



INSTR # 2018156590
 BK 10557 Pgs 988-992 PG(s)5
 RECORDED 07/23/2018 03:48:47 PM
 STACY M. BUTTERFIELD,
 CLERK OF COURT POLK COUNTY
 RECORDING FEES \$44.00
 RECORDED BY laurdavi

PREPARED BY AND RETURN TO:

Christian F. O’Ryan, Esq.
 Stearns Weaver Miller Weissler
 Alhadeff & Sitterson, P.A.
 401 East Jackson Street, Suite 2100
 Tampa, Florida 33602

-----SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA-----

**FOURTH SUPPLEMENTAL DECLARATION
 TO AMENDED AND RESTATED DECLARATION OF COVENANTS,
 CONDITIONS, EASEMENTS AND RESTRICTIONS FOR
 SOLTERRA RESORT**

THIS FOURTH SUPPLEMENTAL DECLARATION TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR SOLTERRA RESORT (this **“Supplement”**) is made on this 9th day of July, 2018, by AK OAKMONT LLC, a Florida limited liability company (the **“Declarant”**), joined by SOLTERRA RESORT HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation (the **“Association”**).

R-

RECITALS

A. AK Oakmont LLC is the “Declarant” pursuant to that certain AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR SOLTERRA RESORT recorded in Official Records Book 8825, Page 1490, as amended by the JOINDER AND CONSENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR SOLTERRA RESORT recorded in Official Records Book 8891, Page 321, and as amended by that certain FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR SOLTERRA RESORT recorded in Official Records Book 9074, Page 1245, and by that certain SUPPLEMENT TO DECLARATION FOR SOLTERRA RESORT recorded in Official Records Book 9397, Page 924, and by that certain SUPPLEMENT TO DECLARATION FOR SOLTERRA RESORT recorded in Official Records Book 9414, Page 1820, and by that certain SUPPLEMENT TO DECLARATION FOR SOLTERRA RESORT recorded in Official Records Book 9704, Page 231, all of the Public Records of Polk County, Florida (collectively, the **“Declaration”**).

B. The Declaration provides in Section 2.02 that the Declarant may, in its sole, absolute and unfettered discretion, subject additional land to the Declaration by recording a Supplemental Declaration.

C. Declarant wishes, in accordance with Section 2.02 of the Declaration, to file of record this Supplement for the purpose of annexing additional land to Solterra

RETURN TO:

1

14025 RIVEREDGE DR, SUITE 175
 TAMPA, FL 33637

Resort as set forth herein.

NOW THEREFORE, the Declarant hereby amends and supplements the Declaration as set forth herein.

1. Recitals and Defined Terms. The foregoing recitals are true and correct and are incorporated into and form a part of this Supplement. All initially capitalized terms not defined herein shall have the meanings set forth in the Declaration.

2. Conflicts. In the event there is a conflict between this Supplement and the Declaration, this Supplement shall control. Whenever possible, this Supplement and the Declaration shall be construed as a single document. Except as modified hereby, the Declaration shall remain in full force and effect.

3. Annexation. The Declaration is hereby amended by the addition of the real property legally described in **Schedule 1** attached hereto and incorporated herein by this reference (collectively, the "**Additional Property**"). The Additional Property shall be subject to each and every term, condition, covenant, easement and restriction of the Declaration as it exists and as it may be amended from time to time.

4. Ratification. The Declaration, as amended, is hereby incorporated by reference as though fully set forth herein and, except as specially supplemented hereinabove, is hereby ratified and confirmed in its entirety.

5. Covenant. This Supplement shall be a covenant running with the land and shall be effective immediately upon its recording in Polk County, Florida.

[Signatures on the Following Page]

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed by its duly authorized representative and has affixed its company seal as of this 9th day of JULY, 2018.

WITNESSES:

"DECLARANT"

AK OAKMONT LLC, a Florida limited liability company

Cardice Smith
Print Name: Cardice Smith

[Signature]
Print Name: Bryon T. LoPreste

By: [Signature]
Name: James P. Harvey
Title: Vice President

[Company Seal]

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 9th day of July, 2018, by James P. Harvey, as Vice President of AK OAKMONT LLC, a Florida limited liability company. He [is personally known to me] [has produced as identification].

[Signature]
Notary Public
Print Name: Bryon T. LoPreste
My Commission Expires: 01/27/20



JOINDER

SOLTERRA RESORT HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation (the "**Association**") does hereby join in the FOURTH SUPPLEMENTAL DECLARATION TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR SOLTERRA RESORT (the "**Amendment**"), to which this Joinder is attached, and the terms thereof are and shall be binding upon the undersigned and its successors in title. The Association agrees this joinder is for the purpose of evidencing the Association's acceptance of the rights and obligations provided in the Amendment and does not affect the validity of the Amendment as the Association has no right to approve the Amendment.

9th IN WITNESS WHEREOF, the undersigned has executed this Joinder on this day of JULY, 2018.

WITNESSES:

SOLTERRA RESORT HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation

Candice Smith
Print Name: Candice Smith

By: [Signature]
Name: James P. Harvey
Title: President

[Signature]
Print Name: Bryon T. LoPreste

{CORPORATE SEAL}

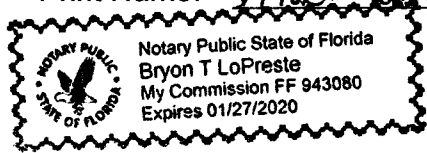
STATE OF FLORIDA)
COUNTY OF Hillsborough)

The foregoing instrument was acknowledged before me this 9th day of July, 2018, by JAMES P. HARVEY, as President of SOLTERRA RESORT HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, on behalf of the corporation, who is personally known to me or who has produced _____ as identification.

My commission expires: 01-27-20

[Signature]
NOTARY PUBLIC, State of Florida at Large

Print Name: Bryon T. LoPreste



Schedule 1

DESCRIPTION: Tract FD 1, SOLTERRA PHASE 2A1, as recorded in Plat Book 158, page 50 of the Public Records of Polk County, Florida, lying in Section 10, Township 26 South, Range 27 East, Polk County, Florida, and being more particularly described as follows:

BEGIN at the Southwest corner of Lot 93 of said SOLTERRA PHASE 2A1, said point lying on the South boundary of the Southwest 1/4 of the aforesaid Section 10; thence along said South boundary, S.89°22'55"W., a distance of 880.80 feet; thence along the Westerly boundary of the aforesaid SOLTERRA PHASE 2A1 the following seven (7) courses: 1) N.00°37'05"W., a distance of 1.24 feet; 2) Northerly, 682.44 feet along the arc of a non-tangent curve to the right having a radius of 180.00 feet and a central angle of 217°13'41" (chord bearing N.18°36'50"E., 341.17 feet); 3) S.00°15'37"W., a distance of 3.82 feet; 4) S.89°44'23"E., a distance of 154.37 feet; 5) Easterly, 58.63 feet along the arc of a tangent curve to the left having a radius of 110.00 feet and a central angle of 30°32'23" (chord bearing N.74°59'25"E., 57.94 feet); 6) N.59°43'14"E., a distance of 23.66 feet; 7) Northerly, 264.79 feet along the arc of a non-tangent curve to the right having a radius of 1574.37 feet and a central angle of 09°38'11" (chord bearing N.21°23'18"W., 264.48 feet); thence Northeasterly, 259.61 feet along the arc of a non-tangent curve to the right having a radius of 230.00 feet and a central angle of 64°40'22" (chord bearing N.31°27'25"E., 246.05 feet); thence N.63°47'36"E., a distance of 57.92 feet; thence N.75°27'28"E., a distance of 70.74 feet; thence Easterly, 174.97 feet along the arc of a non-tangent curve to the right having a radius of 560.00 feet and a central angle of 17°54'05" (chord bearing N.79°51'01"E., 174.26 feet); thence S.01°11'57"E., a distance of 120.00 feet; thence Easterly, 4.46 feet along the arc of a non-tangent curve to the right having a radius of 440.00 feet and a central angle of 00°34'52" (chord bearing N.89°05'29"E., 4.46 feet); thence S.00°37'02"E., a distance of 40.00 feet; thence N.89°22'55"E., a distance of 45.65 feet; thence S.00°37'05"E., a distance of 120.00 feet; thence N.89°22'55"E., a distance of 113.44 feet; thence S.00°37'05"E., a distance of 120.00 feet; thence S.42°13'15"E., a distance of 53.49 feet; thence S.00°37'05"E., a distance of 120.00 feet; thence N.89°22'55"E., a distance of 20.79 feet; thence S.00°37'05"E., a distance of 135.00 feet; thence S.17°42'41"W., a distance of 42.14 feet; thence S.00°37'05"E., a distance of 135.00 feet to the **POINT OF BEGINNING**.

Containing 13.520 acres, more or less.