



Prepared by and Return to:  
Michael W. Cochran, Esquire  
Law Offices of Wells | Olah, P.A.  
1800 Second Street, Suite 808  
Sarasota, FL 34236  
(941) 366-9191 (Telephone)  
(941) 366-9292 (Facsimile)

**CERTIFICATE OF AMENDMENT**

**DECLARATION OF COVENANTS AND  
RESTRICTIONS FOR HERITAGE CREEK**

We hereby certify that the attached amendment to the Declaration of Covenants, and Restrictions of Heritage Creek (the original Declaration of which is recorded at Official Records Instrument # 2011009065 et seq. of the Public Records of Sarasota County, Florida), was duly adopted at the special membership meeting of the Association held on December 6, 2016 by the affirmative vote of sixty-seven (67%) percent of the members of the Association present (in person or by proxy) and voting at the meeting at which a quorum was present, as required by Article XI of the Declaration.

DATED this 11 day of January, 2016 2017

Signed, sealed and delivered  
in the presence of:

sign: [Signature]

print: THOMAS J. VASINA

sign: [Signature]

print: A. L. LAMING

HERITAGE CREEK  
HOMEOWNERS ASSOCIATION, INC.

By: [Signature]  
Thomas Bridges, President

Signed, sealed and delivered  
in the presence of:

sign: [Signature]

print: THOMAS J. VASINA

sign: [Signature]

print: A. L. LAMING

By: [Signature]  
Daniel Kaminski, Secretary

(Corporate Seal)

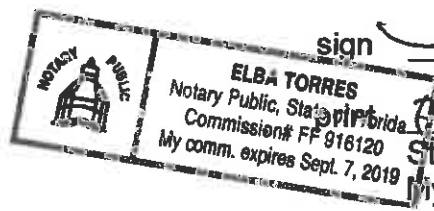


STATE OF FLORIDA  
COUNTY OF Florida

The foregoing instrument was acknowledged before me this 11 day of January 2017, 2018, by Thomas Bridges as President of Heritage Creek Homeowners Assbciation, Inc., a Florida not for profit corporation, on behalf of the corporation. He is personally known to me or has produced FL DL as identification.

NOTARY PUBLIC

sign [Signature]  
print Elba Torres  
State of Florida at Large (Seal)  
My Commission expires: Sept. 7<sup>th</sup>, 2019

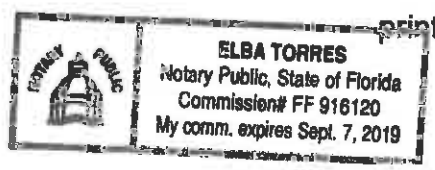


STATE OF FLORIDA  
COUNTY OF Florida

The foregoing instrument was acknowledged before me this 11 day of January 2017, 2018, by Daniel Kaminski, as Secretary of Heritage Creek Homeowners Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He is personally known to me or has produced FL DL as identification.

NOTARY PUBLIC

sign [Signature]  
print Elba Torres  
State of Florida at Large (Seal)  
My Commission expires: Sept 7<sup>th</sup>, 2019



## AMENDMENT

### AMENDED AND RESTATED DECLARATION OF COVENANTS AND RESTRICTIONS OF HERITAGE CREEK HOMEOWNERS' ASSOCIATION, INC.

*[Additions are indicated by underline; deletions by ~~strike-through~~]*

#### ARTICLE IX RESTRICTIONS

##### Section 40. Parking. ...

(2) parking of commercial vehicles or equipment, mobile homes, recreational vehicles, pickup trucks, golf carts, boats and other watercraft, trailers, campers, go-carts, stored vehicles or inoperable vehicles anywhere within the Property other than in enclosed garages is prohibited; provided, construction, service and delivery vehicles shall be exempt from this provision during daylight hours for such period of time as is reasonably necessary to provide service or to make a delivery to a Unit or the Common Area, and recreational vehicles and boats may be parked in driveways for not more than 24 hours while loading and unloading, which shall not occur more than twice per month.

- a. The parking of conversion vans will be permitted if the following requirements are met:
  - i. The conversion van is used primarily for personal, non-business purposes, and does not bear any sign or logo.
  - ii. The conversion van must have windows on all sides and rear and seating capacity installed throughout the vehicle.
  - iii. The conversion van is not equipped with racks, toolboxes or other equipment normally associated with commercial activity.
  - iv. The conversion van is not used as a domicile or residence, either permanent or temporary, while parked within the Lot and/or Property.
- b. The parking of pick-up trucks will be permitted if the following requirements are met:
  - i. The pick-up truck is used primarily for personal, non-business purposes, and does not bear any sign or logo.
  - ii. The pick-up truck is not equipped with racks, toolboxes or other equipment normally associated with commercial activity.

- iii. The pick-up truck has not been modified by installing tires and/or wheels that exceed factory specifications by more than twenty (20%) percent.
  - iv. The pick-up truck is not used as a domicile or residence, either permanent or temporary, while parked within the Lot and/or Property.
- c. The Board of Directors shall have the sole right to determine whether a conversion van and/or pickup truck meet the aforementioned requirements as specified in paragraphs 2(a) and 2(b) of this Article IX Section 40. The Board of Directors' determination shall be binding on the Owner of such conversion van and/or pickup truck.