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Bill Kinsaul, Clerk Bay County, Florida Deputy Clerk KM Trans # 1915086

This instrument prepared by:  
HAND ARENDALL HARRISON SALE LLC  
Leslie D. Sheekley, Esq.  
35008 Emerald Coast Parkway, Suite 500  
Destin, Florida 32541

**FIRST AMENDMENT TO DECLARATION OF CONDITIONS, COVENANTS,  
AND RESTRICTIONS OF CABALLEROS ESTATES AT HOMBRE**

This First Amendment to Declaration of Conditions, Covenants, and Restrictions of Caballeros Estates of Hombre (“First Amendment”) is made by D.R. Horton, Inc., a Delaware corporation (“Declarant”).

**W I T N E S S E T H :**

**WHEREAS**, on February 5, 2024, that certain Declaration of Conditions, Covenants, and Restrictions of Caballeros Estates of Hombre was recorded in the public records of Bay County, Florida as Instrument No. 2024006153 (the “Declaration”), which imposed covenants and restrictions on the real property described in the Declaration (“Community Property”); and

**WHEREAS**, Section 10.03 of the Declaration states that until such time of Turnover, the Declarant shall have the unilateral right to amend the Declaration without the consent or joinder of any other party; and

**WHEREAS**, the Declarant desires to amend the Declaration and, as of the date of this Amendment, Turnover has not occurred.

**NOW THEREFORE**, the Declarant hereby declares that:

1. All defined terms contained in this First Amendment shall have the same meaning as such terms are defined by the Declaration unless otherwise provided herein. The recitals set forth above are true and correct and incorporated herein.
2. **Article Eight, Section 8.01** of the Declaration is hereby amended as follows (double underlines indicating additions and strike throughs indicating deletions):

**ARTICLE EIGHT**  
**ADDITIONAL RESTRICTIONS**

8.01 Leasing. Homes may be leased by an Owner for residential purposes only, provided, however, that such lease and the rights of any Tenants thereunder are hereby made expressly subject to the power of the Association to prescribe reasonable rules and regulations (excepting as to minimum rental terms) relating to the lease and rental of Homes and to enforce the same directly against such Tenant or other occupant by the exercise of such remedies as the Board of Directors deems appropriate. A Builder of Townhomes within a Townhome Neighborhood may, at its election and after improvement of a Townhome Lot, rent all Townhomes located within the Townhome Neighborhood owned by the Builder or an affiliated entity (“**Operator**”). The Builder or Operator, in their sole discretion may rent the Townhomes subject to the Townhome Neighborhood Exceptions for so long as the Builder or Operator is the Owner of all Townhome Lots within the Townhome Neighborhood (the “**Rental Period**”). ~~Notwithstanding the foregoing, no lease for the rental of a Home in the Subdivision shall be~~

for a term of less than six (6) months. As a Townhome Neighborhood Exception, during the Rental Period, the ability of the Owner of Townhome Lots within the Townhome Neighborhood to rent such Townhomes to Tenants for rental terms of not less than six (6) months may not be restricted or prohibited by amendment to this Declaration absent the written consent of the Owner of the Townhome Lots within the Townhome Neighborhood. The Rental Period shall continue indefinitely so long as the Builder or Operator, or their successors and assigns, own all Lots in the Townhome Neighborhood and hold for residential leasing purposes the Townhomes therein. Leases between the Owner of a Home and the Tenant shall require compliance with use and other restrictions of this Declaration and any reasonable rules and regulations of the Association.

3. Except as specifically supplemented and amended hereby, the Declaration shall remain in full force and effect as originally executed and recorded.

4. This Amendment shall become effective upon being recorded in the public records of Bay County, Florida.

IN WITNESS WHEREOF, Declarant has executed this First Amendment to the Declaration by and through its duly authorized representative.

Witnesses:

Tari Buttery  
Print Name: Tari Buttery  
Address: 1930 W 24th St  
Panama City, FL 32405  
Ashley Weathersta  
Print Name: Ashley Weathersta  
Address: 1690 Joe Manning  
Rd Ponte de Leon FL

DECLARANT:

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

By: Emily Natalio  
Name: Emily Natalio  
Its: City Manager

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 29 day of March, 2024, by Emily Natalio, on behalf of D.R. Horton, Inc., a Delaware corporation, who  is personally known to me or  has produced \_\_\_\_\_ as identification.

Terrri Burrow  
(Signature of Notary Public)  
Print Name: Terrri Burrow  
Commission No.: HH413560  
My Commission Expires: 6/21/2027



TERRI BURROW  
Notary Public  
State of Florida  
Comm# HH413560  
Expires 6/21/2027

**ASSOCIATION JOINDER**

Caballeros Estates at Hombre Homeowners Association, Inc., a Florida not-for-profit corporation, hereby joins in the First Amendment to the Declaration of Conditions Covenants and Restrictions of Caballeros Estates of Hombre and agrees to be bound by the terms thereof and will comply with and perform the terms and conditions of the Declaration.

IN WITNESS WHEREOF, Caballeros Estates at Hombre Homeowners Association, Inc. has executed this Joinder by its duly authorized officer.

**Caballeros Estates at Hombre Homeowners Association, Inc.**

*Dina Brown*  
By: DINA BROWN  
Its: HOA Secretary

STATE of FLORIDA  
COUNTY of Bay

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 29 day of March, 2024, by \_\_\_\_\_ on behalf of Caballeros Estates at Hombre Homeowners Association, Inc., who is  personally known to me or \_\_\_\_\_ has produced \_\_\_\_\_ as identification.

*Terra Burrow*  
(Signature of Notary Public)  
Print Name: Terra Burrow  
Commission No.: HH413560  
My Commission Expires: 6/21/2027



**TERRI BURROW**  
Notary Public  
State of Florida  
Comm# HH413560  
Expires 6/21/2027