INSTR # 2020238764
BK 11447 Pgs 1391-1394 PG(s)4
11/09/2020 07:01:30 AM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 35.50

Return to: (enclose self-addressed stamped envelope)

Name:
Angela Tompkins, Paralegal

Address:
Greenspoon Marder LLP
5133 Castello Drive, Suite 2
Naples, Florida 34103

This Instrument Prepared by:

Mark F. Grant, Esq.
Greenspoon Marder LLP
5133 Castello Drive, Suite 2
Naples, Florida 34103

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SEVENTH AMENDMENT TO AMENDED AND RESTATED MASTER DECLARATION FOR SOLIVITA™

THIS SEVENTH AMENDMENT TO AMENDED AND RESTATED MASTER DECLARATION FOR SOLIVITA™ ("**Seventh Amendment**") is made this 4th day of November, 2020, by AVATAR PROPERTIES, INC., a Florida corporation ("**Developer**") and joined in by SOLIVITA™ COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation ("**Association**").

WHEREAS, that certain Amended and Restated Declaration for Solivita™ was recorded in Official Records Book 9142, Page 1843, of the Public Records of Polk County, Florida, as the same has been amended and/or supplemented (hereinafter referred to as the "**Declaration**"); and

WHEREAS, Developer is desirous of further amending the Declaration; and

WHEREAS, Section 5.3 of the Declaration provides that, prior to and including the Turnover Date, Developer shall have the right to amend the Declaration as it deems appropriate in Developer's sole and absolute discretion, without the joinder or consent of any person or entity whatsoever; and

WHEREAS, as of the date of this Seventh Amendment, the Turnover Date has not occurred.

NOW, THEREFORE, Developer hereby amends the Declaration as follows:

1. The above recitals are true and correct and are incorporated herein by reference.

2. Unless otherwise defined herein, each term defined in the Declaration and used herein shall have its meaning as defined in the Declaration.

3. Section 28.25 of the Declaration is hereby amended to read as follows:

> 28.25 Transfer Fee. Association has established a Transfer Fee ("Transfer Fee"). There shall be collected upon every conveyance of ownership interest in a Home by an Owner other than Developer or a Builder an amount of ~~two hundred fifty~~**two thousand** dollars ($~~250~~**2,000**.00) payable to Association. The Transfer Fee shall not be applicable to conveyances from Developer or a Builder. After the Home has been conveyed by Developer or a Builder there shall be a recurring assessment payable to Association upon all succeeding conveyances of a Home. The amount of Transfer Fee and the manner of payment may be changed by resolution of the Board from time to time; provided, however, all Homes shall be assessed a uniform amount.

(Words ~~struck through~~ are deleted; words **bold and double-underline** are added)

4. This Seventh Amendment shall become effective upon recording amongst the Public Records of Polk County, Florida.

5. Except as modified hereby, the Declaration shall remain in full force and effect in accordance with the terms thereof.

(SIGNATURES APPEAR ON THE FOLLOWING PAGES)

Stacy M. Butterfield POLK
CFN# 2020238764 OR BK 11447 PG 1392 Pgs 1391-1394 11/09/2020 07:01:30 AM

IN WITNESS WHEREOF, Developer has executed this Seventh Amendment as of the day and year first above written.

Witnesses:

Signature

Maria Perez
Printed Name

Signature

Printed Name

AVATAR PROPERTIES, INC.,
a Florida corporation

By:
Printed Name: Richard Rosello
Title: VP as CAVD

STATE OF FLORIDA)
COUNTY OF ORANGE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by means of [x] physical presence or [ ] online notarization by Richard Rosello, as Vice President of AVATAR PROPERIES, INC., a Florida corporation, freely and voluntarily under authority duly vested in them by said corporation, who is personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of November, 2020.

Notary Public, State of Florida at Large
Nora J. Schuster
Typed, Printed or Stamped Name of Notary Public

My Commission Expires:

Notary Public State of Florida
Nora J Schuster
My Commission GG 102011
Expires 09/04/2021

Stacy M. Butterfield POLK
CFN# 2020238764 OR BK 11447 PG 1393 Pgs 1391-1394 11/09/2020 07:01:30 AM

ASSOCIATION:

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

WITNESSES AS TO ASSOCIATION:

Signature
Print Name Chrissie Kim

Signature
Print Name Maria Perez

By: Nora Schuster
Name: Nora Schuster
Title: President

[CORPORATE SEAL]

STATE OF FLORIDA)
) SS
COUNTY OF ORANGE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by means of [x] physical presence or [ ] online notarization by Nora Schuster as President of SOLIVITA™ COMMUNITY ASSOCIATION, INC., a Florida corporation not for profit, freely and voluntarily under authority duly vested in him/her by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation. He/She is personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of November, 2020.

Notary Public, State of Florida at Large

Maria E. Perez
Typed, Printed or Stamped Name of Notary Public

My Commission Expires:

Notary Public State of Florida
Maria E. Perez
My Commission GG 352363
Expires 07/07/2023

45683703.2

Stacy M. Butterfield POLK
CFN# 2020238764 OR BK 11447 PG 1394 Pgs 1391-1394 11/09/2020 07:01:30 AM