

**AMENDMENT  
TO THE  
DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR  
HERITAGE COVE II**

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**THIS AMENDMENT** is made this 7<sup>th</sup> day of March, 2001 by U.S. HOME CORPORATION, a Delaware Corporation authorized to do business in the State of Florida, hereinafter called the "Declarant" to the Declaration of Covenants, Conditions and Restrictions for HERITAGE COVE.

**WHEREAS**, the Declaration is recorded in Official Records Book 3335, Page 4258 through 4315, Public Records of Lee County, Florida; and

**WHEREAS**, pursuant to Section 13.3 of this Declaration, the Declarant reserved, in his sole discretion, the right to unilaterally modify or amend the governing documents in any way and to add and submit or withdraw Lands to Lands governed by the Declaration; and

**WHEREAS**, the Declarant is desirous of amending the Declaration of Covenants, Conditions and Restrictions for Heritage Cove II, pursuant to its reserved right to amend;


**NOW, THEREFORE**, the Declarant makes the following amendments to this Declaration:

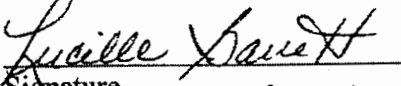
**See Attached**

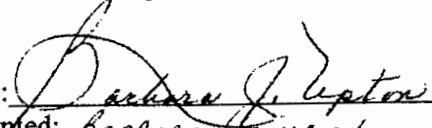
**IN WITNESS WHEREOF**, we have hereunto affixed our hands and the seal of said corporation, this 7<sup>th</sup> day of March, 2001.

U.S. HOME CORPORATION,  
a Delaware corporation

WITNESSES:

  
Signature  
Constantine Benets  
Printed Name

  
Signature  
Lucille Barrett  
Printed Name

By:   
Printed: BARBARA J. UPTON  
Title: DIVISION VICE PRESIDENT

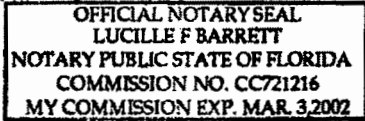
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CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 15.00  
DEPUTY CLERK J Miller

INSTR # 5080717  
OR BK 03375 PG 0982

STATE OF FLORIDA )  
COUNTY OF LEE )

The foregoing instrument was acknowledged before me this 7 day of March, 2001, by Sarah J. Upton, Director VP (title) of U.S. HOME CORPORATION, a Delaware corporation, on behalf of the corporation. ~~He~~/She is personally known to me, or has produced \_\_\_\_\_ as identification and did not take an oath.

(Notary Seal)



Lucille F. Barrett  
Signature of Notary Public

Lucille F. Barrett  
(Print, type or stamp commissioned name of Notary Public)

Commission No: CC721216

This Instrument prepared by:  
Christopher J. Shields, Esq.  
PAVESE, HAVERFIELD, DALTON,  
HARRISON & JENSEN, L.L.P.  
1833 Hendry Street  
Fort Myers, Florida 33901  
(941) 334-2195

- 1) Exhibit "A" to the Declaration shall be amended to delete and withdraw Block "B" from the property submitted as being governed by this Declaration. As such, property described in Exhibit "A" shall only consist of Blocks "F" and "G" of Heritage Cove Phase I as recorded in Plat Book 64, Pages 90-100, Public Records of Lee County, Florida.
- 2) The term "Multi-family" shall be deleted in the second paragraph and first "Whereas" statements of the first page of the Declaration.
- 3) Section 1.17 shall be amended to provide for up to forty (40) lots.
- 4) Section 4.2 shall be amended to provide that the denomination shall be presumed to be equal to the number of units which initially shall be forty (40).