

Return to:
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**CERTIFICATE OF RECORDING AMENDMENT TO THE RULES, REGULATIONS
AND ARCHITECTURAL DESIGN STANDARDS FOR
MOSS CREEK OF HILLSBOROUGH HOMEOWNERS ASSOCIATION, INC.**

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of Moss Creek was originally recorded in Official Records Book 10323, Page 699 of the Public Records of Hillsborough County, Florida (the "Declaration"); and

WHEREAS, the Declaration was amended in Official Records Book 10527, Page 1617, and amended in Official Records Book 19718, Page 217, all of the Public Records of Hillsborough County, Florida; and

WHEREAS, Article II, Section 1(e) and Article IV, Section 6 of the Declaration and Article VII, Section 1(a) of the Bylaws provide that the Board of Directors may adopt from time to time rules and regulations and Article VI, Section 2 of the Declaration provide that the Board of Directors may adopt and amend from time to time Architectural Design Standards for Moss Creek of Hillsborough Homeowners Association, Inc.; and

WHEREAS, the Rules, Regulations, and Architectural Design Standards were approved by the Board of Directors on April 18, 2019 and recorded in Official Records Book 26799, Page 722 of the Public Records of Hillsborough County, Florida and thereafter amend by an amendment recorded at Instrument # 2020369467 of the Public Records of Hillsborough County, Florida; and

WHEREAS, the Board of Directors desires to the further amend the Rules, Regulations, and Architectural Design Standards;

NOW, THEREFORE, Barry Gerth, as President, and Denise Lowery, as Secretary, of Moss Creek of Hillsborough Homeowners Association, Inc., do hereby certify that the following amendments, attached hereto as Exhibit "A", to the Rules, Regulations, and Architectural Design Standards were duly approved by the Board of Directors at the duly noticed meeting of the Board of Directors on July 21, 2022.

Certificate of Recording Amendments to Rules,
Regulations and Architectural Design Standards
for Moss Creek of Hillsborough Homeowners
Association, Inc.

Witnesses:

MOSS CREEK OF HILLSBOROUGH
HOMEOWNERS ASSOCIATION, INC.

Jacqui Wolfenbarger
Print Name: Jacqui Wolfenbarger

Barry Gerth
BY: Barry Gerth, President

Bryanna Dial
Print Name: Bryanna Dial

Witnesses:

MOSS CREEK OF HILLSBOROUGH
HOMEOWNERS ASSOCIATION, INC.

Jacqui Wolfenbarger
Print Name: Jacqui Wolfenbarger

Denise Lowery
BY: Denise Lowery, Secretary

Bryanna Dial
Print Name: Bryanna Dial

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 23rd day of August, 2022 by Barry Gerth, as President and Denise Lowery, as Secretary, of Moss Creek of Hillsborough Homeowners Association, Inc., who are personally known to me or have produced Florida Drivers License as identification, who did take an oath under the laws of the State of Florida, who executed the foregoing Certificate of Recording Amendment to the Rules, Regulations, and Architectural Design Standards for Moss Creek of Hillsborough Homeowners Association, Inc., and severally acknowledge the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned, and that they have affixed thereto the seal of said corporation, and the said instrument is the act and deed of said corporation.

In Witness Whereof, I have hereunto set my hand and official seal this 23rd day of August, 2022.

[NOTARY SEAL]

Krista D. Richey
NOTARY PUBLIC
Print Name: Krista D. Richey
My Commission Expires: 01-24-2023



*Certificate of Recording Amendments to Rules,
Regulations and Architectural Design Standards
for Moss Creek of Hillsborough Homeowners
Association, Inc.*

EXHIBIT "A"

CODING: Deleted language is marked with a strikethrough line and new language is marked by a double underline.

I. Article B, Paragraph 11 of the Rules, Regulations, and Architectural Design Standards is hereby amended to revise the second bullet point only as follows:

11. Fences – All fences must be approved in writing by the ARC and must comply with the Moss Creek Fence Guidelines Supplement attached hereto and made part hereof. In summary:

- All fences must be six (6) feet in height except:
 - All fences adjacent to and bordering the Common Area and conservation areas may not exceed four (4) feet in height if a six (6) foot fence would block any neighboring lot owner's view of the Common Area or conservation areas or the fence will be placed along or adjacent to a retention pond.

II. Article B, Paragraph 26 of the Rules, Regulations, and Architectural Design Standards is hereby amended to read as follows:

26. Mechanical Equipment - Mechanical equipment, including but not limited to pool and/or spa equipment, air conditioner compressors, propane tanks, permanent generators, etc. must be located either inside the lanai or at the rear or side of the Dwelling. Any new installation of mechanical equipment must be submitted to the ARC for review and approval. All equipment must be screened from view of the public right-of-way and neighboring lots. The first piece of equipment on each side of the house must be screened from view with landscaping (shrubs, bushes, hedges not higher than 8 feet) or the following approved artificial hedge material. (Note: artificial screening/flowers/landscaping may not be used anywhere else or for any other purpose than for the mechanical equipment screening)

Screening to be made of willow wood fencing covered with artificial ivy leaves with UV coating. Green, powder coated stakes installed on the back side of the screening so as not to be seen from the front. (Note: Board and ARC reserves the right to inspect the ivy leaves and determine when they should be replaced based on fading and discoloration.

III. Supplement A, the Fence Guide Supplement, of the Rules, Regulations, and Architectural Design Standards is hereby amended to read as follows:

Wood Fence

- Sealer and Finish Only – Only approved sealer colors are: Thompson's Water Seal Honey Gold, Valspar Honey Gold or Behr Golden Honey. No other colors or colored stains allowed. Clear sealer is the only approved finish. No semi-transparent or solid color stains are allowed.

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Placement

- Amenity Lots. Notwithstanding attachment diagrams “E” and “F”, fences of up to six feet (6’) may be permitted on any lot that backs up to conservation land so long as the fence does not impede the view of the neighboring lot and is not placed along or adjacent to a retention pond. Otherwise, only a four foot (4’) fence will be permitted.

IV. The following additional information is hereby added to Supplement A, the Fence Guide Supplement, of the Rules, Regulations, and Architectural Design Standards to clarify and reinforce the ‘Fence Drawings and Layouts Attachment F’:

When transitioning the side fence from 6’ to 4’ the 6’ sections must stop at rear edge of the house. Transition to 4’ must be no longer than 8’ in running length with the 4’ sections continuing to the end of the property that meets the common area/conservation area. (See attachment F in ‘Fence Drawings and Layouts’).