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JED PITTMAN, PASCO COUNTY CLERK
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Prepared by and return to:
DONALD R. PEYTON, ESQ.
7317 Little Road
New Port Richey, FL 34654

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AGREEMENT REGARDING REAR LOT LINE SETBACK

This agreement made by and between GULF TRACE, Ltd., a Florida Limited Partnership (hereinafter "Partnership"), whose post office address is 5513 Avenal Drive, Lutz, FL 33549, and GULF TRACE HOMEOWNERS ASSOCIATION, INC. (hereinafter "Association"), a Florida corporation not for profit, whose post office address is P.O. Box 3888, Holiday, FL 34690-0888, who agree as follows:

1. Partnership owns the following described real property:

Lot 35, of GLENWOOD OF GULF TRACE, according to map or plat thereof as recorded in Plat Book 27, Pages 1 through 9, Public Records of Pasco County, Florida.

Parcel Number 24-26-15-0040-00000-0350

2. Said Lot 35 is subject to certain restrictions contained in DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GULF TRACE (hereinafter "Restrictions") recorded in Official Records Book 1489, Pages 0088 et seq. of the Public Records of Pasco County, Florida, which Restrictions run with the land.

3. Section 2.21(b) at O.R.B. 1489, Pages 0094 and 0095, of said Restrictions provides in pertinent part that "No structure shall be erected nearer than fifteen (15) feet from a rear lot line, provided that a swimming pool or its enclosure may be constructed to within five (5) feet of a rear lot line."

4. Partnership is desirous of constructing a Single Family Detached Home on the aforesaid Lot 35, but cannot presently do so

because of the aforesaid fifteen (15) feet setback requirement.

5. Partnership requests a variance from the aforesaid fifteen (15) feet setback requirement allowing it to construct a Single Family Detached Home on the aforesaid Lot 35 providing said construction observes a six (6) feet setback requirement.

6. Association agrees not to enforce the fifteen (15) feet setback requirement on said Lot 35 so long as only the Single Family Detached Home is constructed thereon and that a six (6) feet setback from the rear lot line is observed, and that no future change will be made to the Single Family Detached Home which would otherwise encroach on the fifteen (15) feet setback, and that no other structure will be placed thereon which encroaches on the fifteen (15) feet setback.

7. Partnership agrees that no future change will be made to the Single Family Detached Home which would otherwise encroach on the fifteen (15) feet setback, and that no other structure will be placed thereon which encroaches on the fifteen (15) feet setback from the rear lot line of said Lot 35.

8. Partnership agrees to the recording of this instrument in order to place on notice all persons or entities who may subsequently acquire an interest in said Lot 35 that this agreement has been made and is to run with the land.

9. This agreement is being executed on behalf of GULF TRACE, Ltd. by its general partner, and on behalf of GULF TRACE HOMEOWNERS ASSOCIATION, INC. by its president, each of whom represent that he has been properly and duly authorized to enter

into this agreement on behalf of the Partnership and the Association, respectively.

IN WITNESS WHEREOF the parties have executed this agreement the date(s) set forth hereinbelow.

Date: SEPT. 19, 1995

GULF TRACE, Ltd., a Florida limited partnership

by: sign Will B. Walker
print WILLIAM B. WALKER

Date: Sept 19 1995


GULF TRACE HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit

by: sign Robert M. [Signature]
print ROBERT M. [Signature]

STATE OF FLORIDA
COUNTY OF PASCO

The foregoing instrument was acknowledged before me, a Notary Public, this 19th day of September, 1995, by William B Walker as the general partner of GULF TRACE, Ltd., who produced Drivers License (Florida) as identification.

Susan Anne Walker
Notary Public

 **SUSAN ANNE WALKER**
COMMISSION # CC 445374
EXPIRES MAR 15, 1999
BONDED THRU
ATLANTIC BONDING CO., INC.

STATE OF FLORIDA
COUNTY OF PASCO

The foregoing instrument was acknowledged before me, a Notary Public, this 19th day of September, 1995, by Robert [Signature], as president of GULF TRACE HOMEOWNERS ASSOCIATION, INC., who produced Drivers License (Florida) as identification.

Susan Anne Walker
Notary Public

 **SUSAN ANNE WALKER**
COMMISSION # CC 445374
EXPIRES MAR 15, 1999
BONDED THRU
ATLANTIC BONDING CO., INC.