

This instrument prepared by:
Marvin W. Bingham, Jr.
Post Office Box 1930
Alachua, Florida 32616

**FIFTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR TILLMAN ACRES, PHASE 1**

THIS AMENDMENT is made the 17 day of June, 2004 by Tillman Farms, Inc., a Florida corporation, hereinafter referred to as "Developer."

WHEREAS, pursuant to Article X, Section 5, these Restrictions may be amended by the Developer as long as it owns property subject to such Restrictions; and

WHEREAS, Developer continues to own property subject to these Restrictions and desires to amend same,

NOW THEREFORE, Developer hereby amends the Declaration of Covenants, Conditions and Restrictions for Tillman Acres, Phase 1, as recorded in Official Record Book 2379, Page 1600 of the Public Records of Alachua County, Florida, as follows:

FIRST: Article II, Section 2 is hereby amended in its entirety to read as follows:


Residence construction: Residence construction: No residence shall be constructed upon any lot except one single family residence. All residences shall contain not less than eighteen hundred (1800), square feet, of heated and cooled living space, including all stories (but exclusive of any garage), the plans, colors and specifications for which must be first approved by the Architectural Control Committee as hereinafter set forth. Said Committee shall have the right to approve the standard of materials and standard of quality as described hereafter. All homes must be built on site. No garage or carport shall open toward any street or roadway abutting any lot without the approval of the Architectural Control Committee. All sheds and other outbuildings must be first approved by the Architectural Control Committee before construction and must be built on a foundation or tied down and skirted and also landscaped, designed and constructed to match the materials and style of the main residence. Mobile homes, manufactured homes, prefabricated or modular homes may not be placed upon any lot in the subdivision. Trash and garbage containers as well as air conditioning equipment and all other accessories shall be either fenced or screened with shrubbery so as not to be visible from abutting streets or adjoining lots. All pressure and storage tanks used in connection with any well shall be completely enclosed inside the primary residence or completely enclosed in a pump or well house, the design of which shall be approved before construction by the Architectural Control Committee. All construction must be completed within twelve (12) months from date of commencement of construction, unless an extension is granted by the Architectural Control Committee.

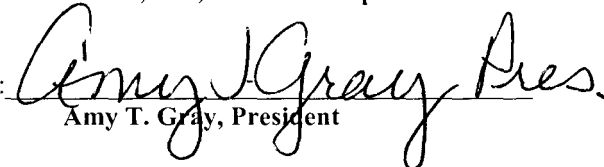
SECOND: Except as herein specifically amended, all of the other provisions of the Declaration of Covenants, Conditions and Restrictions for Tillman Acres, Phase 1 shall remain in full force and effect.

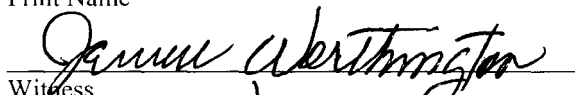
IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal this 17 day of June, 2004.

Signed, sealed and delivered in our presence:

Tillman Farms, Inc., a Florida corporation


Witness
Sharron D. Rutherford
Print Name

By: 
Amy T. Gray, President



Witness
JEWELL WORTHINGTON
Print Name

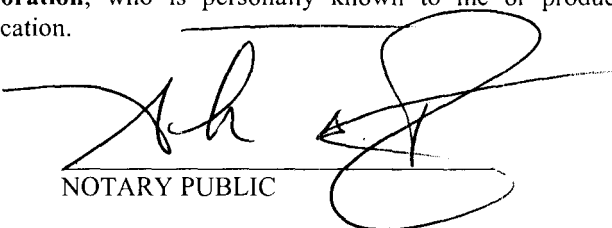
{SEAL}



STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 17 day of June, 2004, by Amy T. Gray, President of Tillman Farms, Inc., a Florida corporation, who is personally known to me or produced as identification.


Sharron D. Rutherford
Commission #DD157335
Expires: Nov 15, 2006
Bonded Thru
Atlantic Bonding Co., Inc.


NOTARY PUBLIC