

**FIFTEENTH AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR GATEWAY CENTRE**

THIS FIFTEENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR GATEWAY CENTRE (this "**Fifteenth Amendment**") is made and executed effective as of this 31st day of March, 2022, by HUNTLEY PROPERTIES AND LANDHOLDINGS, LLC, a Florida limited liability company (together with its successors and assigns ("**Declarant**").

A. By virtue of that certain Declaration of Covenants, Conditions, and Restrictions for Gateway Centre (the "**Original Declaration**") dated December 24, 1986, recorded in Official Records Book 6391, Page 411, of the Public Records of Pinellas County, Florida, Gateway Centre Joint Venture, a Florida general partnership ("**Previous Declarant**") as predecessor in interest to Declarant with respect to Gateway Centre, placed upon that certain real property located in Pinellas County, Florida ("**Gateway Centre**") described in the Original Declaration, certain covenants, conditions and restrictions as described in the Original Declaration.

B. The Original Declaration was amended by that certain (i) Amendment to Declaration of Covenants, Conditions and Restrictions, for Gateway Centre (the "**First Amendment**") dated May 18, 1989, recorded in Official Records Book 7005, Page 355 of the Public Records of Pinellas County, Florida, by Previous Declarant; (ii) Second Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Second Amendment**") dated March 13, 2002, recorded in Official Records Book 11887, Page 1132 of the Public Records of Pinellas County, Florida, by Previous Declarant; (iii) Third Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Third Amendment**") dated March 18, 2002, recorded in Official Records Book 11896, Page 1994 of the Public Records of Pinellas County, Florida, by Previous Declarant; (iv) Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Fourth Amendment**") dated June 24, 2003, recorded in Official Records Book 12899, Page 1 of the Public Records of Pinellas County, Florida, by Previous Declarant; (v) Fifth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Fifth Amendment**") dated March 17, 2008, recorded in Official Records Book 16524, Page 2355 of the Public Records of Pinellas County, Florida, by Previous Declarant; (vi) Sixth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Sixth Amendment**") dated January 27, 2011, recorded in Official Records Book 17276, Page 966 of the Public Records of Pinellas County, Florida, by Previous Declarant; (vii) Seventh Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Seventh Amendment**") dated August 26, 2011, recorded in Official Records Book 17358, Page 1126 of the Public Records of Pinellas County, Florida, by Previous Declarant; and (viii) Eighth

Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Eighth Amendment**") dated October 15, 2012, recorded in Official Records Book 17753, Page 1144 of the Public Records of Pinellas County, Florida, by Previous Declarant; (ix) Ninth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Ninth Amendment**") dated December 21, 2017, recorded in O.R. Book 19900, Page 1806 of the Public Records of Pinellas County, Florida by Declarant; (x) Tenth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Tenth Amendment**") dated January 23, 2018, recorded in O.R. Book 19919, Page 881 of the Public Records of Pinellas County, Florida, by Declarant; (xi) Eleventh Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Eleventh Amendment**") dated January 31, 2018, recorded in O.R. Book 19927, Page 1822 of the Public Records of Pinellas County, Florida, by Declarant; (xii) Twelfth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Twelfth Amendment**") dated March 19, 2018, recorded in O.R. Book 19981, Page 103 of the Public Records of Pinellas County, Florida, by Declarant; (xiii) Thirteenth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Thirteenth Amendment**") dated August 4, 2020, recorded in O.R. Book 21107, Page 2320 of the Public Records of Pinellas County, Florida, by Declarant, and (xiv) Fourteenth Amendment to Declaration of Covenants, Conditions and Restrictions for Gateway Centre (the "**Fourteenth Amendment**") dated December 22, 2020, recorded in O.R. Book 21308, Page 1066 of the Public Records of Pinellas County, Florida, by Declarant (the Original Declaration, as amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment, Twelfth Amendment, Thirteenth Amendment, and Fourteenth Amendment hereinafter collectively referred to as the "**Declaration**").

C. By special warranty deed (the "**Deed**") dated January 9, 2015 from Declarant, as grantor, to Tampa Bay Luxury Imports, LLC, as grantee, Tampa Bay Luxury Imports, LLC, has become the owner of that certain parcel of real property described on Exhibit "A" attached hereto and made a part hereof for all purposes (the "Subject Tract"), constituting a portion of Gateway Centre and being subject to the terms and provisions of the Declaration.

D. Declarant, who is a Class B member of the Gateway Centre Property Owners Association ("**Association**") and is entitled to cast at least seventy-five (75%) of the outstanding Class B voting rights of the Association, desires to amend the Declaration as it applies only to the Property, as provided herein.

E. The Board of Directors of Gateway Centre Property Owners Association desires to consent to and approve the terms and provisions of this Fifteenth Amendment.

AGREEMENT

NOW, THEREFORE, for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge the Declaration is hereby amended and modified as follows:

1. **Additional Permitted Uses.** Subject to the terms and conditions set forth herein, the Declaration is hereby modified to permit the construction and operation of one or more automobile dealerships upon the land in Gateway Centre described on **Exhibit "A"** attached hereto and made a part hereof for all purposes (the **"Subject Tract"**). Without limitation of the foregoing, the following activities will be permitted on the Subject Tract as of the date of the Deed: the sale of new and used automobiles; the sale of automobile parts and accessories; the operation of a full-service automotive repair shop; and such other ancillary uses that are normally associated with the operation of an automobile dealership (the "Subject Tract Permitted Uses"). The terms of this Fifteenth Amendment will supersede any specific prohibitions against the Subject Tract Permitted Uses that may be contained in the Declaration (including, without limitation, the prohibitions against motor vehicle dealers and automotive repair shops contained in Exhibit "G" attached to the Declaration). However, the use of the Subject Tract and the improvements constructed thereon must otherwise comply with all requirements, limitations, restrictions and provisions of the Declaration (such as, without limitation, the requirements of Article V of the Declaration regarding the review and approval of the plans, specifications and architectural drawings for the construction on and development and improvement of the Subject Tract. Additionally, this Fifteenth Amendment shall in no way relieve any owner of the Subject Tract from obtaining all necessary governmental permits and approvals and complying with all governmental regulations and requirements including, but not limited to, those of the City of Pinellas Park.

2. **Capitalized Terms.** All capitalized terms used but not specifically defined in this Fifteenth Amendment will have the meanings set forth in the Declaration for such term.

[Signature pages to follow]

EXECUTED as of this 30th day of March, 2022.

Signed, sealed and delivered
in the presence of:

Breige Dewett
Witness Signature

Breige Dewett
Printed Name:

Zack Logsdon
Witness Signature
Zack Logsdon
Printed Name:

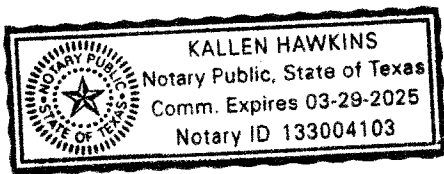
DECLARANT:

HUNTLEY PROPERTIES AND
LANDHOLDINGS, LLC,
a Florida limited liability company

By: Dawn Huntley Mattox
Name: Dawn Huntley Mattox
Title: Manager

STATE OF TEXAS
COUNTY OF COLLIN

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on this 30 day of March, 2022, by Dawn Huntley Mattox, Manager of HUNTLEY PROPERTIES AND LANDHOLDINGS, LLC, a Florida limited liability company, on behalf of said company. Said manager is personally known to me or produced a Texas Drivers license as identification.



Kallen Hawkins
Signature of Notary Public
Printed Name: Kallen Hawkins
My commission expires: 3-29-23

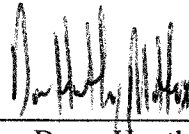
AFFIX NOTARY STAMP

CONSENT OF BOARD OF DIRECTORS

The Board of Directors of Gateway Centre Property Owners Association, Inc., a Florida non-profit corporation hereby consents to and approves the terms and provisions of this Fifteenth Amendment, such consent and approval being granted in satisfaction of any applicable requirements of the Declaration.

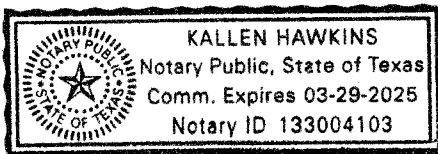
**BOARD OF DIRECTORS OF GATEWAY,
CENTER PROPERTY OWNERS' ASSOCIATION,
INC.,** a Florida non-profit corporation

Executing solely in their respective capacities
and not in their individual capacities

By: 
Print Name: Dawn Huntley Mattox

STATE OF TEXAS
COUNTY OF COLLIN

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on this 30th day of March, 2022, by Dawn Huntley Mattox as a member of the Board of Directors of **GATEWAY CENTER PROPERTY OWNERS' ASSOCIATION, INC.**, a Florida non-profit corporation, on behalf of such corporation, who is [] personally known to me or [☒] has produced Texas Drivers License as identification.



AFFIX NOTARY STAMP

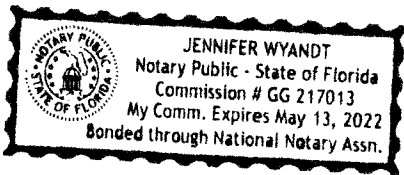

Signature of Notary Public

(Print Notary Name) Kallen Hawkins

By: David Huntley
Print Name: David Huntley

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on this 31 day of March 2022, by David Huntley as a member of the Board of Directors of **GATEWAY CENTER PROPERTY OWNERS' ASSOCIATION, INC.**, a Florida non-profit corporation, on behalf of such corporation, who is ☒ personally known to me or [] has produced _____ as identification.



AFFIX NOTARY STAMP

Jennifer Wyandt
Signature of Notary Public
(Print Notary Name) Jennifer Wyandt

By: 
 Print Name: Terry England

STATE OF FLORIDA
 COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of ☒ physical presence
 or ☐ online notarization, on this 31 day of March, 2022, by Terry England as a member of
 the Board of Directors of **GATEWAY CENTER PROPERTY OWNERS' ASSOCIATION,
 INC.**, a Florida non-profit corporation, on behalf of such corporation, who is ☒ personally
 known to me or [] has produced _____ as identification.



AFFIX NOTARY STAMP

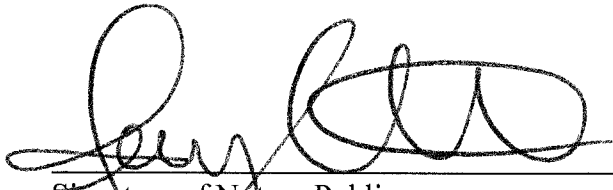

 Signature of Notary Public
 (Print Notary Name) Jennifer Wyandt

EXHIBIT "A"
Legal Description

A portion of Parcels 5 and 6, GATEWAY CENTRE BUSINESS PARK, as recorded in Plat Book 97, Pages 1 through 13, Public Records of Pinellas County, Florida, lying in Section 26, Township 30 South, Range 16 East, more particularly described as follows:

From the most Southerly corner of Parcel 5 of said GATEWAY CENTRE BUSINESS PARK, said point also lying on the Northwestern right-of-way line of Gandy Boulevard, as a Point of Reference; thence along the Southeasterly line of said Parcel 5 and said Northwestern right-of-way line the following three (3) courses: N.45°04'35"E., 1305.29 feet; thence N.44°55'25"W., 101.00 feet to a point lying on the Southeasterly line of that parcel described in Official Records Book 17363, Pages 405 and 406, Public Records of Pinellas County, Florida; thence N.45°04'35"E. along the Southeasterly line of said Parcel 5 and the Northwestern right-of-way line of Gandy Boulevard and along the Southwesterly line of said parcel described in Official Records Book 17363, Pages 405 and 406, 137.82 feet to the Southeast corner of said parcel described in Official Records Book 17363, Pages 405 and 406 and the POINT OF BEGINNING; thence along the Easterly line of said parcel described in Official Records Book 17363, - Pages 405 and 406 the following three (3) courses: N.44°55'25"W., 150.00 feet; thence S.45°04'35"W., 10.00 feet; thence N.44°55'25"W., 323.00 feet; thence departing said Easterly line, N.45°04'35"E., 10.00 feet to the Southwest corner of a Temporary Roadway Easement, as described in Official Records Book 6488, Pages 1470 through 1472, Public Records of Pinellas County, Florida; thence along the Southerly line of said Temporary Roadway Easement, the following four (4) courses: N.45°04'35"E., 230.00 feet to a point of curvature; thence 432.90 feet along the arc of a curve to the right, concave to the South, having a radius of 410.37 feet, central angle 60°26'31", chord bearing N.7S-17°50"E., chord length 413.11 feet, to a point of tangency; thence S.74°28'54"E., 190.59 feet to a point of curvature; thence 159.13 feet along the arc of a curve to the left, concave to the North, having a radius of 506.37 feet, central angle 18°00'22", chord bearing S.83°29'05"E., 158.48 feet, to a point of intersection with a non-tangent curve, being the Southeasterly line of Parcel 6 of said GATEWAY CENTRE BUSINESS PARK and the Northwestern right-of-way line of Gandy Boulevard; thence along said Northwestern right-of-way line and the Southeasterly line of Parcels 5 and 6 of said GATEWAY CENTRE BUSINESS PARK the following two (2) courses: 573.95 feet along the arc of a curve to the left, concave to the Southeast, having a radius of 6680.41 feet, central angle 4°55'21", chord bearing S.47°32'16"W., chord length 573.77 feet, to a point of tangency; thence S.45°04'35"NW., 206.53 feet to the POINT OF BEGINNING.

LESS AND EXCEPT THAT CERTAIN REAL PROPERTY LOCATED AT 3303 GANDY BOULEVARD, PINELLAS PARK, PINELLAS COUNTY, FLORIDA, BEING LOT 1 ON THAT CERTAIN SUBDIVISION PLAT ENTITLED GATEWAY CENTRE BUSINESS PARK PARCELS 5 AND 6 PARTIAL REPLAT, AS RECORDED IN PLAT BOOK 142, PAGES 31 THROUGH 33, PUBLIC RECORDS OF PINELLAS COUNTY.

TOGETHER WITH EASEMENT RIGHTS SET FORTH IN ACCESS, UTILITY AND DRAINAGE EASEMENT AGREEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 19900, PAGE 1797.

LESS AND EXCEPT PORTION DEEDED TO THE CITY OF PINELLAS PARK, AS DESCRIBED IN OFFICIAL RECORDS BOOK 20358, PAGE 502.