



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

April 1, 2011

ROYAL TERRACE TOWNHOMES HOMEOWNERS ASSOCIATION, INC.  
RON HUGHES  
487 18TH STREET  
VERO BEACH, FL 32960

Re: Document Number N03000006582

The Articles of Amendment to the Articles of Incorporation of ROYAL TERRACE TOWNHOMES HOMEOWNERS ASSOCIATION, INC., a Florida corporation, were filed on March 31, 2011.

Should you have any questions regarding this matter, please telephone (850) 245-6050, the Amendment Filing Section.

Teresa Brown  
Regulatory Specialist II  
Division of Corporations

Letter Number: 811A00007942

[www.sunbiz.org](http://www.sunbiz.org)

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

**CERTIFICATE OF AMENDMENT OF  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
ROYAL TERRACE TOWNHOMES HOMEOWNERS ASSOCIATIONS, INC.**

The undersigned, as the duly elected and acting President of ROYAL TERRACE TOWNHOMES HOMEOWNERS ASSOCIATIONS, INC., a Florida not for profit corporation, hereby certifies, that at a Membership meeting duly held on the 18 day of February, 2011, in accordance with Florida law, the Articles of Incorporations and By-Laws of the Association and pursuant to the Declaration of Covenants and Restrictions, recorded in Official Records Book 1624, Page 1133, of the Public Records of Indian River County, Florida the record owners of more than 75 per cent of the lots or tracts in the subdivision affecting this complex, voted in favor of the Amendment to Declaration of Covenants and Restrictions.

WHEREAS, the Association wishes to amend Article 7 of Declaration of Covenants and Restrictions to incorporate the St. Johns River Water Management District's recommended stormwater language and add Article 7.4 - Stormwater Permit and Operation and Maintenance Responsibility, as follows:

**ARTICLE 7**

**MAINTENANCE AND INSURANCE OF PROPERTY**

7.4 **Stormwater Permit and Operation and Maintenance Responsibility.** This paragraph is adopted to comply with St. Johns River Water Management District's requirement to obtain a permit to operate and maintain stormwater.

7.4.1. **Definitions.** "Surface Water or Stormwater Management System" means a system which is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, over drainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges.

7.4.2 **Duties of Association.** The Association shall be responsible for the maintenance, operation and repair of the surface water or stormwater management system. Maintenance of the surface water or stormwater management system(s) shall mean the exercise of

Management District. Any repair or reconstruction of the surface water or stormwater management system shall be as permitted or, if modified, as approved by the St. Johns River Water Management District.

7.4.3 Covenant for Maintenance Assessments for Association. Assessments shall also be used for the maintenance and repair of the surface water or stormwater management systems including but not limited to work within retention areas, drainage structures and drainage easements.

7.4.4 Easement for Access and Drainage. The Association shall have a perpetual nonexclusive easement over all areas of the surface water or stormwater management system for access to operate, maintain or repair the system. By this easement, the Association shall have the right to enter upon any portion of any lot which is a part of the surface water or stormwater management system, at a reasonable time and in a reasonable manner, to operate, maintain or repair the surface water or stormwater management system as required by the St. Johns River Water Management District permit. Additionally, the Association shall have a perpetual non-exclusive easement for drainage over the entire surface water or stormwater management system. No person shall alter the drainage flow of the surface water or stormwater management system, including buffer areas or swales, without the prior written approval of the St. Johns River Water Management District.

7.4.5 Amendment. Any amendment to the Covenants and Restrictions which alter any provision relating to the surface water or stormwater management system, beyond maintenance in its original condition, including the water management portions of the common areas, must have the prior approval of the St. Johns River Water Management District.

7.4.6 Enforcement. The St. Johns River Water Management District shall have the right to enforce, by a proceeding at law or in equity, the provisions contained in the Covenants and Restrictions which relate to the maintenance, operation and repair of the surface water or stormwater management system.

7.4.7 Swale Maintenance (if applicable). The Developer has constructed a Drainage Swale upon each Lot for the purpose of managing and containing the flow of excess surface water, if any, found upon such lot from time to time. Each lot owner, including builders, shall be responsible for the maintenance, operation and repair of the swales on the lot. Maintenance, operation and repair shall mean the exercise of practices, such as mowing and erosion repair, which allow the swales to provide drainage, water storage, conveyance or other stormwater management capabilities as permitted by the St. Johns River Water Management District. Filling, excavation, construction of fences or otherwise obstructing the surface water flow in the swales is prohibited. No alteration of the Drainage Swale shall be authorized and any damage to any Drainage Swale, whether caused by natural or human induced phenomena, shall be repaired and the Drainage Swale returned to its former condition as soon as possible by the Owner(s) of the Lot(s) upon which the Drainage swale is located.

IN WITNESS WHEREOF the undersigned President and Secretary of the Royal Terrace Homeowners Association, Inc, have executed this Certificate of Amendment to Declaration of Covenants, Conditions and Restrictions on this 18 day of FEBRUARY, 2011.

**Royal Terrace Homeowners' Association Inc.**

BY: [Signature]  
President RON HUGHES.

ATTEST:

BY: [Signature]  
Secretary LINDA STEVENS

**STATE OF FLORIDA  
COUNTY OF INDIAN RIVER**

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Ron Hughes and Linda S. Stevens, the President and Secretary of the Royal Terrace Homeowners' Association, who are personally known to me or who has produced driver's license as identification.

WITNESS my hand and official seal in the State and County last aforesaid, this 18 day of February, 2011.



[Signature]  
Notary Public