

Prepared by, Record and Return to:
Lawrence B. Pitt, Esq.
Eagle Creek Development Corporation
c/o Emerson International, Inc.
370 CenterPointe Circle, Suite 1136
Altamonte Springs, FL 32701

DOCH 20190667342
10/24/2019 09:41:43 AM Page 1 of 11
Rec Fee: \$95.00
Phil Diamond, Comptroller
Orange County, FL
IO - Ret To: ORANGE COUNTY PUBLIC WORK



[Cross-Reference to
ORB 7254, Page 4027,
Doc #20040009798]

**THIRTY-SIXTH SUPPLEMENT TO DECLARATION OF COVENANTS,
CONDITIONS, EASEMENTS AND RESTRICTIONS FOR EAGLE CREEK**

**THIS THIRTY-SIXTH SUPPLEMENT TO DECLARATION OF COVENANTS,
CONDITIONS, EASEMENTS AND RESTRICTIONS FOR EAGLE CREEK** (this
“**Supplement**”) is made effective as of the 5th day of September 2019, by **EAGLE
CREEK DEVELOPMENT CORPORATION**, a Florida corporation, having an address of 370
CenterPointe Circle, Suite 1136, Altamonte Springs, Florida 32701 (“**Declarant**”).

WITNESSETH:

WHEREAS, Declarant recorded that certain Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek on January 7, 2004 in Official Records Book (“**ORB**”) 7254, Page 4027, as the same was supplemented and amended by the following: First Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded November 17, 2004 in ORB 7705, Page 1201, Second Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded May 19, 2005 in ORB 7976, Page 4596, Second Supplement to Declaration of Covenants, Conditions, Easements and Restrictions recorded October 13, 2006 in ORB 8914, Page 2921, First Amendment to Second Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded October 11, 2007 in ORB 9467, Page 4164, Certificate of Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded July 17, 2009 in ORB 9903, Page 8161, Third Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded January 8, 2010 in ORB 9985, Page 4095, Fourth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded May 14, 2010 in ORB 10044, Page 4403, Fifth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded October 12, 2011 in ORB 10280, Page 841, Fifth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded April 2, 2012 in ORB 10355, Page 2814, Sixth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded on May 3, 2012 in ORB 10370, Page 6648, Sixth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded October 3, 2012 in ORB 10451, Page 3943, Seventh Supplement to Declaration of Covenants, Conditions, Easements and

Restrictions for Eagle Creek recorded November 16, 2012 in ORB 10475, Page 5310, Eighth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded January 28, 2013 in ORB 10512, Page 2525, Ninth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded June 20, 2013 in ORB 10588, Page 8270, Tenth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded September 24, 2013 in ORB 10639, Page 788, Eleventh Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded December 11, 2013 in ORB 10675, Page 7459, Release from Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded December 20, 2013 in ORB 10679, Page 8737, Twelfth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded January 23, 2014 in ORB 10692, Page 8208, Corrective Release from Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded January 31, 2014 in ORB 10696, Page 6842, Thirteenth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded April 22, 2014 in ORB 10733, Page 5124, Fourteenth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded April 22, 2014 in ORB 10733, Page 5121, Fifteenth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded July 7, 2014 in ORB 10769, Page 2242, Amendment to Twelfth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded July 28, 2014 in ORB 10780, Page 5278, Sixteenth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded December 2, 2014 in ORB 10842, Page 7222, Seventeenth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded August 14, 2015 in ORB 10968, Page 221, Eighteenth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded September 15, 2015 in ORB 10983, Page 5048, Nineteenth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded September 23, 2015 in ORB 10987, Page 0398, Twentieth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded October 20, 2015 in ORB 11000, Page 4790, and Twenty-First Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded October 23, 2015 in ORB 11002, Page 6965; Twenty-Second Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded November 2, 2015 in ORB 11006, Page 5608, Twenty-Third Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded February 16, 2016 as Document Number 20160079131, Twenty-Fourth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded August 10, 2016 as Document Number 20160412076, Twenty-Fifth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded August 17, 2016 as Document Number 20160429784, Twenty-Sixth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded December 21, 2016 as Document Number 20160661062, Twenty-Seventy Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded February 24, 2017 as Document Number 20170104391, Twenty-Eight Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded February 10, 2017 as Document Number 20170079606, Twenty-Ninth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded May 3, 2017 as Document Number 20170246961, Thirtieth Supplement and Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded August 2, 2017 as Document Number 20170427410, Thirty-First

Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded August 18, 2017 as Document Number 20170460759, Thirty-Second Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded November 6, 2017 as Document Number 20170604394, Thirty-Third Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded July 23, 2018 as Document Number 20180434124, Thirty-Fourth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded March 22, 2019 as Document Number 20190173878, and Thirty-Fifth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek recorded August 16, 2019 as Document Number 20190509760, all of the Public Records of Orange County, Florida (collectively referred to herein as the "**Declaration**", except that the first-recorded and original Declaration shall be referred to herein as the "**Original Declaration**"); and

WHEREAS, the Declaration sets forth certain covenants, conditions, easements and restrictions affecting the Property and provides for certain membership, property rights, obligations and other matters affecting the Property and its Owners; and

WHEREAS, Article II, Section 2.A., of the Original Declaration, as amended by the Seventeenth Supplement, provides that Declarant shall have the right, but not the obligation, at any time and from time to time, in its sole and absolute discretion, and without notice to or the approval of any other party, to impose the Declaration upon any real property located within Eagle Creek; and

WHEREAS, the Declaration provides that until the Turnover meeting occurs, Declarant reserves for itself the absolute and unconditional right to alter, modify, change, revoke, rescind, or cancel any or all of the Declaration or the restrictive covenants contained in the Declaration, provided that such alteration, modification, change, revocation, rescission or cancellation does not materially and adversely interfere with an Owner's then permitted use of its Parcel; and

WHEREAS, Turnover and the Turnover meeting have not occurred; and

WHEREAS, Declarant desires to subject the real property described in Exhibit "A" attached hereto and made a part hereof by this reference (the "**Designated Property**") to the effect and coverage of the Declaration and to the jurisdiction of the Association, which Designated Property is located within Eagle Creek; and

WHEREAS, Declarant desires to subject the real property described in Exhibit "B" attached hereto and made a part hereof by this reference (the "**Designated Common Property**") to the effect and coverage of the Declaration and the jurisdiction of the Association, which Designated Common Property is located within Eagle Creek; and

NOW THEREFORE, the Declaration is hereby amended, modified and supplemented, and Declarant hereby declares, as follows:

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

2. Definitions.

2.1. The definitions set forth in the Declaration are incorporated herein and made a part hereof by this reference.

2.2. Capitalized terms used in this Supplement, unless otherwise defined in this Supplement, shall have the meanings ascribed to them in the Declaration.

2.3. Each of the tracts comprising the Designated Common Property described in Exhibit "B" attached hereto, together with any easements dedicated to the Association on any plat, including, but not limited to, the Plat referenced in Exhibit "A" attached hereto, shall hereafter be included in the definition of "Common Property" in the Declaration.

2.4. The definition of "Common Streets and Roads" in the Declaration shall hereafter include Tract A described in Exhibit "B" attached hereto.

2.5. Each of the subdivided lots described in Exhibit "A" attached hereto shall hereafter be a "**Lot**" as such term is defined in the Declaration.

2.6. Each of the subdivided lots described in Exhibit "A" attached hereto shall hereafter be a "**Parcel**" as such term is defined in the Declaration.

2.7. The definition of "**Property**" in the Declaration is hereby amended to include the Designated Property.

2.8. Each of the subdivided lots described in Exhibit "A" attached hereto shall be a "**Residential Lot**" as such term is defined in the Declaration.

3. Annexation of Designated Property. The Designated Property is hereby subjected to the provisions of the Declaration, as supplemented, amended and/or restated from time to time. The Designated Property shall hereafter be sold, transferred, used, conveyed, occupied and mortgaged or otherwise encumbered in accordance with the provisions of the Declaration, as supplemented, amended and/or restated from time to time, which shall run with title to the Designated Property and shall be binding upon all persons having any right, title or any interest therein, their respective heirs, legal representatives, successors, successors-in-title and assigns. The provisions of this Supplement shall be binding upon the Association in accordance with the terms of the Declaration.

4. Annexation of Designated Common Property. The Designated Common Property shall be subject to the provisions of the Declaration, as supplemented, amended and/or restated from time to time. The Designated Common Property shall hereafter be sold, transferred, used, conveyed, occupied and mortgaged or otherwise encumbered in accordance with the provisions of the Declaration, as supplemented, amended and/or restated from time to time, which shall run with title to the Designated Common Property and shall be binding upon all persons having any right, title or any interest therein, their respective heirs, legal representatives, successors, successors-in-title and assigns. The provisions of this Supplement shall be binding upon the Association in accordance with the terms of the Declaration.

5. Exhibit D. Exhibit “D” to the Original Declaration as amended in the Thirty-Fourth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek, is hereby deleted and the attached “Exhibit “D”” is substituted therefor and is referred to herein, as amended from time to time as, the “**Master Plan**”. The Master Plan shall serve as the Declarant’s written designations of Villages to date within the Eagle Creek community pursuant to Article VI, Section 5.A., of the Declaration.

6. Reaffirmation. Except as expressly modified by this Supplement, all terms and provisions of the Declaration are hereby ratified, confirmed and remain unchanged and in full force and effect.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK-

SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Declarant has caused this Supplement to be executed effective as of the day and year first above written.

WITNESSES:

Heather Field
Print Name: Heather Field

Meredith Gibson Zornek
Print Name: Meredith Gibson Zornek

DECLARANT:

EAGLE CREEK DEVELOPMENT CORPORATION, a Florida corporation

By: [Signature]
Name: Lawrence B. Pitt
Title: Vice President and General Counsel

STATE OF FLORIDA
COUNTY OF SEMINOLE

On this day personally appeared before me, Lawrence B. Pitt, as Vice President and General Counsel of Eagle Creek Development Corporation, a Florida corporation, to me well known to be the person described herein and who executed the foregoing instrument and acknowledged before me that he executed the same on behalf of said corporation.

WITNESS my hand and the official seal this 5th day of September, 2019.

Meredith Gibson Zornek
Notary Public, State of Florida
My commission expires: _____

(NOTARY SEAL)



EXHIBIT "A"

LEGAL DESCRIPTION OF DESIGNATED PROPERTY

Lots 237 through 320, inclusive, **EAGLE CREEK VILLAGE K PHASE 2A**, according to the plat thereof as recorded in Plat Book 100 Pages 120 through 129, inclusive, of the Public Records of Orange County, Florida (the "**Plat**")

EXHIBIT "B"

LEGAL DESCRIPTION OF DESIGNATED COMMON PROPERTY

Tracts A, D-3, OS-9 and OS-10, **EAGLE CREEK VILLAGE K PHASE 2A**, according to the plat thereof as recorded in Plat Book 100, Pages 120 through 129, inclusive, of the Public Records of Orange County, Florida, together with any any easements that will be owned by the Association as set forth on such Plat

EXHIBIT "C"

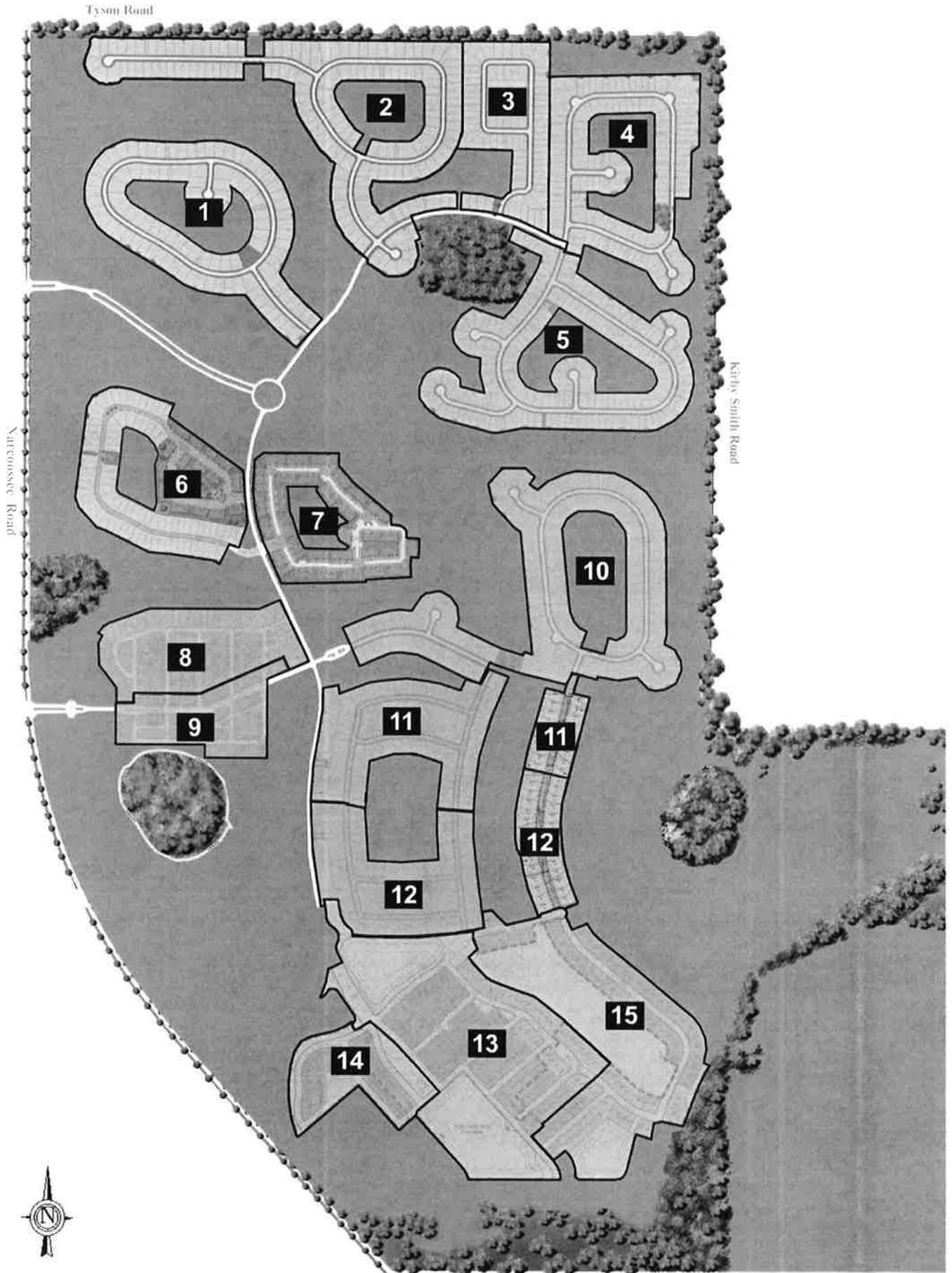
(Reserved)

EXHIBIT "D"

EAGLE CREEK MASTER PLAN

Exhibit "D"

Eagle Creek Master Plan



NAME OF PLAT: EAGLE CREEK VILLAGE K PHASE 2A

THIS PACKAGE CONTAINS THE FOLLOWING:

___ ORIGINAL MYLAR PLAT (___ PAGES - \$ ___)

___ TITLE OPINION

NOTE: The following instruments are Related Documents to the Plat named above:

___ DEVELOPER'S AGREEMENT FOR PUBLIC IMPROVEMENTS [Agreement] (___ PAGES - \$ ___)

X DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS [Restriction] (11 PAGES - \$ 95⁰⁰)

___ JOINDER AND CONSENT [Plat Related] (___ PAGES - \$ ___)

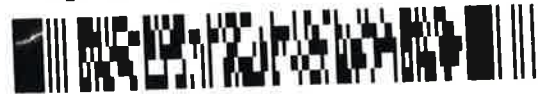
___ OTHER _____ [_____] (___ PAGES - \$ ___)
document type

TOTAL RECORDING FEE: \$ 95

SPECIAL INSTRUCTIONS REGARDING DOCUMENTS TO BE RECORDED WITH THIS PLAT:

DOC # 20190667342

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Phil Diamond, Comptroller
Orange County, FL



RECORDING FEES:

PLAT: \$30.00 FIRST PAGE, \$15.00 FOR EVERY PAGE THEREAFTER.

DOCUMENTS: \$10.00 FIRST PAGE, \$8.50 FOR EVERY PAGE THEREAFTER.

WHEN THE PLAT HAS BEEN RECORDED PLEASE NOTIFY THE FOLLOWING WITH **BOOK AND PAGE**:

MATTHEW KALUS 407-846-7856 MATTHEW.KALUS@OCFL.NET

JULIE ALBER 407-836-7928 JULIE.ALBER@OCFL.NET

CHERYL WHITE 407-836-7855 CHERYL.WHITE@OCFL.NET



PUBLIC WORKS DEPARTMENT, DEVELOPMENT ENGINEERING DIVISION

Pedro L. Medina, P.E., *Interim Manager*

4200 South John Young Parkway ▪ Orlando, Florida 32839-9205

407-836-7904 ▪ Fax 407-836-8003

e-mail: pedro.medina@ocfl.net

RECEIVED NOV 06 2019

November 1, 2019

Lawrence B Pitt, Esquire
Eagle Creek Development Corporation
c/o Emerson International, Inc
370 CenterPointe Circle, Suite 1136
Altamonte Springs, Florida 32701

SUBJECT: EAGLE CREEK VILLAGE K PHASE 2A - PLAT

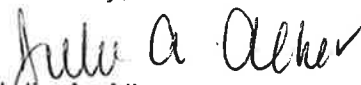
Dear Mr. Pitt,

Please find attached the following document(s), which were recorded with the above referenced plat:

1. Original recorded **Thirty-Sixth Supplement to Declaration of Covenants, Conditions, Easements and Restrictions for Eagle Creek.**
2. Original receipt for recording fees.

If you should have any questions please call me at (407) 836-7928.

Sincerely,


Julie A. Alber
Assistant Project Manager

Phil Diamond
Orange County Comptroller
P.O. Box 38
Orlando, FL 32802
407-836-5115
www.occompt.com

Receipt: 03857671

*** REPRINT *** REPRINT *** REPRINT ***

Product	Name	Extended
RST	Restriction	\$95.00
	# Pages	11
	Document #	20190667342
	Document Info:	ORANGE COUNTY PUBLIC WORKS - DEVELOPMENT ENGINEERING - ATTN MATT KALUS
Recording Fee		\$45.00
Trust Fund		\$6.00
Court Technology		\$44.00
P	Paid By	\$0.00
	ORANGE COUNTY PUBLIC WORKS - DEVELOPMENT ENGINEERING - ATTN MATT KALUS	
	4200 SOUTH JOHN YOUNG PARKWAY	
	ORLANDO, FL 32836	
Total		\$95.00
Tender (Check / Money Order)		\$95.00
Check#	25112	

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Excellent Service is Our Goal

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