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This instrument was prepared by:  
Vivien N. Hastings, Esq.  
801 Laurel Oak Drive, #500  
Naples, Florida 34108

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: CHRIS KOHLER, P.C.

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FORTY-NINTH SUPPLEMENT  
TO THE  
DECLARATION AND GENERAL PROTECTIVE COVENANTS  
FOR  
PELICAN LANDING

THIS SUPPLEMENT is made this 13 day of FEBRUARY 1997, by WCI COMMUNITIES LIMITED PARTNERSHIP, a Delaware limited partnership, successor of Pelican Landing Communities, Inc., formerly Westinghouse Bayside Communities, Inc., a Florida corporation, which was Declarant of that particular AMENDED AND RESTATED DECLARATION AND GENERAL PROTECTIVE COVENANTS FOR PELICAN LANDING and is hereinafter referred to as DECLARANT.

WITNESSETH:

WHEREAS, DECLARANT has recorded the Amended and Restated Declaration and General Protective Covenants for Pelican Landing (hereinafter referred to as DECLARATION) at Official Records Book 2198, Pages 1873 through 2026, inclusive, of the Public Records of Lee County, Florida, as amended; and

WHEREAS, Article VIII, Section 1, of the DECLARATION provides that Declarant shall have the unilateral right, privilege and option, from time to time at any time until all property described therein has been subjected to the DECLARATION or December 31, 2020, whichever is earlier, to subject to the provisions of the DECLARATION and the jurisdiction of the Association any portion of real property by filing in the Public Records of Lee County, Florida, a Supplemental Declaration annexing such property; and

WHEREAS, in accordance with the terms of the DECLARATION, DECLARANT desires to subject all of the real property described as Sites 2 through 6, inclusive, Pelican Landing Unit Twenty-five, according to the plat thereof recorded in Plat Book 58, Pages 83 and 84, of the Public Records of Lee County, Florida, to certain but not all provisions of the DECLARATION for those reasons set forth in the preamble to the DECLARATION; and

WHEREAS, it is the further intent of DECLARANT that the property described herein become a part of an area being developed by DECLARANT known as THE COLONY AT PELICAN LANDING, which has its own Declaration and General Protective Covenants; and

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NOW, THEREFORE, DECLARANT hereby declares that the real property described in as Sites 2 through 6, inclusive, Pelican Landing Unit Twenty-five, according to the plat thereof recorded in Plat Book 58, Pages 83 and 84, of the Public Records of Lee County, Florida, shall be held, transferred, sold, conveyed and occupied subject to the DECLARATION excepting therefrom ARTICLE XI, ARCHITECTURAL STANDARDS and ARTICLE XII, USE RESTRICTIONS.

IN WITNESS WHEREOF, DECLARANT does hereby execute this FORTY-NINTH SUPPLEMENT TO THE DECLARATION AND GENERAL AND PROTECTIVE COVENANTS FOR PELICAN LANDING, in its name by its undersigned, authorized officer and affixes its corporate seal hereto, this 12 day of FEB, 1996.

WITNESSES:

WCI COMMUNITIES LIMITED PARTNERSHIP  
a Delaware limited partnership

Laurel Y. Sitterly  
Name: LAUREL Y. SITTERLY

Carin A. Melby  
Name: CARIN A. MELBY

BY: JH  
Jerry H. Schmoyer, Senior Vice President

STATE OF FLORIDA )  
COUNTY OF COLLIER)

The foregoing instrument was acknowledged before me this 12 day of FEB, 1996, by Jerry H. Schmoyer, Senior Vice President, of WCI COMMUNITIES LIMITED PARTNERSHIP, a Delaware limited partnership, on behalf of the limited partnership. He is personally known to me.

Laurel Y. Sitterly  
Notary Public  
My Commission Expires:

