

THIS INSTRUMENT PREPARED BY  
AND TO BE RETURNED TO:  
Benjamin E. Wilson, Esq.  
The Viera Company  
7380 Murrell Road, Suite 201  
Viera, FL 32940  
(321) 242-1200

**FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS, RESERVATIONS AND RESTRICTIONS  
FOR  
STONECREST NEIGHBORHOOD AREA**

**THIS FOURTH AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS, EASEMENTS, RESERVATIONS AND RESTRICTIONS FOR  
STONECREST NEIGHBORHOOD AREA** (this “**Amendment**”) is dated as of January 19,  
2021 by THE VIERA COMPANY, a Florida corporation (“**Neighborhood Declarant**”). The  
effective date of this Amendment shall be the date that this Amendment is recorded in the Public  
Records of Brevard County, Florida (the “**Effective Date**”).

RECITALS:

WHEREAS, Neighborhood Declarant is the “Neighborhood Declarant” under that certain Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Stonecrest Neighborhood Area recorded on April 2, 2018 in Official Records Book 8129, Page 49, of the Public Records of Brevard County, Florida, as amended by that certain Amendment to Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Stonecrest Neighborhood Area recorded on March 28, 2019 in Official Records Book 8400, Page 826, of the Public Records of Brevard County, Florida, as amended by that certain Second Amendment to Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Stonecrest Neighborhood Area recorded on April 15, 2019 in Official Records Book 8413, Page 2256, of the Public Records of Brevard County, Florida, and as amended by that certain Third Amendment to Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Stonecrest Neighborhood Area recorded on November 25, 2020 in Official Records Book 8933, Page 373, of the Public Records of Brevard County, Florida (collectively, the “**Neighborhood Declaration**”);

WHEREAS, under Article XI of the Neighborhood Declaration, Neighborhood Declarant has the unilateral right to amend the Neighborhood Declaration during the Class B Control Period, and, as of the date of this Amendment, the Class B Control Period remains in effect;

WHEREAS, pursuant to Article XI of the Neighborhood Declaration, Neighborhood Declarant desires to amend the Neighborhood Declaration as more particularly provided in this Amendment; and

WHEREAS, The Viera Company, a Florida corporation, as the “Community Declarant” under the Neighborhood Declaration (the “**Community Declarant**”), is joining in the execution of this Amendment to evidence its consent to the provisions of this Amendment.

NOW, THEREFORE, Neighborhood Declarant hereby amends the Neighborhood Declaration as set forth below pursuant to Article XI of the Neighborhood Declaration:

1. RECITALS: The above recitals are true and correct, and are incorporated into this Amendment by this reference.

2. DEFINED TERMS: Any capitalized term not otherwise defined in the above recitals or elsewhere in this Amendment shall have the meaning ascribed to such term in the Neighborhood Declaration.

3. AMENDMENTS: The Neighborhood Declaration is hereby amended as follows as of the Effective Date:

a. NEIGHBORHOOD DECLARATION – WATER CONSERVATION: Article VI, Section 2(i) of the Neighborhood Declaration is hereby deleted in its entirety and amended to read as follows (Substantial rewording. See governing documents for current text):

(i) Irrigation of sod and landscaping on a Unit shall not exceed 21 gallons (34 inches) per square foot annually and the controller shall be set in compliance with all applicable water restrictions imposed by any governmental authority, including, without limitation, the St. John’s River Water Management District. Notwithstanding the foregoing restriction, an Owner’s irrigation of sod and landscaping on a Unit shall be limited as follows to ensure the efficient use of water for landscape irrigation and avoid overwatering:

<b>Time of Year</b>	<b>Homes with Odd Numbered Address</b>	<b>Homes with Even Numbered Address</b>
<b>Daylight Savings Time:</b>  (Second Sunday in March until the first Sunday in November)	Irrigation limited to Wednesdays and Saturdays as follows, but not from 10:00 a.m. to 4:00 p.m.:  <u>Spray Zones</u> : Between 5 - 20 minutes per zone; and	Irrigation limited to Thursdays and Sundays as follows, but not from 10:00 a.m. to 4:00 p.m.:  <u>Spray Zones</u> : Between 5 - 20 minutes per zone; and

	<u>Rotor Zones:</u> Between 30-60 minutes per zone.	<u>Rotor Zones:</u> Between 30-60 minutes per zone.
<b>Eastern Standard Time (Non-Daylight Savings Time)</b>  (First Sunday in November until the Second Sunday in March)	Irrigation limited to Saturdays as follows, but not from 10:00 a.m. to 4:00 p.m.:  <u>Spray Zones:</u> Between 5 - 20 minutes per zone; and  <u>Rotor Zones:</u> Between 30-60 minutes per zone.	Irrigation limited to Sundays as follows, but not from 10:00 a.m. to 4:00 p.m.:  <u>Spray Zones:</u> Between 5 - 20 minutes per zone; and  <u>Rotor Zones:</u> Between 30-60 minutes per zone.

An Owner's failure to comply with the irrigation restrictions set forth in this Section 2(i) may result in damage to neighboring Units or the Common Areas, including, without limitation, Common Area roads. An Owner's failure to comply with the irrigation restrictions set forth in this Section 2 shall entitle the Neighborhood Association to the remedies set forth in Article VII, Section 44 of this Neighborhood Declaration, including without limitation, curing such violation and curing any resulting damage to the Common Areas, all at the violating Owner's expense.

4. JOINDER: The Community Declarant is joining in the execution of this Amendment to evidence its consent to the provisions of this Amendment.

5. FULL FORCE AND EFFECT: The terms, provisions and conditions set forth in the Neighborhood Declaration that are not modified in this Amendment remain unmodified and in full force and effect. In the event of a discrepancy between the terms and conditions of the Neighborhood Declaration and the terms and conditions of this Amendment, the terms and conditions of this Amendment shall prevail.

6. COUNTERPARTS: This Amendment may be executed in counterparts.

(SIGNATURES BEGIN ON THE FOLLOWING PAGE.)

IN WITNESS WHEREOF, Neighborhood Declarant has executed this Amendment as of the date set forth above.

WITNESSES:

Benjamin E. Wilson  
Print Name: Benjamin E. Wilson

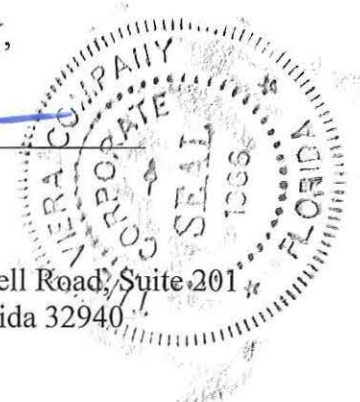
Charlene R. Spangler  
Print Name: Charlene R. Spangler

NEIGHBORHOOD DECLARANT:

THE VIERA COMPANY,  
a Florida corporation

By: [Signature]  
Name: Todd J. Pokrywa  
Title: President

Address: 7380 Murrell Road, Suite 201  
Viera, Florida 32940



STATE OF FLORIDA        )  
COUNTY OF BREVARD    )

The foregoing instrument was acknowledged before me  by physical presence or  by online notarization on the 19th day of January 2021 by Todd J. Pokrywa, the President of The Viera Company, a Florida corporation, on behalf of the corporation, who is personally known to me.



BENJAMIN E WILSON  
Commission # GG 146829  
Expires October 10, 2021  
Bonded Thru Budget Notary Services

Benjamin E. Wilson  
Notary Public, State of Florida  
Print Name: Benjamin E. Wilson  
Commission No.: GG 146829  
My Commission Expires: 10/10/2021

(JOINDER IS ON THE FOLLOWING PAGE.)

**JOINDER**

**(COMMUNITY DECLARANT)**

The Community Declarant hereby joins in the execution of this Amendment for the purpose of consenting to the terms and conditions of this Amendment

WITNESSES:

Benjamin E. Wilson  
Print Name: Benjamin E. Wilson

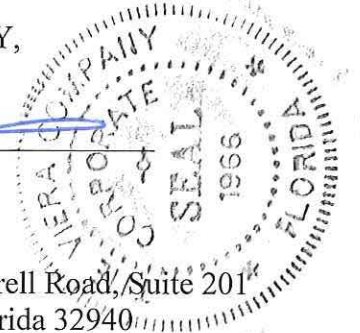
Charlene R. Spangler  
Print Name: Charlene R. Spangler

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a Florida corporation

By: [Signature]  
Name: Todd J. Pokrywa  
Title: President

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Print Name: Benjamin E. Wilson  
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