

PREPARED BY AND RETURN TO:

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

**THIRD SUPPLEMENTAL DECLARATION TO MASTER DECLARATION
FOR TOHOQUA**

(Neighborhood Designation for Tohoqua Reserve)

THIS THIRD SUPPLEMENTAL DECLARATION TO MASTER DECLARATION FOR TOHOQUA (this "**Third Supplement**") is made by TOHOQUA DEVELOPMENT GROUP, LLC, a Florida limited liability company (the "**Declarant**"), joined by TOHOQUA MASTER ASSOCIATION, INC., a Florida not-for-profit corporation (the "**Association**").

RECITALS

A. The Declarant recorded that certain MASTER DECLARATION FOR TOHOQUA in Official Records Book 5329, Page 3 (the "**Original Declaration**"), as supplemented by that certain FIRST SUPPLEMENTAL DECLARATION TO MASTER DECLARATION FOR TOHOQUA in Official Records Book 5676, Page 2765 (the "**First Supplement**"), and as supplemented by that certain SECOND SUPPLEMENTAL DECLARATION TO MASTER DECLARATION FOR TOHOQUA in Official Records Book 5688, Page 2830 (the "**Second Supplement**"), all of the Public Records of Osceola County, Florida (collectively, the "**Declaration**").

B. Pursuant to Section 3.4 of the Declaration, certain Lots and Homes within TOHOQUA may be located within a Neighborhood, and a Supplemental Declaration may designate Homes, Lots or Parcels to a specific Neighborhood.

C. Pursuant to Section 2 of the Declaration, a Neighborhood may be governed by a Neighborhood Association, and so long as the Declarant owns any portion of TOHOQUA, no Neighborhood Association may be formed without the express written consent of the Declarant.

D. The Declarant wishes to file of record this Third Supplement for the purpose of designating the real property described on **Schedule A** attached hereto and incorporated herein by this reference as a separate Neighborhood to be known as "TOHOQUA RESERVE" and for approving the Neighborhood Association to govern Tohoqua Reserve 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 Third 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 Third Supplement and the Declaration, this Third Supplement shall control. Whenever possible, this Third 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. Neighborhood Designation. Pursuant to Section 3.4 of the Declaration of the Declaration, the Declarant hereby declares that the real property legally described in **Schedule A**, attached hereto and incorporated herein by this reference is designated as the Neighborhood known as TOHOQUA RESERVE ("**TOHOQUA RESERVE**"). Lots within TOHOQUA RESERVE shall be subject to Neighborhood Assessments as provided in the Declaration and the applicable Neighborhood Declaration for TOHOQUA RESERVE, which Neighborhood Declaration shall be subject to the prior written consent of Declarant. In addition, Declarant hereby approves TOHOQUA RESERVE HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, as the Neighborhood Association designated to govern TOHOQUA RESERVE.

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

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

[Signatures on the Following Page]

IN WITNESS WHEREOF, the Declarant has caused this Third Supplement to be executed by its duly authorized representative and has affixed its company seal as of this 5th day of January, 2021.

WITNESSES:

"DECLARANT"

TOHOQUA DEVELOPMENT GROUP, LLC,
a Florida limited liability company

Nicole Lathan
Print Name: Nicole Lathan

By: *Robert L. Secrist, III*
Name: Robert L. Secrist, III
Title: Manager

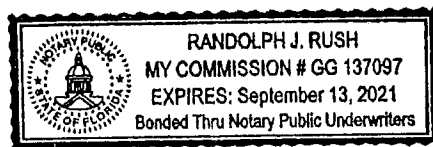
Randolph J. Rush
Print Name: RANDOLPH J. RUSH

[Seal]

STATE OF FLORIDA)
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 5th day of January, 2021, by ROBERT L. SECRIST, III, as Manager of TOHOQUA DEVELOPMENT GROUP, LLC, a Florida limited liability company, on behalf of the company. He ☐ is personally known to me or ☐ has produced _____ as identification.

Randolph J. Rush
Notary Public
Print Name: _____
My Commission Expires: _____




JOINDER


TOHOQUA MASTER ASSOCIATION, INC., a Florida not for profit corporation (the "**Association**") does hereby join in the THIRD SUPPLEMENTAL DECLARATION TO MASTER DECLARATION FOR TOHOQUA (the "**Third Supplement**"), 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 Third Supplement and does not affect the validity of the Third Supplement as the Association has no right to approve the Third Supplement.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 5th day of January,, 2021.

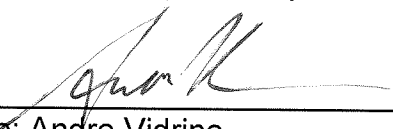
WITNESSES:

TOHOQUA MASTER ASSOCIATION, INC.,
a Florida not-for-profit corporation



Print Name: Lori Fletcher


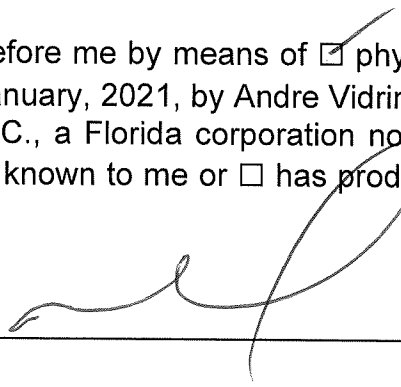
Print Name: RANDOLPH J. RUSH

By: 

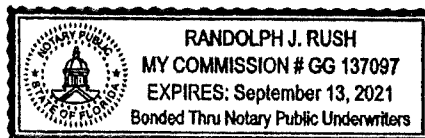
Name: Andre Vidrine
Title: President

STATE OF FLORIDA)
)
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 5th day of January, 2021, by Andre Vidrine as President of TOHOQUA MASTER ASSOCIATION, INC., a Florida corporation not-for-profit, on behalf of the corporation. He ☒ is personally known to me or ☐ has produced _____ as identification.



Notary Public
Print Name: _____
My Commission Expires: _____



Schedule A

Legal Description of Tohoqua Reserve Neighborhood

A portion of Lots 1, 2, 15 and 16, Block 31, along with portions of the platted right-of-way per *THE FLORIDA DRAINED LAND COMPANY'S SUBDIVISION NO. 1*, according to the plat thereof, as recorded in Plat Book "B", Pages 65 and 66, Public Records of Osceola County, Florida;

TOGETHER WITH:

Lots 1 through 3, a portion of Lots 4 and 37; and Lots 38 through 40, Block 44; Lots 1 through 3, a portion of Lots 4, 37 and 38; and Lots 39 through 41, Block 57; Lots 1 through 3; a portion of Lots 4, 5 and 39; and Lots 40 through 42, Block 60; and Lots 1 through 3; a portion of Lots 4 through 12; a portion of Lots 31 and 32; and Lots 33 through 43, Block 73; along with portions of the platted right-of-ways per *TOLIGA MANOR - UNIT A*, according to the plat thereof as recorded in Plat Book 1, Page 129, Public Records of Osceola County, Florida

TOGETHER WITH:

A portion of Lots 9 through 16; Lots 17 through 26; and a portion of Lot 27, Block 45; a portion of Lots 10 and 11; and Lots 12 through 25; and a portion of Lot 26, Block 56; a portion of Lots 11 and 12; and Lots 13 through 24; and a portion of Lot 25, Block 61; and a portion of Lot 13; and Lots 14 through 22; and a portion of Lots 23 and 24, Block 72; along with portions of the platted right-of-ways per *TOLIGA MANOR - UNIT B*, according to the plat thereof as recorded in Plat Book 1, Page 139, Public Records of Osceola County, Florida.

All the above situated in Section 5, Township 26 South, Range 30 East, Osceola County, Florida.

TOGETHER WITH:

A portion of the unplatted portion of the Southeast 1/4 of Section 5, Township 26 South, Range 30 East, Osceola County, Florida.

All the above being more particularly described as follows:

Commence at the southwest corner of said Section 5; thence run S 89°42'48" E, along the south line of said Section 5, a distance of 2879.17 feet to a point on the northeasterly right-of-way line of Cross Prairie Parkway (previously named Tohoqua Parkway) as recorded in Official Records Book 4010, Page 2871, Public Records of Osceola County, Florida, and the *POINT OF BEGINNING*; said point being a point on a curve, concave northeasterly, having a radius of 740.00 feet; thence run northerly along the northeasterly right-of-way line of Cross Prairie Parkway, the following three (3)

courses and distances: on a chord bearing of N 43°35'20" W and a chord distance of 941.18 feet, run northerly along the arc of said curve a distance of 1020.04 feet, through a central angle of 78°58'43" to a point of compound curvature of a curve, having a radius of 3,320.00 feet and a central angle of 24°44'02"; thence run northerly along the arc of said curve, a distance of 1,433.20 feet to a point of reverse curvature of a curve, having a radius of 1,560.00 feet and a central angle of 13°47'45"; thence run northerly along the arc of said curve, a distance of 375.62 feet to a point on a non-radial line; thence, departing said northeasterly right-of-way line, run S 66°56'31" E, a distance of 638.92 feet; thence run S 23°03'29" W, a distance of 120.00 feet; run S 66°56'31" E, a distance of 66.00 feet; thence run S 23°03'29" W, a distance of 54.00 feet; thence run N 66°56'31" W, a distance of 36.58 feet; thence run S 23°03'29" W, a distance of 250.00 feet; thence run S 66°56'31" E, a distance of 9.02 feet; thence run S 23°03'29" W, a distance of 179.00 feet; thence run N 66°56'31" W, a distance of 39.89 feet; thence run S 23°03'29" W, a distance of 179.00 feet; thence run N 66°56'31" W, a distance of 16.23 feet; thence run S 23°03'29" W, a distance of 120.00 feet; thence run S 66°56'31" E, a distance of 400.20 feet; thence run S 23°35'56" W, a distance of 840.00 feet; thence run S 66°24'04" E, a distance of 120.00 feet; thence run S 75°49'54" E, a distance of 54.74 feet; thence run S 66°24'04" E, a distance of 131.60 feet to a point on the westerly line of Canal C-31, as recorded in Official Records Book 9, Page 343, Public Records of Osceola County, Florida; thence run S 23°01'25" W, along said westerly line, a distance of 372.04 feet to a point on the aforesaid northeasterly right-of-way line of Cross Prairie Parkway; said point lying on a non-tangent curve, concave northeasterly, having a radius of 740.00 feet; thence, on a chord bearing of N 84°21'36" W and a chord distance of 33.11 feet, run westerly along the arc of said curve and along said northeasterly right-of-way line, a distance of 33.11 feet, through a central angle of 02°33'49"; to the *POINT OF BEGINNING*.