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This Instrument Prepared By:  
Steven W. Hubbard, Esq.  
Roetzel & Andress  
A Professional Legal Association  
2320 First Street, Suite 1000  
Fort Myers, FL 33901

**INSTR # 4735917**  
**OR BK 03178 PG 1906**  
RECORDED 10/14/99 12:26 PM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 6.00  
DEPUTY CLERK M Robinson

**CONSENT AND JOINDER**

The undersigned, the owner and holder of a certain Mortgage recorded in Official Records Book 3001, Page 2051, Public Records of Lee County, Florida, encumbering all or a portion of the property described on Exhibit "A" attached to the foregoing Declaration of Covenants, Conditions and Restrictions for Heritage Cove ("Declaration"), does hereby join in and consent to the foregoing Declaration, to be recorded in the Public Records of Lee County, Florida, and all terms and provisions thereof.

IN WITNESS WHEREOF, the undersigned has caused this Consent and Joinder to be executed this 7<sup>th</sup> day of JULY, 1999.

Witnesses:

[Signature]  
VIRGINIA B PARKER

Print or type Name

[Signature]  
Lionelle Boor

Print or type Name

[Signature]  
JOHN USDAN, TRUSTEE under an  
unrecorded Land Trust Agreement  
dated as of January 1, 1997

STATE OF NEW YORK  
COUNTY OF NEW YORK

The foregoing instrument was acknowledged before me on this 7<sup>th</sup> day of JULY 1999, by JOHN USDAN, as Trustee under an unrecorded Land Trust Agreement dated as of January 1, 1997. He is personally known to me [] or has produced \_\_\_\_\_ as identification.

I am a Notary Public for the  
State of New York, and my  
commission expires on:

5/31/01

[Signature]  
NOTARY PUBLIC  
ISABELLE W. CLARK  
(Print or Type Name or Notary Here)  
41-4690162  
Notary Commission Number

**ISABELLE W. CLARK**  
Notary Public, State of New York  
No. 41-4690162  
Qualified in Queens County  
Commission Expires 5/31/01

Recorded in reference to Declaration of Covenants recorded in OR Book 3178, Pg. 965