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REC FEE 10.50

Retn:

WCI COMMUNITIES INC
801 LAUREL OAK DR #500
NAPLES FL 33963Prepared by and return to:
Vivien N. Hastings, Esquire
801 Laurel Oak Drive, #500
Naples, FL 33963

**FIRST AMENDMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS OF
POINTE VERDE AT PELICAN BAY**

THIS FIRST AMENDMENT is made this 25th day of January, 1996, by WCI COMMUNITIES LIMITED PARTNERSHIP, successor to WCN COMMUNITIES, INC. (formerly Westinghouse Communities of Naples, Inc.) a Delaware limited partnership ("Declarant"), to modify that certain Declaration of Protective Covenants, Conditions and Restrictions of Pointe Verde at Pelican Bay, recorded in Official Records Book 1776, Pages 2015 through 2043, of the Public Records of Collier County, Florida ("Neighborhood Declaration"). All terms used herein shall have the same meaning as given in the Neighborhood Declaration.

WITNESSETH:

WHEREAS, the Neighborhood Declaration provides in Article XI, Section 11.1 a. that "Declarant may, in its sole discretion, by instrument filed of record, modify, enlarge, amend, waive or add to the covenants, conditions, restrictions and other provisions of this Neighborhood Declaration so long as the same do not substantially impair the general development plan of the Neighborhood"; and

WHEREAS, Declarant wishes to revise the provision regarding the number of automobiles that may be accommodated in a garage with respect to Site 8, which provision shall not substantially impair the general and uniform plan of development of the Neighborhood.

NOW THEREFORE, Declarant hereby amends the Neighborhood Declaration as follows:

1. Article V, Section 5.5 a. is hereby amended in its entirety to read as follows:

"a. No garage shall be erected which is separate from the Dwelling Unit. Each Dwelling Unit shall have a garage which shall accommodate no less than two, nor more than three automobiles, except for Site 8, which may accommodate a maximum of six automobiles. All garages shall be used for the purpose of housing vehicles and shall not be converted to dwelling units or other

unintended uses. Repair of vehicles shall be permitted only inside the garage. All garages must be constructed with doors that are equipped with operating , automatic door openers and closers. The garage doors shall remain closed except upon entering or exiting the garage. Vehicles shall be parked in the garage and not on the driveway when possible. No more than three vehicles of any type shall be permitted to be parked outside of the garage overnight. Those parked outside overnight must be parked on the driveway and not on the lawn or street."

All terms and provisions of the Neighborhood Declaration not amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this First Amendment as of this 25 day of January, 1996.

WCI COMMUNITIES LIMITED PARTNERSHIP, a
Delaware limited partnership

WITNESSES:

Laurel Y. Sitterly BY: [Signature]
Print Name: LAUREL Y. SITTERLY Jerry H. Schmoyer *
Carew A. Moberg Senior Vice President
Print Name: CAREW A. MOBERG

* Executed pursuant to authority granted in that certain Certificate/Power of Attorney recorded at O.R. Book 2101, Page 0659, of the Public Records of Collier County, Florida.

STATE OF FLORIDA)
COUNTY OF COLLIER)

The foregoing instrument was acknowledged before me this 25 day of January, 1996, by Jerry H. Schmoyer, Senior Vice President, of WCI COMMUNITIES LIMITED PARTNERSHIP, a Delaware limited partnership, on behalf of the partnership. He is personally known to me.

Laurel Y. Sitterly
Notary Public: LAUREL Y. SITTERLY
My Commission expires:

