

Return to:
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Appleton Reiss, PLLC
501 E. Kennedy Blvd. Ste. 802
Tampa, FL 33602

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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

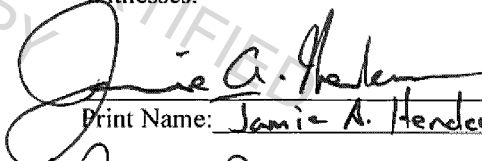
WHEREAS, Article II, Section 1(e) and Article IV, Section 6 of the Declaration and Article VII, Section 1(a) of the Bylaws provide that the Board of Directors may adopt from time to time rules and regulations and Article VI, Section 2 of the Declaration provide that the Board of Directors may adopt and 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

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

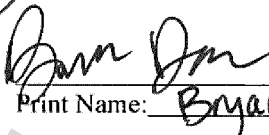
NOW, THEREFORE, Lisa DiVasta, as President, and Myron Peoples, as Secretary, of Moss Creek of Hillsborough Homeowners Association, Inc., do hereby certify that the following amendments, attached hereto as Exhibit "A", to the Rules, Regulations, and Architectural Design Standards were duly approved by the Board of Directors at the duly noticed meeting of the Board of Directors on 8/10/2020.

Witnesses:


Print Name: Jamie A. Henderson

MOSS CREEK OF HILLSBOROUGH
HOMEOWNERS ASSOCIATION, INC.


BY: Lisa DiVasta, President


Print Name: Bryanna Diaz

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for Moss Creek of Hillsborough Homeowners
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Witnesses:

[Signature]
Print Name: Jamie D. Henderson
[Signature]
Print Name: Bryanna Diaz

MOSS CREEK OF HILLSBOROUGH
HOMEOWNERS ASSOCIATION, INC.

BY: [Signature]
Myron Peoples, Secretary

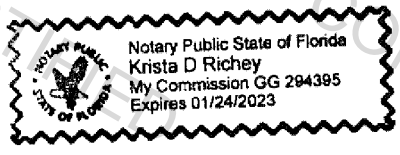
STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 25 day of August, 2020 by Lisa DiVasta, as President and Myron Peoples, as Secretary, of Moss Creek of Hillsborough Homeowners Association, Inc., who are personally known to me or have produced [Signature] 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 25 day of August, 2020.

[NOTARY SEAL]

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



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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 read 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:

- No fence may extend forward of the front of any Dwelling or within the 25-foot Lot setbacks from public rights-of-way.
- 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 ~~and may not to~~ if a six (6) foot fence would block the any neighboring lot owner's view of the Common Area or conservation areas.
 - Placement:
 - Setback: Side yard fencing cannot be placed less than ten (10) feet from the front elevation of the Dwelling.
 - Existing fence: The new fence must attach to the existing (neighbor's) fence regardless of its setback and preferably be in line with the existing fence.
 - Corner Lots: Placement of a fence on the street side of a corner lot shall require a fifteen (15') foot setback from the side property line, in addition to the ten (10') foot setback requirement from the front of the Dwelling.
- Fence materials must be wood, white vinyl and wood-grain vinyl and must comply with other specification requirements for each type as set forth in the Fence Guideline Supplement.
- Fence Signage: The only allowable signage on any exterior fence surface shall be no more than two (2) 7" L x 2-1/8"H "Beware of Dog" signs manufactured by Signature Hardware Whittington Collection. Only Antique Brushed Nickel or Antique Brass finishes are permitted. These signs can be purchased on-line at:
<https://www.signaturehardware.com/solid-brass-beware-of-the-dog-sign.html>. Equivalent signs matching this style, size and finish are permitted with prior written ARC approval.

II. Article C, Paragraph 11 of the Rules, Regulations, and Architectural Design Standards is hereby amended to read as follows:

11. **Tree Removal** – Diseased or damaged trees must be removed to prevent damage to property and personal injury. Property owners must obtain necessary governmental approvals and ARC approval when removing any trees. If not damaged or diseased, ARC approval is required prior to removal. Removal will only be permitted if the tree is causing damage to property (i.e. cracking foundations, driveways or sidewalks) or if necessary to allow another approved improvement (i.e. pool, patio, etc.). Replacement trees may be

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required in accordance with Hillsborough County codes; ARC approval is required for the location of any replacement trees on the Lot. Trees must be replaced within 45 days of removal with: Live Oak, Florida Maple, or Sycamore Shumard Oak trees with a tree trunk of at least three (3) inches in diameter. Owner is responsible for complying with all applicable Law when removing or replacing any trees on a Lot.

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

A. Fence Guideline Supplement

Please note that these fence specifications do not authorize the construction, renovation, replacement or installation of any fence without pre-approval of the ARC. Owners must submit a complete ARC Submission Request Form with fence specifications, proposed design and type, and a site survey showing details of the fence, measurements and proposed location. Homeowners must have a written approval from the ARC before proceeding with any fencing installation or changes.

Wood Fence

- Fence must be pressure treated pine and no higher than 6 feet. Fence height is measured from ground to top of fence panel.
- Pickets: ½ inch (minimum) x 4-inch x 6 feet.
- Stringers (horizontal pieces): 2-inch x 4-inch x 8 feet.
- Line Posts: 4-inch x 4-inch x 8 feet.
- Fence style may be 4ft or 6ft vertical Board-on Board or Shadow Box (see Guidelines for approved locations for 4-foot fences).
- Gate Style should be the same as the fence style (Board-on Board or Vertical Shadow Box) with reinforced bracing.
- Galvanized ring-shanked nails or galvanized screws are best.
- 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.

Vinyl Fence

- Fence must be no higher than 6 feet in height measured from ground to top of fence panel including lattice accent.
- Fence style for 6 feet fences may be tongue and groove narrow or wide board panels with or without lattice accent. Vertical panels only.
- Fence style for 4 feet may be wide or narrow picket (see Guidelines for approved locations for 4-foot fences). Vertical panels only.
- White smooth vinyl or almond embossed (wood-like) vinyl. Wood fence does not have to be from Danielle Fence but the color must match their Almond embossed <https://www.daniellefence.com/lakeland-vinyl-fence>

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Placement

- **Setback:** Side yard fencing cannot be placed less than ten (10) feet from the front elevation of the Dwelling.
- **Existing fence:** The new fence must attach to the existing (neighbor's) fence regardless of its setback and preferably be in line with the existing fence.
- **Corner Lots:** Placement of a fence on the street side of a corner lot shall require a fifteen (15') foot setback from the side property line, in addition to the ten (10') foot setback requirement from the front of the Dwelling.
- **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. Otherwise, only a four foot (4') fence will be permitted.**

See fence attachment diagrams A-F

IV. Option #1 – Color Palette Book of Supplement B, the House Paint Color Supplement Guideline, of the Rules, Regulations, and Architectural Design Standards is hereby amended to read as follows:

OPTION #1 – COLOR PALETTE BOOK

Owners must select paint colors from the approved Color Palette Book only and must submit an application as provided herein. These colors must match the book exactly. The process for approval, which may take up to 45 days, is:

1. Contact the Association's management company to review the Color Palette Book. Colors are also available on the website, MossCreekRiverview.com
2. Select one of the approved colors and complete an ARC Request form that lists the selected colors for body, trim and door from the book. Please note:
 - Homes (body color) may not be painted the same color as an adjacent home or a home directly across the street. And should be at least two shades darker or lighter, if part of the same color family.
 - Trim may be painted any shade of white with the word "white" in the name (i.e. Dover White, Oyster White, Pure White, White Duck...)
 - The door colors from any approved schemes may be substituted between schemes

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- In addition to the color schemes set forth in the Color Palette Book, the following color schemes shall be permitted subject to the requirements set forth herein and prior approval of the ARC:
 - House – Green Onyx (SW 9128), Trim – Marshmallow (SW 7001), Door – Tricorn Black (SW 6258)
 - House – Filmy Green (SW 6190), Trim – Roman Column (SW 7562), Door – Jade Dragon (SW 9129)
 - House – Faded Flaxflower (SW 9146), Trim – Alabaster (SW 7008), Door – Venetian Yellow (SW 1666)
 - House – Dockside Blue (SW 7601), Trim – Extra White (SW 7006), Door – Restoration Ivory (SW 6413)
 - House – Rain (SW 6219), Trim – Nantucket Dune (SW 7527), Door – Homestead Brown (SW 7515)
 - House – Marshmallow (SW 7001), Trim – Bittersweet Stem (SW 7536), Door – Dark Night (SW 6237)
 - House – Trusty Tan (SW 6087), Trim – Hush White (SW 6042), Door – Enduring Bronze (SW 7055)
- 3. Submit the form to the Association's management company which will review for compliance with the Color Palette Book
- 4. If the colors submitted match the Color Palette Book, the Association's management company, pursuant to delegated authority, will issue an approval letter directly to the Owner
- 5. If the colors do NOT match, the application will be denied and a letter of denial will be sent to the Owner.

Since colors in the Color Palette Book have been previously approved, an application including such approved colors will be approved; however, an application **MUST** be completed and submitted for tracking purposes).

V. Supplement D, the Roof Style and Color Supplement Guideline, of the Rules, Regulations, and Architectural Design Standards is hereby amended to read as follows:

D. Roof Style and Color Supplemental Guideline

Owners **MUST** comply with the following Roof Style and Color Supplemental Guidelines which were adopted by the Association's Board of Directors in January 2019, as may be amended from time to time, and as set forth herein. A current copy of the Roof Style and Color Supplemental Guidelines may be found on the website or at the Management office. All roofs, unless otherwise originally installed by the builder, must be replaced with architectural asphalt shingles and be installed in accordance with the provisions of the Florida Building Code and applicable Law. Owner is solely responsible for ensuring that all construction, improvements, and/or alterations comply with applicable federal, state, and local laws, ordinances, codes, building requirements, etc., including any requirements or restrictions imposed by the South Florida Water Management District.

NOTE: ALL OPTIONS REQUIRE SUBMITTAL OF AN ARC

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**REQUEST IN ORDER TO OBTAIN APPROVAL AND SUBMISSION
IS NOT AN AUTOMATIC APPROVAL.**

The following color options are approved and shall be permitted; no other colors will be permitted. In all cases, the roof shingle color shall be compatible with the primary paint color of the Dwelling. As part of the application for a new roof, the ARC submittal must include a color picture of the Dwelling.

COLOR OPTIONS – Architectural Profile Asphalt Shingle

The following color options are approved for installation in Moss Creek; no other colors will be permitted. An Owner may select from the following roof shingle colors for Architectural Profile Asphalt Shingle. A list of approved colors is provided below. If an equivalent shingle is submitted for approval, a color sample matching one of the approved colors will be required with the submittal. These colors must match the approved colors below (substitutions are not permitted). The approved colors are:

Owens Corning:

Aged Copper	Pacific Wave	Sand Dune
Storm Cloud	Summer Harvest	Antique Silver
Driftwood	Estate Gray	Beachwood Sand
Brownwood	Quarry Gray	Desert Tan
Teak	Onyx Black	