

**AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR
VILLAS I AT HERITAGE COVE**

INSUR # 4877215 OR BK 3255 PG 4672 RECD 05/16/00 03:12 PM
CHARLIE GREEN, CLERK OF COURT, LEE COUNTY
DEPUTY CLERK M Robinson

THIS AMENDMENT is made this 4th day of May, 2000, 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 VILLAS I AT HERITAGE COVE.

WHEREAS, the Declaration is recorded in Official Records Book 3191, Page 345 through 405, Public Records of Lee County, Florida; and

WHEREAS, pursuant to Section 15.3 of this Declaration, the Declarant reserved, in his sole discretion, the right to amend the governing documents in any way, including the right to amend, unilaterally modify, enlarge or add to the governing documents; and

WHEREAS, the Declarant is desirous of amending Section 6.5 of the Declaration, pursuant to its reserved right to amend;

NOW, THEREFORE, the Declarant makes the following amendment to the Declaration:

(Underlined language is added and cross through language is deleted).

Section 6.5 shall be changed as follows:

6.5 Easements. Each of the following easements and easement rights is reserved through the Properties and is a covenant running with the land, and notwithstanding any of the other provisions of this Declaration, may not be revoked and shall survive the exclusion of any land from the Properties. Any lien encumbering these easements shall automatically be subordinate to the rights of the owners with respect to such easements. Each Lot shall be subject to an easement in favor of all other portions of the Properties for the location of utilities, for the location of, and access for the operation, maintenance, repair and replacement of plumbing, electrical, mechanical and HVAC equipment (including but not limited to air conditioning compressors, conduits, lines, and other apparatus) which may be situated on certain lots but serves neighboring lots, and for surface water drainage, for lateral and subjacent support, and for the use, maintenance, repair, and replacement of party walls, and shared structural supports, roofs, pipes, wires, ducts, vents, cables, conduits, public utility lines and other similar or related facilities serving the Properties.

The remainder of Section 6.5(A) through (G) remain unchanged.

IN WITNESS WHEREOF, we have hereunto affixed our hands and the seal of said corporation, this 4th day of May, 2000.

U.S. HOME CORPORATION,
a Delaware corporation

WITNESSES:

By: [Signature]
Joseph Grimes, Division President

[Signature]
Signature
EUGENE KLOSINSKI
Printed Name

[Signature]
Signature
EVANGELINE LEMONAKIS
Printed Name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 4th day of May, 2000, by Joseph Grimes, Division President of U.S. HOME CORPORATION, a Delaware corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification and did not take an oath.

(Notary Seal)



Dolores J Babby
My Commission CC632553
Expires March 24, 2001

[Signature]
Signature of Notary Public
Dolores J. BABBY

(Print, type or stamp commissioned name of Notary Public)

Commission No: CC632553