



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

INST # 5622971 OR BK 09773 PG 3417 RECORDED 11/13/2002 03:32:25 PM
CHARLIE GREEN, CLERK OF COURT, LEE COUNTY
DEPUTY CLERK C Keller

3

THIS AMENDMENT is made this 1st day of July, 2002 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, and subsequently amended on March 12, 2001 in Official Records Book 3375 at Page 0982; and as later amended on January 15, 2002 in Official Records Book 3559 at Pages 2429-2432; 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 Declaration and its exhibits to bring additional Lots within the Properties submitted and governed by this 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 amendment to this Declaration:

1. The lots described in Exhibit "A" attached hereto shall be added to those lots previously submitted to the original Declaration and shall be considered additional lots submitted to and subjected to this Declaration.

IN WITNESS WHEREOF, we have hereunto affixed our hands and the seal of said corporation, this 1st day of July, 2002.

WITNESSES:

Sharon B. Obney
Signature
Sharon B. Obney
Printed Name

Boyer Mills
Signature
Boyer Mills
Printed Name

U.S. HOME CORPORATION,
a Delaware corporation

By: Barbara J. Upton
Printed: BARBARA J. UPTON
Title: DIVISION V.P.

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 15th day of July, 2002, by BARBARA J. LYON, 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)

Sharon B. Obney

Signature of Notary Public

SHARON B. OBNEY
(Print, type or stamp commissioned name of Notary Public)

Commission No: _____



Sharon B Obney
My Commission CC946324
Expires June 18, 2004

✓ 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

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EXHIBIT "A"

Heritage Cove Phase IV as described in Heritage Cove Phase IV according to the map or plat thereof in Plat Book 72, Pages 58 - 59, Public Records of Lee County, Florida, being a replat of Block "C" and part of Tract "C" of Heritage Cove, Phase I, Plat Book 64, Pages 90-100, Public Records of Lee County, Florida containing the following Lots:

Lots 1-12 in Block "C1"
Lots 1-9 in Block "C2"
Lots 1-12 in Block "C3"