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LARRY WHALEY 27P  
OSCEOLA COUNTY, FLORIDA  
CLERK OF CIRCUIT COURT

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**NEIGHBORHOOD DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS  
FOR LAKE BERKLEY RESORT VILLAS**

**THIS NEIGHBORHOOD DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKE BERKLEY RESORT VILLAS** is made as of the 22 day of March, 2001, by PARK SQUARE ENTERPRISES, INC., a Florida corporation, whose address is 5401 Kirkman Road, Suite 525, Orlando, Florida 32819.

**WITNESSETH:**

WHEREAS, Declarant (as hereinafter defined) is the owner of all of the land in Osceola County, Florida, described in Section 2.1 of this Declaration; and

WHEREAS, Declarant desires to subject said land to the covenants, restrictions, conditions and easements hereinafter set forth, each and all of which are hereby declared to be for the benefit of each and every present and future owner of any and all parts thereof; and

WHEREAS, the property to be made subject to this Declaration (as hereinafter defined) is a portion of the property encumbered by the Master Declaration (as hereinafter defined); and

WHEREAS, the Declarant desires to create a Neighborhood (as defined in the Master Declaration) by the recording of this Declaration as a Neighborhood Declaration (as defined in the Master Declaration).

NOW, THEREFORE, Declarant, for itself, its successors and assigns, hereby declares and imposes the covenants, conditions, restrictions and easements hereafter described on the lands owned by Declarant described above, which covenants, conditions, restrictions and easements shall run with the title to said lands and shall be binding upon all parties having any rights, title or interest in said lands or any part thereof, their heirs, personal representatives and assigns, and shall inure to the benefit of each owner thereof, and their respective mortgagees:

ARTICLE I  
DEFINITIONS

The following words when used in this Declaration (unless the context shall prohibit) shall have the following meanings:

1.1 "Additional Properties" shall mean and refer to that portion of the lands being more particularly described on Exhibit "A" attached hereto not initially included among the Properties encumbered hereby but which may be included among the Properties in the future upon Declarant's execution and recordation of a supplemental declaration herein according with Article II below.

1.2 "Assessment" means and refers to the assessments described in Article III herein.

1.3 "Association" means and refers to the LAKE BERKLEY RESORT VILLAS HOMEOWNERS' ASSOCIATION, INC., a Florida not for profit corporation.

1.4 "Board of Directors" means and refers to the board of directors of the Association.

1.5 "Common Area" means and refers to all real property (including the improvements thereto) and all personal property owned by the Association and tracts of land, if any, conveyed to the Association, and/or shown or drawn on a Plat as owned or to be owned by the Association for the common use, enjoyment and benefit of the Owners and all property designated as common areas in any future recorded supplemental declaration (but not including any tract dedicated on a Plat to the public or to a public utility provider); together with the landscaping and any improvements thereon, including, without limitation, all structures, open space, conservation areas, retention areas, walkways, entrance markers and features, signs, and street lights, if any, but excluding any public utility installations thereon.

1.6 "Common Roof" means and refers to the exterior roof covering a Townhome Residential Building, including all components of said exterior cover and its supporting structure.

1.7 "Declaration" means and refers to this Declaration of Covenants, Conditions, Restrictions and Easements for Lake Berkley Resort Villas as recorded in the Public Records of Osceola County, Florida, as the same may be amended from time to time, which Declaration shall constitute a Neighborhood Declaration in accordance with the terms of the Master Declaration.

1.8 "Declarant" means and refers to Park Square Enterprises, Inc., a Florida corporation, and its successors and assigns by virtue of such written instruments assigning the rights and obligations of Declarant hereunder which are recorded in the Public Records of Osceola County, Florida. Upon recordation of any such assignment, the initial Declarant shall be released and absolved from any further obligations on the part of the Declarant as may thereafter arise by or through this Declaration. A Lot purchaser, Lot Owner or Lot mortgagee shall not be deemed to be the Declarant by the mere act of purchase or mortgage of a Lot.

1.9 "Drainage Easements" means and refers to the drainage easements declared and reserved on the Plat.