

PREPARED BY RECORD AND RETURN TO:

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



THIS SPACE FOR RECORDER'S USE

**FIFTH SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS,
EASEMENT AND RESTRICTIONS FOR EAGLE CREEK**

THIS FIFTH SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR EAGLE CREEK (the "Supplemental Declaration") is made as of this 6th day of October, 2011, by Eagle Creek Development Corporation, a Florida corporation (the "Declaration")

RECITALS:

WHEREAS, the Declaration of Covenants, Conditions, Easement and Restrictions for Eagle Creek was recorded January 7, 2004, in Official Records Book 7254, Page 4027, the First Supplement to Declaration of Covenants, Conditions, Easement and Restrictions for Eagle Creek was recorded November 17, 2004 in Official Records Book 7705, Page 1201, and the Second Supplement to Declaration of Covenants, Conditions, Easement and Restrictions for Eagle Creek was recorded May 19, 2005, in Official Records Book 7976, Page 4596, and the First Amendment to Second Supplement was recorded October 11, 2007, in Official Records Book 9467, Page 4164, and the Third Supplement to Declaration of Covenants, Conditions, Easement and Restrictions for Eagle Creek was recorded January 8, 2010 in Official Records Book 9985, Page 4095, and the Fourth Supplement to Declaration of Covenants, Conditions, Easement and Restrictions for Eagle Creek was recorded May 14, 2010 in Official Records Book 10044, Page 4003 all in the Public Records of Orange County, Florida (collectively, the "Declaration").

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 and the jurisdiction of the Homeowners Association of Eagle Creek, Inc. ("Association") 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; and

WHEREAS, the Declarant and the Association desire to annex the real property described on the attached **Exhibit "A"** ("Eagle Creek Phase 1C-2 Part A") to the Declaration and thereby make all of Eagle Creek Phase 1C-2 Part A subject to the terms and conditions of the Declaration and to governance by the Association.

NOW, THEREFORE, the undersigned hereby declare that Eagle Creek Phase 1C-2 Part A is hereby annexed to the Property (as defined in the Declaration) and made subject to the Declaration and the Association.

WITNESSES

[Signature]
Kathryn Smith (Print Name)
[Signature]
Lindsay Talburt (Print Name)

DECLARANT:

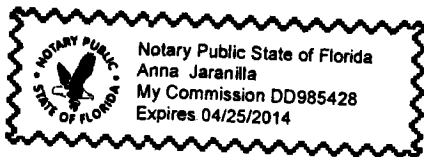
Eagle Creek Development Corporation
By: [Signature]
Name: Eric J. Emerson
Title: Vice President
Date: _____

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 6th day of October, 2011 by Eric J. Emerson as Vice President of Eagle Creek Development Corporation, a Florida corporation, on behalf of the Corporation. He is personally known to me.

NOTARY PUBLIC:

Anna Jaranilla (Signature)
Notary Public, State of Florida
Name of Notary Public typed, printed or stamped here:



(NOTARIAL SEAL)

Exhibit "A"

**LYING IN SECTION 29, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA. SAID
PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGIN AT THE SOUTHEAST BOUNDARY CORNER OF EAGLE CREEK PHASE 1A ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 55, PAGES 137 THROUGH 153 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH 00° 42' 34" WEST, ALONG THE WEST RIGHT OF WAY LINE OF KIRBY SMITH ROAD PER OCCUPATION AND MONUMENTATION 1923.84 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, NORTH 88° 06' 16" WEST, 319.29 FEET; THENCE SOUTH 55° 15' 45" WEST, 20.36 FEET; THENCE NORTH 89° 09' 30" WEST, 202.89 FEET; THENCE NORTH 45° 48' 47" WEST, 91.27 FEET; THENCE NORTH 76° 37' 16" WEST, 326.53 FEET; THENCE NORTH 75° 33' 47" WEST, 56.17 FEET; THENCE SOUTH 19° 48' 33" WEST, 48.02 FEET; THENCE NORTH 70° 11' 27" WEST, 39.89 FEET TO A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1575.00 FEET, A CENTRAL ANGLE OF 04° 36' 58" AND A CHORD OF 126.86 FEET THAT BEARS SOUTH 16° 33' 00" WEST; THENCE FROM A TANGENT BEARING OF SOUTH 18° 51' 29" EAST ALONG THE ARC OF SAID CURVE A DISTANCE OF 126.89 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 14° 14' 31" WEST, 40.94 FEET; THENCE NORTH 75° 45' 29" WEST, 50.00 FEET; THENCE NORTH 14° 14' 31" EAST, 6.36 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 87° 47' 05"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 38.30 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 440.30 FEET AND A CENTRAL ANGLE OF 16° 26' 36"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 126.36 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF 24° 12' 51"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 126.78 FEET TO THE POINT OF TANGENCY; THENCE NORTH 81° 18' 49" WEST, 226.60 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 360.00 FEET AND A CENTRAL ANGLE OF 06° 49' 10"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 42.85 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 81° 33' 40"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.59 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 23° 56' 42" WEST, 19.49 FEET; THENCE NORTH 66° 03' 20" WEST, 50.00 FEET; THENCE SOUTH 23° 56' 42" WEST, 75.02 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2625.00 FEET AND A CENTRAL ANGLE OF 00° 12' 12"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 9.32 FEET; THENCE LEAVING SAID CURVE, NORTH 64° 24' 38" WEST, 116.12 FEET; THENCE SOUTH 23° 12' 33" WEST, 113.83 FEET; THENCE NORTH 71° 28' 38" WEST, 108.49 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1040.00 FEET AND A CENTRAL ANGLE OF 36° 44' 45"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.99 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 71° 46' 37" WEST, 184.51 FEET; THENCE NORTH 06° 09' 42" WEST, 71.81 FEET; THENCE SOUTH 81° 52' 27" WEST, 177.28 FEET TO A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 655.00 FEET, A CENTRAL ANGLE OF 14° 22' 18" AND A CHORD OF 163.86 FEET THAT BEARS NORTH 16° 47' 48" WEST; THENCE FROM A TANGENT BEARING OF NORTH 09° 36' 39" WEST ALONG THE ARC OF SAID CURVE A DISTANCE OF 164.30 FEET TO THE POINT OF TANGENCY; THENCE NORTH 23° 58' 57" WEST, 773.71 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF EAGLE CREEK PHASE 1C - VILLAGE E ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 67, PAGES 52 THROUGH 55 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID SOUTHERLY BOUNDARY LINE, NORTH 66° 00' 15" EAST, 77.12 FEET; THENCE SOUTH 25° 50' 23" EAST, 53.91 FEET; THENCE SOUTH 70° 31' 17" EAST, 102.46 FEET; THENCE NORTH 87° 33' 30" EAST, 167.93 FEET; THENCE SOUTH 86° 28' 02" EAST, 158.13 FEET; THENCE SOUTH 83° 39' 32" EAST, 42.05 FEET; THENCE NORTH 87° 04' 01" EAST, 152.20 FEET; THENCE NORTH 40° 14' 04" EAST, 29.67 FEET; THENCE NORTH 86° 53' 19" EAST, 155.76 FEET; THENCE NORTH 79° 31' 27" EAST, 12.57 FEET; THENCE NORTH 88° 29' 33" EAST, 176.17 FEET TO THE EASTERLY BOUNDARY LINE OF SAID EAGLE CREEK PHASE 1C - VILLAGE E; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID EASTERLY BOUNDARY LINE, NORTH 01° 44' 03" WEST, 157.52 FEET; THENCE SOUTH 87° 56' 15" EAST, 70.29 FEET; THENCE NORTH 02° 04' 12" EAST, 170.00 FEET; THENCE NORTH 74° 19' 02" WEST, 75.81 FEET; THENCE NORTH 52° 38' 07" WEST, 179.83 FEET; THENCE NORTH 40° 36' 53" EAST, 13.91 FEET; THENCE NORTH 49° 23' 07" WEST, 402.33 FEET; THENCE NORTH 37° 22' 40" WEST, 180.24 FEET; THENCE NORTH 00° 00' 00" WEST, 73.34 FEET TO THE NORTHERLY BOUNDARY LINE OF SAID EAGLE CREEK PHASE 1C - VILLAGE E; THENCE NORTH 90° 00' 00" WEST, ALONG SAID NORTHERLY BOUNDARY LINE 560.54 FEET; THENCE SOUTH 56° 09' 50" WEST, ALONG SAID NORTHERLY BOUNDARY LINE 88.24 FEET TO THE EASTERLY RIGHT OF WAY LINE OF MERE PARKWAY (A 60.00' PRIVATE RIGHT OF WAY DESIGNATED AS TRACT H, ACCORDING TO SAID EAGLE CREEK PHASE 1C -

VILLAGE E) BEING A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1348.00 FEET, A CENTRAL ANGLE OF $12^{\circ} 23' 23''$ AND A CHORD OF 290.93 FEET THAT BEARS NORTH $13^{\circ} 35' 13''$ EAST; THENCE FROM A TANGENT BEARING OF SOUTH $07^{\circ} 23' 32''$ WEST, ALONG THE ARC OF SAID CURVE AND EASTERLY RIGHT OF WAY LINE A DISTANCE OF 291.49 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF AFORESAID EAGLE CREEK PHASE 1A; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID SOUTHERLY BOUNDARY LINE, SOUTH $70^{\circ} 13' 05''$ EAST, 40.00 FEET; THENCE NORTH $19^{\circ} 46' 54''$ EAST, 80.97 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF $55^{\circ} 19' 45''$; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.14 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 142.00 FEET AND A CENTRAL ANGLE OF $110^{\circ} 29' 01''$; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 273.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF $70^{\circ} 46' 16''$; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 30.88 FEET TO THE POINT OF TANGENCY; THENCE NORTH $35^{\circ} 23' 55''$ EAST, 90.56 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 86.00 FEET AND A CENTRAL ANGLE OF $26^{\circ} 29' 30''$; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 39.76 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 114.00 FEET AND A CENTRAL ANGLE OF $26^{\circ} 29' 30''$; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 52.71 FEET; THENCE LEAVING SAID CURVE, NORTH $35^{\circ} 30' 05''$ EAST, 95.47 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 114.00 FEET AND A CENTRAL ANGLE OF $25^{\circ} 59' 24''$; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 51.71 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 86.00 FEET AND A CENTRAL ANGLE OF $13^{\circ} 36' 12''$; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 20.42 FEET; THENCE LEAVING SAID CURVE, SOUTH $49^{\circ} 26' 03''$ EAST, 37.34 FEET; THENCE NORTH $38^{\circ} 23' 41''$ EAST, 125.09 FEET; THENCE NORTH $49^{\circ} 26' 03''$ WEST, 38.71 FEET TO A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1673.00 FEET, A CENTRAL ANGLE OF $02^{\circ} 45' 07''$ AND A CHORD OF 80.35 FEET THAT BEARS NORTH $42^{\circ} 27' 55''$ EAST; THENCE FROM A TANGENT BEARING OF NORTH $41^{\circ} 05' 21''$ EAST ALONG THE ARC OF SAID CURVE A DISTANCE OF 80.36 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1101.00 FEET AND A CENTRAL ANGLE OF $22^{\circ} 23' 38''$; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 430.32 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 736.00 FEET AND A CENTRAL ANGLE OF $10^{\circ} 09' 54''$; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 130.57 FEET; THENCE LEAVING SAID CURVE, SOUTH $54^{\circ} 32' 02''$ EAST, 132.22 FEET; THENCE SOUTH $60^{\circ} 22' 55''$ EAST, 34.92 FEET; THENCE SOUTH $71^{\circ} 52' 53''$ EAST, 234.02 FEET; THENCE SOUTH $77^{\circ} 32' 00''$ EAST, 169.18 FEET; THENCE SOUTH $63^{\circ} 20' 22''$ EAST, 327.83 FEET; THENCE SOUTH $55^{\circ} 34' 00''$ WEST, 95.15 FEET; THENCE SOUTH $35^{\circ} 48' 21''$ WEST, 82.16 FEET; THENCE SOUTH $18^{\circ} 00' 19''$ WEST, 70.13 FEET; THENCE SOUTH $01^{\circ} 23' 16''$ EAST, 47.40 FEET; THENCE SOUTH $20^{\circ} 40' 32''$ EAST, 57.01 FEET; THENCE SOUTH $41^{\circ} 39' 43''$ EAST, 66.69 FEET; THENCE SOUTH $63^{\circ} 39' 22''$ EAST, 57.17 FEET; THENCE SOUTH $75^{\circ} 27' 16''$ EAST, 98.37 FEET; THENCE SOUTH $01^{\circ} 10' 49''$ WEST, 114.21 FEET; THENCE SOUTH $13^{\circ} 37' 34''$ EAST, 153.36 FEET; THENCE NORTH $75^{\circ} 35' 11''$ WEST, 194.32 FEET; THENCE NORTH $01^{\circ} 12' 15''$ WEST, 61.03 FEET; THENCE NORTH $51^{\circ} 50' 28''$ WEST, 79.37 FEET; THENCE NORTH $67^{\circ} 34' 05''$ WEST, 49.24 FEET; THENCE NORTH $81^{\circ} 28' 42''$ WEST, 56.61 FEET; THENCE SOUTH $77^{\circ} 53' 43''$ WEST, 52.45 FEET; THENCE SOUTH $57^{\circ} 16' 08''$ WEST, 67.76 FEET; THENCE SOUTH $36^{\circ} 43' 24''$ WEST, 53.02 FEET; THENCE SOUTH $16^{\circ} 00' 57''$ WEST, 67.81 FEET; THENCE SOUTH $04^{\circ} 30' 19''$ EAST, 70.06 FEET; THENCE SOUTH $35^{\circ} 51' 41''$ EAST, 84.17 FEET; THENCE SOUTH $49^{\circ} 33' 36''$ EAST, 95.96 FEET; THENCE SOUTH $56^{\circ} 48' 49''$ EAST, 51.43 FEET; THENCE SOUTH $71^{\circ} 19' 00''$ EAST, 70.54 FEET; THENCE SOUTH $77^{\circ} 39' 50''$ EAST, 57.96 FEET; THENCE SOUTH $75^{\circ} 30' 06''$ EAST, 266.15 FEET; THENCE SOUTH $83^{\circ} 05' 42''$ EAST, 43.36 FEET; THENCE NORTH $89^{\circ} 22' 22''$ EAST, 33.75 FEET; THENCE NORTH $81^{\circ} 50' 39''$ EAST, 42.63 FEET; THENCE NORTH $79^{\circ} 10' 43''$ EAST, 128.24 FEET; THENCE SOUTH $89^{\circ} 17' 41''$ EAST, 150.00 FEET; THENCE NORTH $00^{\circ} 42' 19''$ EAST, 115.59 FEET; THENCE SOUTH $89^{\circ} 17' 41''$ EAST, 26.00 FEET; THENCE SOUTH $00^{\circ} 42' 19''$ WEST, 115.00 FEET; THENCE SOUTH $89^{\circ} 17' 41''$ EAST, 961.23 FEET; THENCE SOUTH $64^{\circ} 40' 15''$ EAST, 119.01 FEET; THENCE SOUTH $74^{\circ} 54' 36''$ EAST, 145.94 FEET; THENCE NORTH $90^{\circ} 00' 00''$ EAST, 80.18 FEET TO THE POINT OF BEGINNING.