

Prepare and Return to:
Anderson, Givens & Fredericks, P.A.
1689 Mahan Center Blvd., Suite B
Tallahassee, FL 32308

CERTIFICATE OF AMENDMENT
TO
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR UNIVERSITY PLACE

I hereby certify that the attached amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for University Place (which Declaration was originally recorded at Official Records Book 1763, Page Numbers 2692 et seq. of the Public Records of Manatee County, Florida) were approved by two-thirds (2/3) of the Association members at a membership meeting originally held on April 28, 2022 and continued to May 19, 2022, which is sufficient for adoption under Article VIII of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for University Place.

DATED this 26 day of May, 2022.

Witnesses:

sign: Monika Toth

print: MONIKA TOTH

sign: NBanks

print: Nicole Banks

sign: Monika Toth

print: MONIKA TOTH

sign: NBanks

print: Nicole Banks

**UNIVERSITY PLACE NEIGHBORHOOD
ASSOCIATION, INC.**


By: Susan Lerman
Susan Lerman, President

Attest: Lissa Pygott
Lissa Pygott, Secretary

[Seal]

STATE OF Florida
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me, by means of X physical presence or ___ mobile notarization, this 26 day of May, 2022, by Susan Lerman, as President of University Place Neighborhood Association, Inc., a Florida not for profit corporation, on behalf of the corporation. She is personally known to me or has produced FL Dr License as identification.


 Linda M. Bird
Notary Public
State of Florida
Comm# HH010948
Expires 6/16/2024

NOTARY PUBLIC
sign Linda M Bird
print Linda M Bird
State of Florida at Large (Seal)

My Commission expires: 6/16/2024

STATE OF Florida
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me, by means of ✓ physical presence or ___ mobile notarization, this 26 day of May, 2022, by Lissa Pygott as Secretary of University Place Neighborhood Association, Inc., a Florida not for profit corporation, on behalf of the corporation. She is personally known to me or has produced FL Drivers License as identification.

 Linda M. Bird
Notary Public
State of Florida
Comm# HH010948
Expires 6/16/2024

NOTARY PUBLIC
sign Linda M Bird
print Linda M Bird
State of Florida at Large (Seal)

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**PROPOSED AMENDMENTS TO
AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR UNIVERSITY PLACE**

1. PROPOSED AMENDMENT – YARDS AND LAWNS

EXPLANATION: The Declaration currently contains several specific instructions tree landscaping in Article 6.12. Of course, the likelihood that any Director on the Board will be an expert arborist or botanist is extremely low. This proposed amendment will incorporate the Manatee County Land Development Code's requirements for tree landscaping, thus deferring to experts on this matter and ensuring compliance with County Code.

A copy of the current tree requirements from Manatee County is enclosed. However, this copy is for informational purposes only and is not intended to be included or incorporated into this Proposed Amendment.

[Underlined text indicates new inserted text. Stricken text indicates deleted text.]

**ARTICLE VI
USE RESTRICTIONS AND COVENANTS**

...

6.12 Yards and Lawns. The portion of each Lot, including the unpaved portion of a street right of way adjoining such Lot, that is not covered by dwellings, patios, and walkways, shall have an irrigation system installed and be sodded with natural grass at the time of original construction of improvements. The lawn shall thereafter be maintained in good condition and replaced as may be necessary. In no event shall gravel or stone yards be permitted. Provided that nothing contained herein shall prohibit the use of gravel and/or wood shavings for decorative landscaping purposes of an otherwise sodded yard, and other Florida Friendly Landscaping may be submitted to the ARC for review. Any portion of a Lot designated as "visibility area" on the Plat shall be maintained such that traffic visibility is not obscured. Each Lot Owner shall maintain the lawn, landscaping, and irrigation system on their Lot in a good, neat and orderly appearance and condition, consistent with the standards of maintenance throughout the Neighborhood. All driveways, walks and parking areas shall be approved, and driveways and sidewalks shall be constructed up to and including their intersection with a paved street to be constructed at the time of original construction of improvements and prior to issuance of a certificate of occupancy. Driveway and walkway design, location, materials and coloring shall be subject to ARC approval. Approved landscaping shall be completed no later than thirty (30) days after completion of the dwelling. As part of the approved landscaping plan for each Lot, each Lot Owner shall plant, and continuously maintain trees as outlined on the Manatee County government website, or in Section 701.6 of the Manatee County Land Development Code, as amended from time to time.¹ The Land Development

¹https://www.mymanatee.org/departments/building_development_services/environmental_review/tree_removal_authorization_permits/residential_tree_removal#:~:text=You%20must%20replace%20the%20tree,private%20utilities%20easement%20or%20setback;

https://library.municode.com/fl/manatee_county/codes/land_development_code?nodeId=CH7ENCUREPR_PTITRP_RLABUIR_S701LASCST_701.6RESTTR

Code shall be controlling if there are any inconsistencies. the following canopy trees on the Lot:

~~(a) A street tree for every fifty (50) linear feet, or substantial fraction thereof, or right of way. The trees should be located within twenty five (25) feet of the rights of way, and shall be spaced no closer together than twenty-five (25) feet, unless they are part of a decorative grouping, and~~

~~(b) One (1) additional tree per Lot, preferably located in the rear yard.~~

~~(c) The following requirements shall apply to the trees, and their maintenance:~~

~~(i) The Lot Owner is responsible for the installation, maintenance and replacement of the required trees.~~

~~(ii) The trees shall meet requirements of section 715.10.5 of the Manatee County Land Development Code and the requirements of the Development Order.~~

~~(iii) Existing native trees should be used to fulfill these requirements, whenever possible.~~

~~(iv) None of the required trees shall be planted within a public or private utilities easement.~~

~~(v) Each tree shall be a minimum height of ten (10) feet and a minimum Diameter Breast Height (D.B.H.) of 2 1/2 inches at the time of planting.~~

~~(vi) In the event a tree dies or is removed, the Owner of the Lot is responsible to replace the tree within thirty (30) days.~~

2. PROPOSED AMENDMENT – REPLACEMENT TREE REQUIREMENT

EXPLANATION: The Declaration currently contains several specific instructions tree replacement in Article 6.15. As discussed above, your Board is unlikely to have the expertise to make such requirements. This proposed amendment will incorporate the Manatee County Land Development Code’s requirements for tree replacement, thus deferring to experts on this matter and ensuring compliance with County Code.

A copy of the tree replacement requirements from Manatee County is enclosed. However, this copy is for informational purposes only and is not intended to be included or incorporated into this Proposed Amendment.

ARTICLE VI USE RESTRICTIONS AND COVENANTS

...

6.16 Replacement Tree Requirement. Any tree removed from a Lot must be replaced in compliance with the standards found on the Manatee County government website, or in the Manatee County Land Development Code, as amended from time to time.² The Land Development Code shall be controlling if there are any inconsistencies. ~~with the same size and type of trees as originally planted on the Lot, whether such removal resulted from (i) authorizations and permits issued by the ARC and Manatee County, as required above, or (ii) replacement of a diseased or dead tree.~~

²https://www.mymanatee.org/departments/building_development_services/environmental_review/tree_removal_authorization_permits/residential_tree_removal#:~:text=You%20must%20replace%20the%20tree,private%20utilities%20easement%20or%20setback.