

**PREPARED BY AND WHEN**  
**RECORDED RETURN TO:**

Eagle Creek Development Corporation  
370 CenterPointe Circle, Suite 1136  
Altamonte Springs, Florida 32701

THIS SPACE FOR RECORDER'S USE

**TWELFTH SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS,**  
**EASEMENTS AND RESTRICTIONS FOR EAGLE CREEK**

(Village M Phase 1)

**THIS TWELFTH SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR EAGLE CREEK (the "Supplemental Declaration")** is made as of this **10<sup>th</sup>** day of January, 2014, by Eagle Creek Development Corporation, a Florida corporation (the "Declaration")

**RECITALS:**

**WHEREAS**, Declarant executed that certain Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek, recorded January 7, 2004 in Official Records Book 7254, Page 4027, as supplemented by that certain First Supplement recorded November 17, 2004, in Book 7705, Page 1201, as further supplemented by Second Supplement recorded May 19, 2005 in Book 7976, Page 4596, as further supplemented by Second Supplement recorded October 13, 2006 in Book 8914, Page 2921, as further supplemented by First Amendment to Second Supplement recorded October 11, 2007 in Book 9467, Page 4164, as further supplemented by Certificate of Amendment recorded July 17, 2009 in Book 9903, Page 8161, as further supplemented by Third Supplement recorded January 8, 2010 in Book 9985, Page 4095, as further supplemented by Fourth Supplement recorded on May 14, 2010 in Book 10044, Page 4403, as further supplemented by Fifth Supplement recorded October 12, 2011 in Book 10280, Page 0841, as further supplemented by Fifth Supplement recorded on April 2, 2012 in Book 10355, Page 2814, as further supplemented by Sixth Supplement recorded on May 3, 2012 in Book 10370, Page 6648, as further supplemented by Sixth Supplement recorded October 3, 2012 in Book 10451, Page 3943. as further supplemented by Seventh Supplement recorded November 16, 2012 in Book 10475, Page 5310, as further supplemented by Eighth Supplement recorded January 28, 2013 in Book 10512, Page 2525, as further supplemented by Ninth Supplement recorded June 20, 2013 in Book 10588, Page 8270, as further supplemented by Tenth Supplement recorded September 24, 2013 in Book 10639, Page 788, as further supplemented by Eleventh Supplement recorded December 11, 2013 in Book 10675, Page 7459, in all of the Public Records of Orange County, Florida (collectively the "**Declaration**"); and

**WHEREAS**, the Declaration sets forth certain easements, restrictions, covenants and conditions applicable to the property described therein and provides for certain membership property rights and voting rights in an association, a covenant for assessments and other matters; and

**WHEREAS**, Article II of the Declaration provides that the Declaration may be imposed upon additional real property without the consent or joinder of any person or entity by filing a Supplement to the Declaration describing the real property to be annexed; and

**WHEREAS**, annexation of additional real property shall become effective when the Supplement is recorded in the Public Records of Orange County, Florida;

**WHEREAS**, the Declarant desires to annex the Commercial Village described on the attached **Exhibit "A"** ("Eagle Creek Village M Phase 1") to the Declaration and thereby make all of Eagle Creek Village M Phase 1 subject to the terms and conditions of the Declaration; and

**WHEREAS**, capitalized terms used in this Supplemental Declaration not defined herein shall have the meanings assigned to such terms in the Declaration.

**NOW, THEREFORE**, the undersigned hereby declares as follows:

A. Eagle Creek Village M Phase 1 is hereby annexed to the Property as a Commercial Village and made subject to the Declaration.

B. In accordance with Article IV, Section 11 of the Declaration, Owners of Commercial Parcels, and their tenants, guests and other invitees, shall only have such rights of access to and use Common Property as and to the extent specifically provided in the Supplement pursuant to which a Commercial Property is subjected to the Declaration. In accordance with such Article IV, Section 11, Owners within Eagle Creek Village M Phase 1 and their tenants, guests and other invitees shall be entitled to (i) utilize the area of the South Connector Road labeled as Tract A on the Plat of Eagle Creek Village M Phase 1 recorded in Plat Book ~~81~~, Page ~~14~~, of the Public Records of Orange County, Florida for all utilities (including, without limitation, water, sewer, telephone, cable TV, and internet) and to gain access to, from, and between any property within Eagle Creek Village M Phase 1 and the publicly dedicated right-of-way of Narcoosee Road (S.R. 15) (the "South Connector Road"), and (ii) utilize the Surface Water Management System in compliance with any and all applicable governmental or quasi-governmental permits and approvals. Declarant hereby reserves the right to grant additional easements over Common Areas in favor of Eagle Creek Village M Phase 1.

C. In accordance with Article IX, Section 1 of the Declaration, Commercial Parcels, and the Owners thereof, shall be subject to Assessments under the Declaration only as and to the extent specifically provided in the Supplement pursuant to which a Commercial Parcel is subject to the Declaration. In accordance with such Article IX, Section 1, Eagle Creek Village M Phase 1 is hereby subjected to Assessments only for: (i) the South Connector Road, and (ii) the Surface Water Management System. For Eagle Creek Village M Phase 1, the Assessments Per Village shall be assessed against the Lots within the Commercial Village based upon the number of Lots therein. The Assessments for the South Connector Road shall include all maintenance costs associated with the road, landscaping, sidewalks, and all other improvements benefitting Eagle Creek Village M Phase 1 located within the South Connector Road.

D. In accordance with Article X, Section 1 of the Declaration, Eagle Creek Village M Phase 1 shall not be subjected to the right, privilege, and authority reserved to Declarant, the Association, or the ARB pursuant to said Article X of the Declaration.

*[Signature page follows]*

WITNESSES

Meredith Gibson Zornak (Print Name)

Kathryn Smith (Print Name)

“DECLARANT:

Eagle Creek Development Corporation

By: Nick Gluckman

Name: Nick Gluckman

Title: Director

Date: January 10<sup>th</sup> 2014

STATE OF FLORIDA )

COUNTY OF SEMINOLE )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of January, 2014 by Nick Gluckman as Director of Eagle Creek Development Corporation, a Florida corporation, on behalf of the Corporation. He is personally known to me.

NOTARY PUBLIC:



KS (Signature)  
Notary Public, State of Florida

Name of Notary Public typed, printed or stamped here:

Kathryn Smith

**EXHIBIT "A"**

A portion of the Northwest 1/4 of Section 32, Township 24 South, Range 31 East, Orange County, Florida. Said parcel being more particularly described as follows:

Commence at the Southeast corner of the Northwest 1/4 of Section 32, Township 24 South, Range 31 East, Orange County, Florida; thence North 89° 19' 32" West, 1269.93 feet along the South line of said Northwest 1/4 of Section 32 to a point on the Easterly right of way line of Narcoosee Road per Orange County Board of County Commissioners Right of Way Map prepared by Bowyer-Singleton & Assoc., Inc. Job Number NRI-JI dated 06/25/2008; thence North 41° 42' 28" West, 277.14 feet along said Easterly right of way line to the Point of Beginning; thence continue along said Easterly right of way line North 41° 42' 28" West, 88.31 feet to the point of curvature of a curve concave Northeasterly, having a radius of 4465.74 feet and a central angle of 11° 06' 59"; thence Northwesterly along the arc of said curve and Easterly right of way line a distance of 866.43 feet; thence leaving said curve and Easterly right of way line, North 61° 02' 24" East, 407.58 feet; thence North 02° 19' 30" West, 86.30 feet; thence North 32° 13' 58" West, 249.30 feet to a point on a non-tangent curve concave Southerly, having a radius of 265.00 feet a central angle of 05° 39' 22" and a chord of 26.15 feet that bears South 67° 11' 42" West; thence from a tangent bearing of South 70° 01' 23" West along the arc of said curve a distance of 26.16 feet; thence leaving said curve, South 51° 00' 59" West, 129.92 feet; thence South 64° 22' 01" West, 240.46 feet to the point of curvature of a curve concave Southeasterly, having a radius of 35.00 feet and a central angle of 91° 16' 56"; thence Southwesterly along the arc of said curve a distance of 55.76 feet to a point on said Easterly right of way line of Narcoosee Road being the point of compound curvature of a curve concave Northeasterly, having a radius of 4465.74 feet and a central angle of 02° 35' 11"; thence Northwesterly along the arc of said curve a distance of 201.59 feet to the point of compound curvature of a curve concave Northerly, having a radius of 35.00 feet and a central angle of 91° 18' 15"; thence leaving said Easterly right of way line, Southeasterly along the arc of said curve a distance of 55.77 feet to the point of tangency; thence North 64° 22' 01" East, 240.42 feet; thence North 77° 43' 04" East, 129.92 feet to a point on a non-tangent curve concave Southerly, having a radius of 335.00 feet, a central angle of 18° 09' 31" and a chord of 105.73 feet that bears North 73° 26' 47" East; thence from a tangent bearing of North 64° 22' 01" East along the arc of said curve a distance of 106.17 feet; thence leaving said curve, North 01° 03' 03" West, 55.49 feet; thence North 88° 56' 57" East, 59.33 feet; thence South 01° 03' 03" East, 54.10 feet to a point on a non-tangent curve concave Southerly, having a radius of 335.00 feet, a central angle of 11° 33' 52" and a chord of 67.50 feet that bears South 81° 31' 41" East; thence from a tangent bearing of South 87° 18' 37" East along the arc of said curve a distance of 67.62 feet to the point of tangency; thence South 75° 44' 45" East, 341.35 feet to the point of curvature of a curve concave Southwesterly, having a radius of 990.00 feet and a central angle of 26° 18' 11"; thence Southeasterly along the arc of said curve a distance of 454.48 feet; thence leaving said curve, South 40° 44' 18" West, 70.00 feet to a point on a non-tangent curve concave Southwesterly, having a radius of 920.00 feet, a central angle of 05° 01' 22" and a chord of 80.62 feet that bears South 46° 56' 43" East; thence from a tangent bearing of South 49° 27' 24" East along the arc of said curve a distance of 80.65 feet to the point of reverse curvature of a curve concave Northeasterly, having a radius of 650.00 feet and a central angle of 17° 02' 19"; thence Southeasterly along the arc of said curve a distance of 193.30 feet to the point of reverse curvature of a curve concave Southwesterly, having a radius of 67.00 feet and a central angle of 35° 34' 57"; thence Southeasterly along the arc of said curve a distance of 41.61 feet to the point of reverse curvature of a curve concave Northeasterly, having a radius of 67.00 feet and a central angle of 42° 53' 27"; thence Southeasterly along the arc of said curve a distance of 50.16 feet; thence leaving said curve, South 40° 21' 16" West, 179.72 feet; thence South 54° 12' 56" East, 40.70 feet; thence South 37° 48' 01" West, 259.62 feet; thence South 47° 41' 58" West, 356.96 feet; thence North 42° 46' 22" West, 73.08 feet; thence South 48° 28' 13" West, 307.25 feet to the Point of Beginning.