

ARTICLE I

DEFINITIONS

Unless the context expressly requires otherwise, the terms listed in this Article I shall have the following meaning whenever used in this Declaration of Covenants, Conditions, Restrictions and Easements, the Association's Articles of Incorporation, or the Association's By-Laws:

Section 1. "Association" shall mean and refer to THE LINKS HOMEOWNERS' ASSOCIATION, INC., a corporation not-for-profit organized or to be organized pursuant to Chapter 617, Florida Statutes, and its successors and assigns.

Section 2. "Association Documents" shall mean the Association's Articles of Incorporation and By-Laws as the same may from time to time be amended and exist.

Section 3. "Board" shall mean the Board of Directors of the Association, whose duties shall be the management of the affairs of the Association subject to this Declaration and Association Documents.

Section 4. "Builder" means a person or entity that acquires a Lot from Developer for the purpose of constructing thereon a single-family residence and appurtenances, for resale in the ordinary course of the business of such person or entity, and not an individual who purchases a lot for construction of a dwelling (hereinafter referred to as "permanent residents").

Section 5. "Common Area" shall mean all real property (including any improvements thereon) which shall from time to time be designated by Declarant for the common use and enjoyment of the Owners, or conveyed to the Association in fee simple; together with any improvements, such as a wall located upon the wall easement as shown on the Plat, the rights-of-way, easements, appurtenant, improvements and hereditaments described in this Declaration, all of which shall be and are covenants running with the land at law.

Section 6. "Declarant" shall mean and refer to Brandon Properties Partners, Ltd., and its successors and assigns.

Section 7. "Declaration" shall mean this Declaration of Covenants, Conditions, Restrictions and Easements, as the same may be amended, renewed or extended from time to time in the manner herein prescribed.

Section 8. "Dwelling" shall mean any structure built upon a Lot for the purpose of allowing natural persons to reside therein.

Section 9. "Law" shall include any statute, ordinance, rule, regulation, or order validly created, promulgated or adopted by the United States, or any of its agencies, officers or instrumentalities, or by the State of Florida, or any of its agencies, officers, municipalities or political subdivisions, or by any officer, agency or instrumentality of any such municipality or subdivision, and from time to time applicable to the Property or to any activities on or about the Property.

Section 10. "Lot" shall mean and refer to a plot of land shown and identified by number upon the Plat now or hereafter made

subject to this Declaration, which is intended for single-family residential use.

Section 11. "Member" shall mean a Member of THE LINKS HOMEOWNERS' ASSOCIATION, INC. as set forth in Article III.

Section 12. "Mortgage" shall mean chattel mortgage, bill of sale to secure debt, deed of trust, deed to secure debt and any and all other similar instruments given to secure the payment of an indebtedness.

Section 13. "Owner" shall mean and refer to the record owner, and if more than one person or entity, then to them collectively, of the fee simple title to any Lot which is a part of the Property, so that for purposes of this Declaration and the Association Documents, as defined herein, each Lot shall be deemed to have one Owner. Both the Declarant and Builders are Owners for all purposes under this Declaration, to the extent of each Lot owned, except where expressly provided otherwise.

Section 14. "Person" shall mean an individual, corporation, partnership, trust, or any other legal entity.

Section 15. "Plat" shall mean that certain plat entitled THE LINKS recorded or to be recorded in Plat Book 75, Page 30-1 THROUGH 30-4, in the Public Records of Hillsborough County, Florida, as well as all future recorded plats, if any, describing those certain parcels of land annexed, as described thereon, and made subject to this Declaration by amendment hereto.

Section 16. "Recorded" shall mean filed for record in the Public Records of Hillsborough County, Florida, or such other place

as from time to time is designated by Law for providing constructive notice of matters affecting title of real property in Hillsborough County, Florida.

Section 17. "Structure" shall mean:

(a) Any thing or object, the placement of which upon any Lot may affect the appearance of such Lot, including by way of illustration and not limitation, any building or part thereof, garage, porch, shed, greenhouse, bathhouse, covered or uncovered patio, swimming pool, fence, curbing, paving, wall, sign, signboard, permanent living quarters or any other temporary or permanent improvement to such Lot.

(b) Any excavation, grading, fill, ditch, diversion, dam, or other thing or device which affects or alters the flow of any waters in any nature or wash or drainage channel from, upon or across any Lot.

Section 18. "Wall and Planter Easement" shall mean the perpetual easements for construction and maintenance of walls, landscaping, signs and appurtenances thereto as shown on the Plat.

Section 19. "The Work" shall mean the initial development of the Property by Declarant and includes the sale of completed Lots, with or without residential dwellings, in the ordinary course of Declarant's business.

ARTICLE II

COMMON AREA

Section 1. Conveyance of Common Property. The Declarant may from time to time designate and convey to the Association real