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RECORD VERIFIED - CHARLIE GREEN, CLERK.  
BY: HELEN CARROLL, O.C.

CERTIFICATE OF AMENDMENT TO DECLARATION AND  
GENERAL PROTECTIVE COVENANTS FOR PELICAN LANDING

This Certificate is made this 17<sup>th</sup> day of JUNE, 1996 by WCI Communities Limited Partnership as successor to Pelican Landing Communities, Inc., formerly known as Westinghouse Bayside Communities, Inc., (the "Declarant").

WHEREAS on November 17, 1988, the Declarant recorded a certain document entitled "Declaration and General Protective Covenants for Pelican's Nest" in O.R. Book 2030, page 663 et seq., Public Records of Lee County, Florida; and

WHEREAS the Document, as it was amended, was subsequently amended and restated in its entirety and was recorded on January 18, 1991 as the "Amended and Restated Declaration and General Protective Covenants for Pelican Landing" in O.R. Book 2198, page 1878 et seq., Public Records of Lee County, Florida (the "Declaration"); and

WHEREAS in Article 13 of the Declaration, the Declarant reserved the right to make amendments to the Declaration and its recorded exhibits by Declarant's sole act until determination of the Class "B" control period; and

WHEREAS the Class "B" control period has not been terminated; and the Declarant wishes to amend the Declaration.

NOW THEREFORE, the Declarant hereby amends the Declaration and the Amendment is adopted in the form attached hereto and made a part hereof as Exhibit "A".

IN WITNESS WHEREOF, the Declarant has caused this Certificate to be duly executed this 17<sup>th</sup> day of JUNE, 1996.

WITNESSES:

WCI COMMUNITIES LIMITED  
PARTNERSHIP AS SUCCESSOR TO  
PELICAN LANDING COMMUNITIES,  
INC., FORMERLY KNOWN AS  
WESTINGHOUSE BAYSIDE  
COMMUNITIES, INC., (SEAL)

By: *Josefin Beltran*  
Name: JOSEFIN BELTRAN

By: *Jerry H. Schmoyer*  
Name: Jerry H. Schmoyer  
Senior Vice President

By: *J. T. Smith*  
Name: J. T. SMITH

STATE OF FLORIDA )  
COUNTY OF LEE )

The foregoing instrument was executed before this 17<sup>th</sup> day  
of JUNE, 1996 by Jerry H. Schmoyer, as Senior Vice  
President of WCI Communities Limited Partnership as successor to  
Pelican Landing Communities, Inc., formerly known as Westinghouse  
Bayside Communities, Inc. He is personally known to me and did not  
take an oath.



CYNTHIA A. DEVITO  
COMMISSION # CC 312854  
EXPIRES SEP 2, 1997  
Atlantic Bonding Co., Inc.  
800-732-2245

By: *Cynthia A. DeVito*  
Printed Name: Cynthia A. DeVito  
Notary Public

My commission expires Sep 2, 1997

(seal)

Instrument prepared by and after recording return to:

✓ Steven M. Falk, Esq.  
Roetzel & Andress, A Legal Professional Association  
850 Park Shore Drive, Third Floor  
Naples, FL 33940

CR 2/10/15 PG 2584A

CHARLIE GREEN LEE CTY FL

96 JUL 16 AM 10:14

Exhibit "A"

AMENDMENT TO DECLARATION AND GENERAL PROTECTIVE COVENANTS  
FOR PELICAN LANDING

Article XII, Section 2(c)(iii) is hereby amended to reflect the addition of the underlined language.

(iii) Towing. Subject to applicable laws and ordinances, any vehicle parked in violation of these or other restrictions contained herein or in the rules and regulations promulgated by the Board may be towed by the Association at the sole expense of the owner of such vehicle if such vehicle remains in violation for a period of twenty-four (24) hours from the time a notice of violation is placed on the vehicle. In the event an individual violates any parking/vehicular restriction subsequent to a previous twenty-four (24) hour notice, the Association shall not be required to supply any additional notice or time limitation, other than such notice as may be required by Florida law. The Association shall not be liable to the owner of such vehicle for trespass, conversion or otherwise, nor guilty of any criminal act, by reason of such towing and once the notice is posted, neither its removal, nor failure of the owner to receive it for any other reason, shall be grounds for relief of any kind. For purposes of this paragraph, "vehicle" shall also mean boats, campers, mobile home, motor homes and trailers. An affidavit of the person posting the aforesaid notice stating that it was properly posted shall be conclusive evidence of proper posting.

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