

This instrument prepared by  
and return to:  
Michael S. Grimsley, Esquire  
Zimmerman, Kiser & Sutcliffe, P.A.  
Post Office Box 3000  
Orlando, Florida 32802-3000  
Our File No. 8272-50

LARRY WHALEY  
OSCEOLA COUNTY, FLORIDA  
CLERK OF CIRCUIT COURT

3P

CL 2006236628 OR 3287/1795  
IDR Date 09/27/2006 Time 09:48:07

**SECOND ADDENDUM TO DECLARATION OF COVENANTS AND  
RESTRICTIONS FOR ASHLEY PARK AT HARMONY HOMEOWNERS ASSOCIATION**

THIS SECOND ADDENDUM to Declaration of Covenants and Restrictions for Ashley Park at Harmony Homeowners Association is made and entered into this 26 day of September, 2006, by D.R. Horton, Inc., a Delaware corporation, hereinafter referred to as "Declarant," 5850 T.G. Lee Boulevard, Suite 600, Orlando, Florida 32822.

**WITNESSETH:**

WHEREAS, Declarant caused to be recorded the Declaration of Covenants and Restrictions for Ashley Park at Harmony Homeowners Association in O.R. Book 2986, Page 2490, Public Records of Osceola County, Florida, which was subsequently amended by Addendum to Declaration of Covenants and Restrictions For Ashley Park at Harmony recorded in Official Records Book 3156, Page 916, Public Records of Osceola County, Florida (the "Declaration"); and

WHEREAS, Declarant has the right to amend the Declaration under Article XIII, Section 5 of the Declaration, as less than ninety percent (90%) of the lots subject to the Declaration have been sold and conveyed to purchasers other than Declarant; and

WHEREAS, Declarant desires to amend the Declaration to modify certain language regarding hazard insurance carried upon the Property.

NOW, THEREFORE, Declarant hereby declares as follows:

1. Article VI, D Casualty Loss to Structures, paragraph 1, is hereby stricken in its entirety and is amended to read as follows:

"1 The Sub-Association shall be responsible for the repair and reconstruction of any building damaged or destroyed as a result of fire, wind, water, earthquake, sinkhole, vandalism or other casualty. Habitational buildings and improvements upon the Property and all other Sub-Association owned Common Property shall be insured in an amount equal to the insurable replacement value, excluding foundation and excavation costs, and all personal property included in the Sub-Association owned Common Property shall be insured for its value, all as shall be determined annually by the Board of Directors of the Sub-Association. Hazard policies issued to protect the habitational buildings shall provide that the word "building," wherever used in the policy, shall include, but shall not necessarily be limited to, fixtures, installations or additions comprising that part of the Building within the unfinished interior surfaces of the perimeter walls, floors and ceilings of the individual Units initially installed or replacements thereof, of like kind and quality, in accordance with the original plans and specifications or as existed at the time the Unit was initially conveyed if the original plans and specifications are not available. However, the word "building" shall not include Unit floor coverings, wall coverings or ceiling coverings, and shall not include electrical fixtures, appliances, air conditioning and heating equipment, water heaters or built-in cabinets required to be replaced or repaired by the Unit Owner. With respect to the coverage provided by this paragraph, the Unit Owner shall be considered as an additional insured under the policy."

2. Except as specifically modified herein, the Declaration shall remain in full force and effect.

***[Signatures on Following Page]***

IN WITNESS WHEREOF, the undersigned being the Declarant herein has hereunto set its hand and seal as of the date first appearing above.

WITNESSES:

D.R. HORTON, INC.,  
a Delaware corporation

[Signature]  
Printed Name: Sandra Berry

By: [Signature]  
Printed Name: Robert A. Lawson  
Title: Division President

[Signature]  
Printed Name: MARIANNE BOGGS

Address:  
5850 T. G. Lee Boulevard, Suite 600  
Orlando, Florida 32822

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of Sept., 2006 by Robert A Lawson as Division President of D.R. HORTON, INC., a Delaware corporation, on behalf of the corporation, who is  personally known to me, or  has produced \_\_\_\_\_ as identification.

(SEAL)

[Signature]  
Notary Public, State of Florida  
Printed Name: Brandy Sue Murphy  
My Commission expires: 7-26-10

