTH OF 80.84 FEET, A CHORD LENGTH OF 80.74 FEET AND A CHORD BEARING OF SOUTH 60°45'02" WEST TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 1305.00 FEET, A CENTRAL ANGLE OF 16°16'12", AN ARC LENGTH OF 370.57 FEET, A CHORD LENGTH OF 369.33 FEET AND A CHORD BEARING OF SOUTH 63°49'03" WEST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 71°57'09" WEST, 15.93 FEET; THENCE RUN NORTH 18°02'51" WEST, 115.11 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN POLK COUNTY, FLORIDA AND CONTAINS 1.218 ACRES MORE OR LESS.

TOGETHER WITH:

A TRACT OF LAND, BEING LOTS 540 THROUGH 546 AND A PORTION OF TRACT LD-3, SOLIVITA PHASE 5E-S, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 169, PAGES 42 THROUGH 46 OF SAID PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LYING IN SECTION 14,

NORTHWEST CORNER OF LOT 540 OF SAID PLAT OF SOLIVITA PHASE 5E-S; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, RUN SOUTH 16°36'31" WEST, ALONG THE WEST LINE OF SAID LOT 539 AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 115.00 FEET TO A POINT LYING ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY; THENCE DEPARTING SAID WEST LOT LINE, RUN WESTERLY, ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 457.00 FEET, A CENTRAL ANGLE OF 35°58'19", AN ARC LENGTH OF 286.92 FEET, A CHORD LENGTH OF 282.23 FEET AND A CHORD BEARING OF SOUTH 88°37'22" WEST TO A POINT LYING ON THE SOUTHERLY EXTENSION OF THE EAST LINE OF AFORESAID LOT 547; THENCE RUN NORTH 19°21'48" WEST, ALONG SAID SOUTHERLY EXTENSION AND THE WEST LINE OF SAID LOT 547, A DISTANCE OF 115.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN POLK COUNTY, FLORIDA AND CONTAINS 0.853 ACRES MORE OR LESS.

EXHIBIT B
LEGAL DESCRIPTION FOR SOLIVITA

All of the following plats as recorded in the Public Records of Polk County, Florida:

1. Solivita Phase 1, according to the plat thereof, as recorded in Plat Book 112 at Page 1;
2. Solivita Phase 1C, according to the plat thereof, as recorded in Plat Book 155 at Page 44;
3. Solivita Phase 1D, according to the plat thereof, as recorded in Plat Book 122 at Page 9;
4. Solivita Phase 1E, according to the plat thereof, as recorded in Plat Book 128 at Page 27;
5. Solivita Phase 1-F Unit 1, according to the plat thereof, as recorded in Plat Book 158 at Page 46;
6. Solivita Phase 1-F Unit 2, according to the plat thereof, as recorded in Plat Book 160 at Page 14;
7. Solivita Phase 1H, according to the plat thereof, as recorded in Plat Book 153 at Page 14;
8. Solivita Phase 1H- Unit 2, according to the plat thereof, as recorded in Plat Book 154 at Page 41;
9. Solivita Phase 1H Unit 3, according to the plat thereof, as recorded in Plat Book 157 at Page 9;
10. Solivita Phase 2A, according to the plat thereof, as recorded in Plat Book 115 at Page 9;
11. Solivita Phase 2B, according to the plat thereof, as recorded in Plat Book 115 at Page 34;
12. Solivita Phase 2C, according to the plat thereof, as recorded in Plat Book 118 at Page 12;
13. Solivita Phase 2D, according to the plat thereof, as recorded in Plat Book 118 at Page 17;
14. Solivita Phase 3A, according to the plat thereof, as recorded in Plat Book 127 at Page 10;
15. Solivita Phase 3B, according to the plat thereof, as recorded in Plat Book 131 at Page 36;
16. Solivita Phase 4A, according to the plat thereof, as recorded in Plat Book 120 at Page 13;
17. Solivita Phase 4B, according to the plat thereof, as recorded in Plat Book 121 at Page 2;
18. Solivita Phase 4C Section 1, according to the plat thereof, as recorded in Plat Book 124 at Page 15;
19. Solivita Phase 4C Section 2, according to the plat thereof, as recorded in Plat Book 124 at Page 33;
20. Solivita Phase 5-A, according to the plat thereof, as recorded in Plat Book 165 at Page 10;
21. Solivita Phase 5-B, according to the plat thereof, as recorded in Plat Book 177 at Page 1-4;

26. Solivita Phase 5F – Unit 1, according to the plat thereof, as recorded in Plat Book 154 at Page 1 as replatted in its entirety by virtue of that certain plat of Solivita Phase 5F Unit 1 Replat, according to the plat thereof, as recorded in Plat Book 157 at Page 33;

27. Solivita–Phase 5H–Unit 1, according to the plat thereof, as recorded in Plat Book 171 at Page 37;

28. Solivita Phase 5I, according to the plat thereof, as recorded in Plat Book 158 at Page 1;

29. Solivita Phase 5J, according to the plat thereof, as recorded in Plat Book 157 at Page 10;

30. Solivita Phase 6A, according to the plat thereof, as recorded in Plat Book 131 at Page 30;

31. Solivita Phase 6B, according to the plat thereof, as recorded in Plat Book 133 at Page 14;

32. Solivita Phase 7A, according to the plat thereof, as recorded in Plat Book 134 at Page 20;

33. Solivita Phase 7B1, according to the plat thereof, as recorded in Plat Book 136 at Page 14;

34. Solivita Phase 7B2, according to the plat thereof, as recorded in Plat Book 136 at Page 39;

35. Solivita Phase 7C, according to the plat thereof, as recorded in Plat Book 136 at Page 3;

36. Solivita Phase 7D, according to the plat thereof, as recorded in Plat Book 137 at Page 9;

37. Solivita Phase 7E- Unit 1, according to the plat thereof, as recorded in Plat Book 155 at Page 9;

38. Solivita Phase 7E- Unit 2, according to the plat thereof, as recorded in Plat Book 155 at Page 13;

39. Solivita Phase 7F, according to the plat thereof, as recorded in Plat Book 161 at Page 7.

40. Solivita Phase 7G 1, according to the plat thereof, as recorded in Plat Book 143 at Page 13;

41. Solivita Phase 7G Unit 1, according to the plat thereof, as recorded in Plat Book 153 at Page 36;

42. Solivita Phase 7G- Unit 2, according to the plat thereof, as recorded in Plat Book 155 at Page 4; and

43. Solivita Boulevard, according to the plat thereof, as recorded in Plat Book 164 at Page 17.