

Upon Recording Return To:
D.R. Horton, Inc.
25366 Profit Drive
Daphne, AL 36526

STATE OF FLORIDA
COUNTY OF SANTA ROSA

**FIFTH AMENDMENT TO AMENDED AND RESTATED DECLARATION OF
CONDITIONS, COVENANTS AND RESTRICTIONS OF
ARBOR PLACE-ROBINSON ESTATES SUBDIVISION**

THIS FIFTH AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS (this "Amendment") is made this ____ day of _____, 2021 (the "Effective Date"), by D.R. Horton, Inc., a Delaware corporation ("Declarant").

WITNESSETH:

WHEREAS, on January 29, 2020, Declarant recorded that certain Amended and Restated Declaration of Conditions, Covenants and Restrictions of Arbor Place-Robinson Estates Subdivision (the "Restated Declaration") at Book 3913, Page 749 of the official records of Santa Rosa County, Florida regarding certain real property located in Santa Rosa County, Florida and described on the subdivision plats for Robinson Estates – Phase 1, recorded at Plat Book 13, Page 3 and Arbor Place – Phase 1, recorded at Plat Book 13, Page 4, all in the records of the Office of the Clerk of the Circuit Court of Santa Rosa County, Florida (the "County Registry");

WHEREAS, Declarant is the owner of all of that certain property shown on the plat of subdivision for Robinson Estates – Phase IIB recorded at Plat Book 13, Page 85 in the County Registry (the "Robinson Estates Phase IIB Plat"), which is "Additional Property" as defined in the Declaration;

WHEREAS, Section 10.02 of the Restated Declaration permits Declarant to amend the Declaration to annex any or all of the Additional Property, which includes all of the property shown on the Robinson Estates Phase IIB Plat (the "Robinson Estates Phase IIB Property"); and

WHEREAS, Declarant desires to amend the Restated Declaration in accordance with the terms and conditions hereof.

Amendment:

NOW THEREFORE, Declarant, as the declarant under the Restated Declaration, hereby amends the Restated Declaration as follows:

1. Capitalized Terms. Capitalized terms used herein unless otherwise defined herein shall have the meaning ascribed to such terms in the Restated Declaration.

2. Recitals. The foregoing recitals are true and correct in all material respects and form an integral part of this Amendment, the same as if said recitals were included in the numbered paragraphs hereof.

3. Annexation of Phase IIB Property. The Robinson Estates Phase IIB Property, including any improvements located thereon and hereafter constructed, is hereby annexed and subjected to the provisions of the Restated Declaration, and such property shall be held, sold, transferred, conveyed, used, and occupied subject to the covenants, conditions, restrictions, easements, and terms set forth in the Restated Declaration, as amended hereby. Upon the recording of this Amendment in the County Registry, each lot shown on the Robinson Estates Phase IIB Plat shall be a "Lot" and all common areas shown on the Robinson Estates Phase IIB Plat shall be "Common Area," as those terms are defined in the Restated Declaration.

4. Continued Effectiveness. All of the applicable terms, conditions and provisions of the Restated Declaration, as hereby supplemented and amended, are in all respects hereby ratified and reaffirmed, and the Restated Declaration and this Amendment shall be read, taken, and construed as one and the same instrument. References in the Restated Declaration and all exhibits thereto shall be deemed to be references to the Restated Declaration as amended by this Amendment.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Declarant has executed this Amendment by and through its duly authorized representative as of the date first set forth above.

Witness:

[Signature]
Print Name: Matthew Kelt

Witness:

[Signature]
Print Name: JOE EYERSON

DECLARANT:

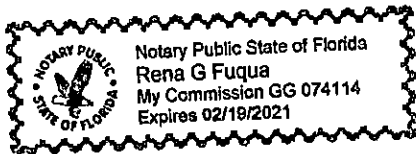
D.R. Horton, Inc., a Delaware Corporation

By: [Signature]
Name: Crain T Rogers
As Its: Assistant Vice President

STATE OF FL
COUNTY OF Santa Rosa

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 2-18-21 by Crain T. Rogers of D.R. Horton, a Delaware corporation, on behalf of the corporation. He/she is personally known to me or has produced _____ as identification.

[SEAL]



Rena G. Fuqua
Notary/Public Signature

Rena G. Fuqua
Notary Public Printed Name