

15

RESTRICTIVE COVENANTS
(Tile Roofs; Gated Community)

KNOW ALL MEN BY THESE PRESENTS, that Roberto Bollt, Trustee, does hereby restrict the development of all of the lots described on attached Exhibit "A" in the following manner:

1. Homes constructed on the attached lots shall have tiled roofs.
2. Beazer Homes Corp., a Tennessee corporation, Grantee under a deed of even date herewith as to certain of the lots described on Exhibit "A," agrees, at its cost and expense, to promptly commence and thereafter diligently pursue improvements, upon issuance of the Certificate of Completion for subdivision improvements for Phase 5-A and Phase 7-A, necessary for the front gate at Randall Boulevard contemplated by the parties.
3. These Restrictive Covenants shall run with the land and be binding upon the owners thereof and their successors and assigns.

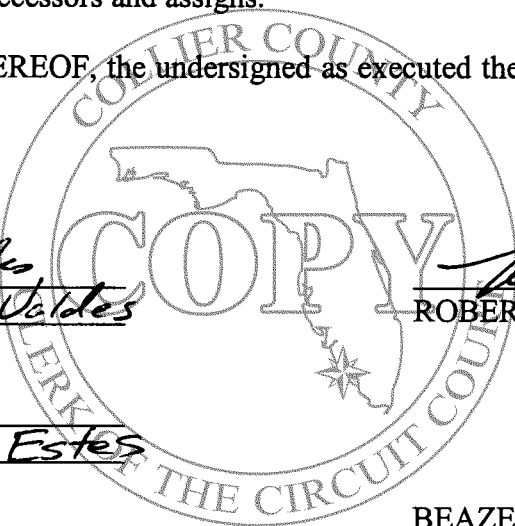
28th IN WITNESS WHEREOF, the undersigned as executed these Restrictive Covenants this day of March, 2005.

WITNESSES:

Rafael Valdes
Print Name: Rafael Valdes

Roberto Bollt
ROBERTO BOLLT, TRUSTEE

Jeff Estes
Print Name: Jeff Estes



BEAZER HOMES CORP., a Tennessee corporation

Print Name: _____

By: _____

Name: _____

Title: _____

Print Name: _____

3592288 OR: 3770 PG: 3898

RECORDED in OFFICIAL RECORDS of COLLIER COUNTY, FL
04/08/2005 at 11:31AM DWIGHT B. BROCK, CLERK
REC FEE 61.00

Retn:
HOLLAND & KNIGHT
200 SOUTH ORANGE AVE #2600
ORLANDO FL 32801

STATE OF FLORIDA
COUNTY OF COLLIER

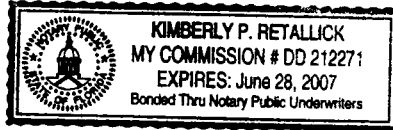
The foregoing instrument was acknowledged before me this 28th of March, 2005, by Roberto Bollt, Trustee, who is X personally known to me or who produced _____, as identification.

[Handwritten Signature]

Notary Public, State of Kim Retallick

My Commission Expires:

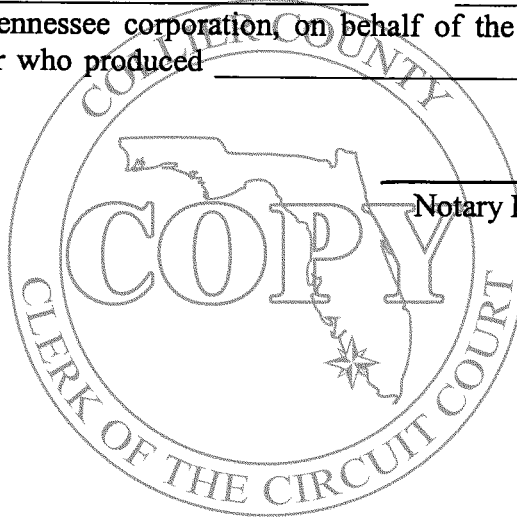
STATE OF _____
COUNTY OF _____



The foregoing instrument was acknowledged before me this _____ of March, 2005, by _____ as _____ of Beazer Homes Corp., a Tennessee corporation, on behalf of the corporation, who is _____ personally known to me or who produced _____, as identification.

Notary Public, State of _____

My Commission Expires:



RESTRICTIVE COVENANTS
(Tile Roofs; Gated Community)

KNOW ALL MEN BY THESE PRESENTS, that Roberto Bollt, Trustee, does hereby restrict the development of all of the lots described on attached Exhibit "A" in the following manner:

1. Homes constructed on the attached lots shall have tiled roofs.
2. Beazer Homes Corp., a Tennessee corporation, Grantee under a deed of even date herewith as to certain of the lots described on Exhibit "A," agrees, at its cost and expense, to promptly commence and thereafter diligently pursue improvements, upon issuance of the Certificate of Completion for subdivision improvements for Phase 5-A and Phase 7-A, necessary for the front gate at Randall Boulevard contemplated by the parties.
3. These Restrictive Covenants shall run with the land and be binding upon the owners thereof and their successors and assigns.

28th IN WITNESS WHEREOF, the undersigned as executed these Restrictive Covenants this day of March, 2005.

WITNESSES:

Rafael Valdes
Print Name: Rafael Valdes

Roberto Bollt
ROBERTO BOLLT, TRUSTEE

Jeff Estes
Print Name: Jeff Estes

Robert Hahn
Print Name: Robert Hahn

MARCO WREN
Print Name: MARCO WREN

BEAZER HOMES CORP., a Tennessee corporation

By: Scott J. Osmond
Name: **Scott J. Osmond**
Title: Division President
Ft. Myers

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 28th of March, 2005, by Roberto Bollt, Trustee, who is X personally known to me or who produced _____, as identification.

[Handwritten Signature]

Notary Public, State of Kimberly P. Retallick

My Commission Expires:



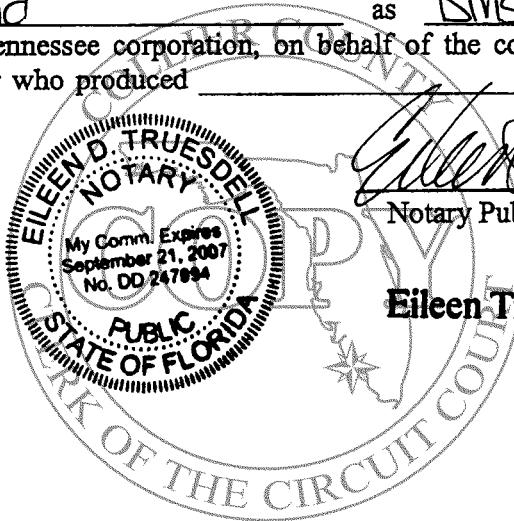
STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 30 of March, 2005, by Scott Osmond as DIVISION PRESIDENT of Beazer Homes Corp., a Tennessee corporation, on behalf of the corporation, who is _____ personally known to me or who produced _____, as identification.

[Handwritten Signature]

Notary Public, State of Florida

My Commission Expires:



Eileen Truesdell

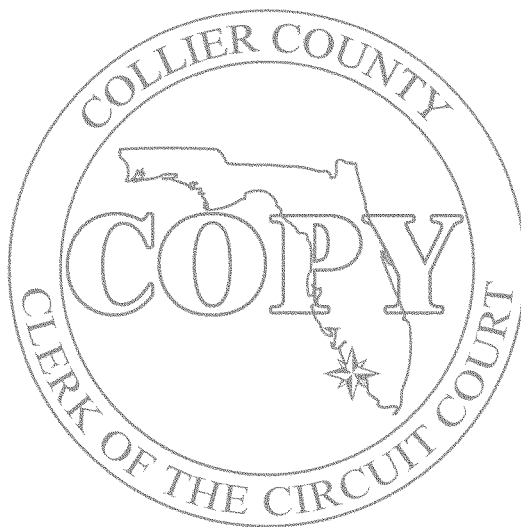
EXHIBIT "A"

VALENCIA LAKES - PHASE 7-A
PROPERTY DESCRIPTION

A PORTION OF SECTIONS 22 AND 23, TOWNSHIP 48 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 13, BLOCK "F", VALENCIA LAKES, PHASE 2-A, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 37 AT PAGES 10 THROUGH 12 (INCLUSIVE) OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG THE WESTERLY BOUNDARY OF SAID PLAT OF VALENCIA LAKES, PHASE 2-A; COURSE NO. 1: NORTH 06°09'10" WEST, 93.17 FEET TO A POINT OF CURVATURE; COURSE NO. 2: NORTHERLY, 354.90 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 920.00 FEET, THROUGH A CENTRAL ANGLE OF 22°06'09" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 17°12'14" WEST, 352.71 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 3: NORTHERLY, 616.89 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1,164.00 FEET, THROUGH A CENTRAL ANGLE OF 30°21'56" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 13°04'21" WEST, 609.70 FEET TO A NON-TANGENTIAL LINE; THENCE LEAVING THE WESTERLY BOUNDARY OF SAID PLAT OF VALENCIA LAKES, PHASE 2-A, SOUTH 86°10'41" WEST, 385.81 FEET TO A POINT ON A NON-TANGENTIAL CURVE, THE SAME BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF IMMOKALEE ROAD (STATE ROAD S-846), ACCORDING TO RIGHT-OF-WAY TAKING "PARCEL 178A" PER SKETCH AND DESCRIPTION BY WILKISON & ASSOCIATES, INC., DATED OCTOBER 31, 2001; THENCE SOUTHWESTERLY, 1,049.98 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2,957.79 FEET, THROUGH A CENTRAL ANGLE OF 20°20'22" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 28°09'56" WEST, 1,044.48 FEET TO A NON-TANGENTIAL LINE; THENCE LEAVING SAID IMMOKALEE ROAD, SOUTH 01°51'42" WEST, A DISTANCE OF 288.43 FEET; THENCE SOUTH 88°08'18" EAST, A DISTANCE OF 180.00 FEET; THENCE SOUTH 01°51'42" WEST, A DISTANCE OF 10.54 FEET; THENCE SOUTH 88°08'18" EAST, A DISTANCE OF 140.00 FEET; THENCE SOUTH 01°51'42" WEST, A DISTANCE OF 151.14 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY, 204.20 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 130.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 43°08'18" EAST, 183.85 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88°08'40" EAST, 602.69 FEET, TO A POINT OF CURVATURE; THENCE EASTERLY, 195.82 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 304.76 FEET, THROUGH A CENTRAL ANGLE OF 36°48'50" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 73°26'24" EAST, A DISTANCE OF 192.46 FEET TO A NON-TANGENTIAL CURVE AND THE SOUTHWESTERLY CORNER OF LOT 8, BLOCK "B", VALENCIA LAKES - PHASE 3-A,

ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 37, PAGES 93 THROUGH 97 (INCLUSIVE) OF THE PUBLIC RECORDS OF SAID COLLIER COUNTY, FLORIDA; THENCE RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG THE WESTERLY LINE OF SAID BLOCK "B"; COURSE NO. 1: NORTHERLY, 14.34 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 10.00 FEET, THROUGH A CENTRAL ANGLE OF $82^{\circ}10'21''$ AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH $13^{\circ}56'49''$ EAST, 13.14 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 2: NORTHERLY, 220.54 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 602.10 FEET, THROUGH A CENTRAL ANGLE OF $20^{\circ}59'12''$ AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH $16^{\circ}38'46''$ WEST, 219.31 FEET TO A POINT OF TANGENCY; COURSE NO. 3: NORTH $06^{\circ}09'10''$ WEST, 260.78 FEET TO THE POINT OF BEGINNING.



VALENCIA LAKES – PHASE 5-A
PROPERTY DESCRIPTION

A PORTION OF SECTIONS 22, 23, 26 & 27, TOWNSHIP 48 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 8, BLOCK "C", VALENCIA LAKES - PHASE 3-A, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 37 AT PAGES 93 THROUGH 97 (INCLUSIVE) OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE SOUTH $01^{\circ}50'49''$ WEST, A DISTANCE OF 57.31 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF RANDALL BOULEVARD (A 100' RIGHT-OF-WAY); THENCE NORTH $88^{\circ}09'11''$ WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,920.97 FEET; THENCE NORTH $01^{\circ}51'42''$ EAST, A DISTANCE OF 671.19 FEET; THENCE SOUTH $88^{\circ}08'18''$ EAST, A DISTANCE OF 180.00 FEET; THENCE SOUTH $01^{\circ}51'42''$ WEST, A DISTANCE OF 10.54 FEET; THENCE SOUTH $88^{\circ}08'18''$ EAST, A DISTANCE OF 140.00 FEET; THENCE SOUTH $01^{\circ}51'42''$ WEST, A DISTANCE OF 151.14 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY, 204.20 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 130.00 FEET, THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$ AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH $43^{\circ}08'18''$ EAST, 183.85 FEET TO A NON-TANGENTIAL LINE; THENCE SOUTH $88^{\circ}08'40''$ EAST, A DISTANCE OF 602.69 FEET TO A POINT ON A NON-TANGENTIAL CURVE; THENCE EASTERLY, 195.82 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 304.76 FEET, THROUGH A CENTRAL ANGLE OF $36^{\circ}48'51''$ AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH $73^{\circ}26'24''$ EAST, 192.47 FEET TO A NON-TANGENTIAL LINE; THENCE SOUTH $66^{\circ}46'29''$ EAST, A DISTANCE OF 155.36 FEET; THENCE SOUTH $38^{\circ}33'35''$ EAST, A DISTANCE OF 60.34 FEET; THENCE SOUTH $14^{\circ}02'50''$ EAST, A DISTANCE OF 135.16 FEET; THENCE NORTH $77^{\circ}54'31''$ EAST, A DISTANCE OF 40.70 FEET TO A POINT ON A NON-TANGENTIAL CURVE; THENCE EASTERLY, 458.40 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 995.00 FEET, THROUGH A CENTRAL ANGLE OF $26^{\circ}23'48''$ AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH $67^{\circ}32'06''$ EAST, 454.36 FEET TO THE POINT OF BEGINNING.