

RE -
This Instrument Prepared By
& Requested Be Returned To:
Craig B. Hill, Esquire
Clark, Campbell, Mawhinney & Lancaster, P.A.
500 South Florida Avenue, Suite 800
Lakeland, Florida 33801

**FOURTH AMENDMENT TO
MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR VIENNA SQUARE**

This Fourth Amendment to Master Declaration of Covenants, Conditions and Restrictions for Vienna Square ("Fourth Amendment") is made effective this 21st day of January, 2010, by BAYTREE PARTNERS, LLC, a Florida limited liability company ("Declarant").

RECITALS:

WHEREAS, Declarant is the Developer of the Community, and in connection therewith has recorded that certain Master Declaration of Covenants, Conditions and Restrictions for Vienna Square, in Official Records Book 7080, Page 2010, as amended by that certain First Amendment thereto in Official Records Book 7363, Page 378, as further amended by that certain Second Amendment thereto in Official Records Book 7483, Page 1032, and as further amended by that certain Third Amendment thereto all in the Public Records of Polk County, Florida (collectively, the "Declaration"); and

WHEREAS, Section 15.10 of the Declaration provides in pertinent part that Declarant may, in its sole discretion, by an instrument filed of record in the County, unilaterally modify, enlarge, amend, waive or add to the covenants, conditions, restrictions and other provisions of the Declaration, and any recorded exhibit thereto; and

WHEREAS, Declarant desires to amend and modify the Declaration for the purposes as set forth herein, and this Fourth Amendment shall relate back to the date of recording of the Declaration; and

NOW THEREFORE, Declarant amends and modifies the Declaration as follows:

1. Initially capitalized terms herein shall have the meaning ascribed thereto in the Declaration, unless otherwise defined herein.
2. The foregoing recitals are true and correct and by this reference incorporated into the body of this Fourth Amendment.

3. The first sentence of Section 5.26 Pets and Animals of the Declaration is amended and restated in its entirety as follows:

Not more than two (2) commonly accepted household pets, such as a dog or cat, and reasonable numbers of tropical fish or caged birds may be kept on a Lot or in a Living Unit, subject to other reasonable regulation by the Association or the Villas Association, as applicable; however, as a permitted exception not more than three (3) commonly accepted household pets, such as a dog or cat (provided, however, that the cumulative weight of all such pets shall not exceed eighty (80) pounds) may be kept on a Lot or in a Living Unit, subject to other reasonable regulation by the Association or the Villas Association, as applicable.

4. Section 5.26 Pets and Animals of the Declaration is amended to add the following:

The Declarant, for so long as it owns any Lot or other property in the Community shall have the power and right (but not the obligation) in its sole and absolute discretion to make exceptions to the covenants, provisions and restrictions with respect to pets as set forth in this Section 5.26, which exceptions may be made without the necessity of an amendment to this Declaration. Thereafter the Association (by and through the Board of Directors) shall have the power and right (but not the obligation) to make exceptions to the covenants, provisions and restrictions with respect to pets as set forth in this Section 5.26, which exceptions may be made without the necessity of an amendment to this Declaration.

5. Vienna Square Homeowners' Association, Inc., a Florida not for profit corporation, is a party to this Fourth Amendment in order to evidence its agreement therewith and consent thereto in accordance with its powers and rights under the Declaration.

6. The Villas at Vienna Square Homeowners' Association, Inc., a Florida not for profit corporation, is a party to this Fourth Amendment in order to evidence its agreement therewith and consent thereto in accordance with its powers and rights under the Declaration.

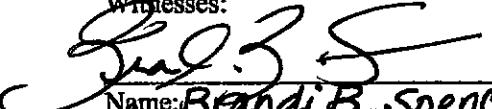
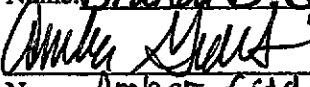
7. Except as expressly modified and amended herein, the Declaration shall remain unchanged and in full force and effect.

SIGNATURE PAGES FOLLOW:

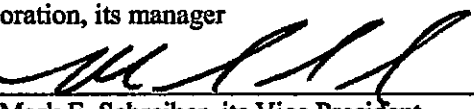
IN WITNESS WHEREOF, Baytree Partners, LLC, a Florida limited liability company, hereby executes this Fourth Amendment effective as of the day and year first set forth above, and Vienna Square Homeowners' Association, Inc., a Florida not for profit corporation, and The Villas at Vienna Square Homeowners' Association, Inc., a Florida not for profit corporation, hereby join in and consent to this Fourth Amendment effective as of the day and year first set forth above.

"DECLARANT"

Witnesses:


Name: Brandi B. Spence

Name: Amber Giddens

BAYTREE PARTNERS, LLC,
a Florida limited liability company
By: Odyssey Residential, Inc., a Florida
corporation, its manager

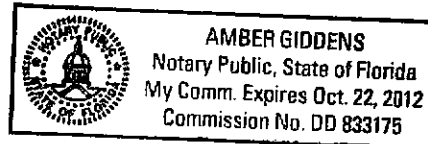
By: 
Mark E. Schreiber, its Vice President

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 21st day of January, 2010, by Mark E. Schreiber, as Vice President of Odyssey Residential, Inc., a Florida corporation, the manager of Baytree Partners, LLC, a Florida limited liability company. He is personally known to me or did produce _____ as identification.


Notary Public, State of Florida
Amber Giddens
Print Name

(SEAL)



SIGNATURES CONTINUED ON SUBSEQUENT PAGES:

"ASSOCIATION"

VIENNA SQUARE HOMEOWNERS'
ASSOCIATION, INC., a Florida not
for profit corporation

By: [Signature]
David Scott Owens, its Vice President

Witnesses:

[Signature]
Name: Brandi B. Spence

[Signature]
Name: Amber Giddens

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 21st day of January, 2010,
by David Scott Owens, as Vice President of Vienna Square Homeowners' Association, Inc., a Florida not
for profit corporation. He is personally known to me or did produce _____ as
identification.

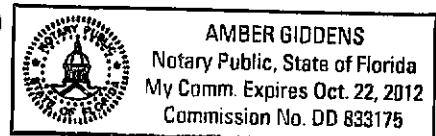
[Signature]

Notary Public, State of Florida

Amber Giddens

Print Name

(SEAL)



SIGNATURES CONTINUED ON SUBSEQUENT PAGE:

Witnesses:

[Signature]
Name: Brandi B. Spence
[Signature]
Name: Amber Giddens

"VILLAS ASSOCIATION"

THE VILLAS AT VIENNA SQUARE
HOMEOWNERS' ASSOCIATION, INC.,
a Florida not for profit corporation

By: [Signature]
Mark E. Schreiber, its President

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 21st day of January, 2010,
by Mark E. Schreiber, as President of The Villas at Vienna Square Homeowners' Association, Inc., a Florida
not for profit corporation. He is personally known to me or did produce as
identification.

[Signature]
Notary Public, State of Florida
Amber Giddens
Print Name

(SEAL)

