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Prepared by, record and return to:
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(321) 639-1300

**CERTIFICATE OF AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for HAMMOCK LAKES was originally recorded in Official Records Book 4778, Page 0166, Public Records of Brevard County, Florida (hereinafter referred to as the "Declaration"):

WHEREAS, the membership of HAMMOCK LAKES HOMEOWNERS ASSOCIATION OF BREVARD, INC., desires to amend, and does amend the Declaration as follows:

1. Amended Article III, Section 10, of the Declaration is amended or provide as follows:

ARTICLE III, SECTION 10. Fences, Walls, Hedges, Mass Planting of Any Type

(a) Fences, walls, hedges or mass plantings of any type shall not exceed a height of six (6) feet, except as otherwise provided herein, above the finished graded surface of the grounds upon which it is located and shall not be constructed, planted, placed or maintained upon any Lot without the written consent and approval of the Homeowner's Association's Architectural Control Review Committee, and Board of Directors.

(b) No hedge or mass planting of any type exceeding three (3) feet above the finished graded surface of the ground upon which it is located shall be constructed, planted, placed, or maintained between the street and the front setback line of any Lot without the written consent and approval of the Homeowners Association's Architectural Control Review Committee.

(c) No fences, walls, hedges or mass planting of any type shall be built further forward on a Lot than ten (10) feet behind the front building line of any residence and shall not exceed six (6) feet in height, except as otherwise provided herein. All fences built on the street side of any corner Lot shall have a minimum setback requirement equal to the side setback of the residence. The finished side of all fences shall face the exterior of the Lot. All fences must be in conformance with all governmental regulatory codes and setback requirements. No fence shall be constructed without the written approval and consent of the Committee.

(d) With respect to any lot adjoining a lake or retention area, no fence or wall, shall be constructed behind the rear building setback line (the "rear fence line") of the residence on any such Lot except upon the granting of a variance by the Committee and Board of Directors in accordance with the following guidelines and procedures:

- i. An application, including plans and specifications, for the fence must be submitted to the Committee and processed as set forth in Article II and this section.
- ii. The committee and Board of Directors shall have the right, in its sole discretion, based upon these Covenants and Restrictions, to approve or disapprove the variance

- iii. The Lot Owner must demonstrate to the Committee and Board of Directors a special safety need for the fence based upon the physical, mental or medical condition of a full time occupant of the Lot. Such condition must be substantially similar to one of the following conditions:
 - a. An occupant who is under the age often (10);
 - b. An occupant, regardless of age, who is functioning at a mental level below that of age ten (10), based upon the determination made by an appropriate doctor in writing.
 - c. An occupant who is unable to swim as a result of a physical and/or mental disability as confirmed in writing by an appropriate doctor.
- iv. The variance shall not be permanent in nature and shall expire upon the termination/elimination of the physical, mental or medical condition forming the basis of the original variance granted, whether by a child reaching the age often (10), the sale of the residence to new owners with no special conditions or otherwise. The fence shall be removed within thirty (30) days of variance expiration.
- v. No variances will be granted on the need to fence or protect pets, nor will a variance be granted solely because an occupant has not learned to swim.
- vi. No variance permitting a solid wall will be granted.
- vii. No variance permitting a fence exceeding four (4) feet in height will be granted.

All fences must be in conformance with all governmental regulatory codes and setback requirements. No fence shall be constructed without the written approval and consent of the Committee.

~~(d)~~(e) No fence may be constructed of wire, chain link or cyclone style of fencing on any Lot.

~~(e)~~(f) No fence may be constructed of wood, wire, chain link or cyclone style of fencing on any Lot.

~~(f)~~(g) All fences to be constructed in the Subdivision shall be of uniform design and finish. The design shall be a solid white vinyl/pvc type with no ornamental design at the top. Prior to construction of a fence or wall on any Lot, the Owner must submit a detailed sketch showing the type and location, and confirming the use of the pre-approved style of the proposed fence or wall to the Committee for approval.

~~(g)~~(h) Lots 7-16, inclusive, Hammock Lakes East Phase One, as recorded in Plat Book 49, Pages 44-46; and Lots 11-51, inclusive, Hammock Lakes East Phase Two, as recorded in Plat Book 49, Pages 47-49, and Lots 93-101, inclusive, Hammock Lakes West, Phase One, as recorded in Plat 50, Pages 11-14; and Lots 52-70, inclusive, and Lots 76-81, inclusive, Hammock Lakes West Phase Two, as recorded in Plat Book 50. Pages 74-77 Public Records of Brevard County, Florida, are considered lakefront/conservation Lots. Any fence constructed along these Lots will have the following restrictions:

- i) Same fence design as indicated in ~~(f)~~(g) above;
- ii) No fence may exceed four (4') feet in height along the rear property line;
- iii) All fences must be four (4') feet in height from the rear property line toward the residence for a distance of 25' (the rear setback line as defined in Article II, Section 10, of the Declaration of Covenants, Conditions and Restriction);
- iv) Fences may increase up to six (6') feet for the remainder of the distance along the property line not to go closer than ten (10') from either side of the front of the residence.

- v) Four (4') feet picket style fence must be used along the rear property line of the lake-front/conservation areas, to permit a view of the lake/conservation areas.
- vi) A gate must be installed along the rear property line to allow homeowners to maintain the area down to the waters edge on all lake lots.

All fences must be in conformance with all government regulatory codes and setback requirements. No fence shall be constructed without prior written approval and consent of the Committee and Board of Directors.

CERTIFICATE OF ASSOCIATION

The undersigned, as President of HAMMOCK LAKES HOMEOWNERS ASSOCIATION OF BREVARD, INC., hereby certifies that the foregoing Amendment to the Declaration was adopted by the membership of the Association, as provided in the Declaration, by the approval of at least two-thirds (2/3) of the total membership vote.

IN WITNESS WHEREOF, the undersigned has caused this Amendment to the Declaration of HAMMOCK LAKES to be duly executed as of the date and year set forth below.

WITNESSES (two required)

[Signature]
Print Name: SHAWN OVERDORE

[Signature]
Print Name: Ineavett Galan-Woodring

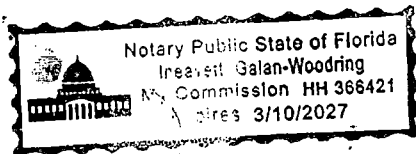
HAMMOCK LAKES HOMEOWNER'S
ASSOCIATION OF BREVARD, INC.

By: [Signature]
Print Name: JOHN D.H. MORE
Its: PRESIDENT

Address: 1978 US RT 1 STE 106
ROCKLEDGE, FL 32955

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 27th day of August, 2026, as President, of HAMMOCK LAKES HOMEOWNER'S ASSOCIATION OF BREVARD, INC., who is personally known to me or who has produced _____ as identification and who did not take an oath.



Notary Public:

[Signature]
Name: Ineavett Galan-Woodring
My Commission Expires: _____