



INSTR # 2003201046

BOOK 12668 PG 0628

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This instrument was prepared by:
(and after recording, return to):
John S. Inglis, Esquire
Shumaker, Loop & Kendrick, LLP
101 E. Kennedy Boulevard, Suite 2800
Tampa, Florida 33602

**FOURTH AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR TAMPA PALMS AREA 3 OWNERS ASSOCIATION, INC.**

NEW TAMPA, INC., a Florida corporation, as Declarant under that certain Declaration of Covenants, Conditions and Restrictions for Tampa Palms Area 3 Owners Association, Inc., recorded on July 31, 1997 in Official Records Book 8657, page 1328 of the Public Records of Hillsborough County, Florida, as amended by that certain Amendment to Declaration of Covenants, Conditions and Restrictions for Tampa Palms Area 3 Owners Association, Inc., recorded on March 2, 2000 in Official Records Book 10073, page 554, and as further amended by that certain Second Amendment to Declaration of Covenants, Conditions and Restrictions for Tampa Palms Area 3 Owners Association, Inc., recorded on June 26, 2001 in Official Records Book 10896, page 1445, and as further amended by that certain Third Amendment to Declaration of Covenants, Conditions and Restrictions for Tampa Palms Area 3 Owners Association, Inc., recorded on November 21, 2001 in Official Records Book 11220, page 831, all of the Public Records of Hillsborough County, Florida (said Declaration, as amended, being referred to as the "Declaration"), does hereby further amend the Declaration as follows:

1. Pursuant to the authority granted to the Declarant in Article VIII, Section 1 of the Declaration, the Declarant amends the Declaration to include in the land described in Exhibit "A" to the Declaration, the following described land (the "Additional Property"), said Additional Property being part of the land described in Exhibit "B" to the Declaration:

[For legal description see Exhibit "A" attached hereto and made a part hereof]

2. The Additional Property shall be in all respects subject to the Declaration.

IN WITNESS WHEREOF, NEW TAMPA, INC. has caused this Fourth Amendment to be executed by its duly authorized officer as of the 16th day of October, 2002.

Witnesses:

Print Name: John S. Inglis

Print Name: Lowell Matthews

NEW TAMPA, INC., a Florida corporation

By:
Warren Knudler, President
Post Office Box 46189
Tampa, Florida 33647-6189

OR BK 12668 PG 0629

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 16th day of October, 2002,
by Warren Klausler, the President of NEW TAMPA, INC., a Florida corporation, on behalf of the
corporation. He is personally known to me or did produce _____ as
identification.


NOTARY PUBLIC
Print Name: _____
My Commission Expires: _____

Local Notaries
MY COMMISSION & TERM EXPIRES
JAN 21, 2004
Linda Matthews, Notary Public, Inc.

[notary seal]

EXHIBIT "A"

A parcel of land lying in Sections 25 and 26, Township 27 south, Range 19 east, City of Tampa, Hillsborough County, Florida, being described as follows:

Begin at the southerly most corner of Tract D of Tampa Palms Area 1 Tampa Palms Boulevard 4th Extension as recorded in Plat Book 89, Page 83 of the public records of Hillsborough County, Florida; thence along the southerly line of said Tract D the following four courses; N 33°00'00" E, a distance of 138.74 feet; N 86°43'08" E, a distance of 174.73 feet; N 33°47'22" E, a distance of 53.18 feet; N 87°55'43" E, a distance of 18.00 feet; thence N 87°10'00" E, a distance of 1,258.68 feet to the westerly right of way line of State Road 52A (I-75); thence along said right of way line the following two courses; S 17°05'14" E, a distance of 758.72 feet to the point of curvature of a curve to the left having a radius of 5,881.58 feet; to the Southeast, along the arc of said curve, a distance of 1,871.67 feet through a central angle of 19°10'25"; thence S 88°14'00" W, a distance of 814.65 feet; thence S 66°08'00" W, a distance of 787.77 feet to wetland point 11498 as shown on sheet 6 of 6 of Composite Exhibit "A" identified as Tampa Palms Area 1, approved by the Environmental Protection Commission of Hillsborough County on June 6, 1989; thence N 00°17'36" E, a distance of 41.36 feet to wetland point 11499 as shown on sheet 6 of 6 of said Composite Exhibit "A"; thence N 20°11'20" W, a distance of 1,081.23 feet to wetland point 11527 as shown on sheet 6 of 6 of said Composite Exhibit "A"; thence N 19°21'09" W, a distance of 124.84 feet to wetland point 11530 as shown on sheet 6 of 6 of said Composite Exhibit "A"; thence N 73°14'00" W, a distance of 52.35 feet to the easterly right of way line of Tampa Palms Boulevard as recorded in Plat Book 89, Page 83 of the public records of Hillsborough County, Florida and a point on the arc of a curve to the left whose radius point bears N 73°34'00" W at a distance of 1,260.00 feet; thence to the North, along said right of way line and along the arc of said curve, a distance of 64.97 feet through a central angle of 01°57'16" to the southerly most corner of Tract E of aforesaid Tampa Palms Area 1 Tampa Palms Boulevard 4th Extension; thence along the boundary of said Tract E the following 13 courses; S 78°31'15" E, a distance of 64.31 feet; N 56°45'09" E, a distance of 126.63 feet; N 86°48'33" E, a distance of 47.21 feet; N 78°21'37" E, a distance of 48.36 feet; N 81°28'33" E, a distance of 38.34 feet; N 45°36'18" E, a distance of 28.03 feet; N 17°09'53" E, a distance of 46.15 feet; N 44°55'08" E, a distance of 71.34 feet; N 85°52'01" E, a distance of 67.67 feet; N 14°29'17" E, a distance of 69.42 feet; N 49°00'00" W, a distance of 243.85 feet; N 26°17'08" W, a distance of 551.28 feet; S 63°42'52" W, a distance of 177.76 feet to the said easterly right of way line of Tampa Palms Boulevard and a point on the arc of a curve to the left whose radius point bears S 62°34'39" W at a distance of 1,260.00 feet; thence along said easterly right of way line the following four courses; to the Northeast, along the arc of said curve, a distance of 12.70 feet through a central angle of 00°34'39" to the point of tangency of said curve; thence N 28°00'00" W, a distance of 180.00 feet to the point of curvature of a curve to the left having a radius of 1,260.00 feet; thence to the Northwest, along the arc of said curve, a distance of 505.80 feet through a central angle of 23°00'00" to the point of tangency of said curve; thence N 81°00'00" W, a distance of 114.61 feet to the point of beginning.

ALSO DESCRIBED AS FOLLOWS:

Lots 1 through 44, Block 1; Lots 1 through 34, Block 2; Lots 1 through 19, Block 3; Lots 1 through 8, Block 4; Tract "A"; Tract "B"; Tract "C"; Tract "D"; Tract "E"; Tract "F"; Tract "G"; Tract "H"; Tract "I"; and Tract "J"; BOCKINGHAM AT TAMPA PALMS, per plat thereof recorded in Plat Book 94, page 61, of the Public Records of Hillsborough County, Florida

**JOINDER OF MORTGAGEE TO FOURTH AMENDMENT
TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR TAMPA PALMS AREA 3 OWNERS ASSOCIATION, INC.**

AMSOUTH BANK, an Alabama state chartered bank (the "Mortgagee"), the holder of that certain Mortgage and Security Agreement, dated June 26, 2000, made by New Tampa, Inc., a Florida corporation, recorded on June 29, 2000 in Official Records Book 10252, page 1789, as modified by that certain Note and Mortgage Modification Agreement dated July 24, 2000, recorded on August 8, 2000 in Official Records Book 10312, page 150, as further modified by that certain Future Advance and Mortgage Modification Agreement dated June 6, 2001, recorded on June 8, 2001 in Official Records Book 10856, page 823, and as further modified by Future Advance, Consolidation and Mortgage Modification and Extension Agreement dated October 31, 2002, recorded on November 8, 2002 in Official Records Book 12086, Page 1987, all of the Public Records of Hillsborough County, Florida (said Mortgage, as modified, being referred to as the "Mortgage") and which Mortgage encumbers, among other property, the Additional Property described in the foregoing Fourth Amendment to Declaration, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, does hereby, to the extent of its interest in the Additional Property, consent to and join in the foregoing Fourth Amendment to Declaration and does hereby, for itself and its successors and assigns, subordinate the lien and security interest of the Mortgage to all of the terms, provisions, covenants, conditions, restrictions and easements of said Declaration.

IN WITNESS WHEREOF, the Mortgagee has caused this Joinder of Mortgagee to Fourth Amendment to Declaration to be executed by its duly authorized officer as of the 19th day of May, 2003.

Witnesses:

Irene S. Porcello
Print Name: IRENE S. PORCELLO
Robert Branch
Print Name: ROBERT BRANCH

AMSOUTH BANK, an Alabama state chartered bank

By: *Jeffrey L. Cash*
Jeffrey L. Cash
Senior Vice President
13535 Feather Sound Drive
Building I, Suite 610
Clearwater, Florida 33762

[seal]

STATE OF FLORIDA)
COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 19th day of May, 2003, by Jeffrey L. Cash, the Senior Vice President of AMSOUTH BANK, an Alabama state chartered bank, on behalf thereof. He is personally known to me or did produce as identification.

Irene S. Porcello
NOTARY PUBLIC
Print Name: IRENE S. PORCELLO
My Commission Expires: Aug. 23, 2003

[notary seal]

IRENE S. PORCELLO
Notary Public, State of Florida
My comm. exp. Aug. 23, 2003
Comm. No. GC849072