

After Recording Return To:

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Naples, FL 34114

Recording Fee: \$27.00

**AMENDMENT TO DECLARATION OF COVENANTS
AND RESTRICTIONS OF CORAL LAKES**

THIS AMENDMENT to the Declaration of Covenants and Restrictions of Coral Lakes is made this 10 day of June, 2009, by TOUSA HOMES FLORIDA, L.P., a Delaware limited partnership (hereinafter referred to as "Declarant").

WHEREAS, Declarant is the successor by merger to EH/TRANSEASTERN, LLC, a Delaware limited liability company, the original Declarant of the Declaration of Covenants and Restrictions of Coral Lakes recorded at Instrument No. 2005000163734, as amended by Instrument No. 2007000054871, both of the Public Records of Lee County, Florida (hereinafter collectively referred to as the "Declaration"); and

WHEREAS, Article 11, Section 11.1 states in pertinent part as follows:

(S)o long as DECLARANT owns any portion of the SUBJECT PROPERTY, or any property that may be added to the SUBJECT PROPERTY, this DECLARATION may be amended from time to time, by DECLARANT and without the consent of the ASSOCIATION or any OWNER....

And,

WHEREAS, Declarant still owns a portion of the Subject Property, as that term is defined in the Declaration, or any property that may be added to the Subject Property, and hereby wishes to amend the Declaration.

NOW, THEREFORE, in consideration of Declarant's authority under the Declaration, Declarant amends the Declaration as follows:

- A. The foregoing recitals are true and correct and incorporated herein by reference.
- B. The Declaration is hereby amended as follows:

Additions indicated by underlining.
Deletions indicated by ~~striking through~~.

Amendment to Declaration

Page 1 of 3

Amendment No. 1

As to Declaration, Section 8.4

8. ASSESSMENTS FOR COMMON EXPENSES.

(Sections 8.1 through 8.3 are unchanged)

8.4 In addition to ASSESSMENTS for COMMON EXPENSES, after a certificate of occupancy for a Unit constructed upon a LOT is issued by the controlling governmental authority, upon the first to occur of the next conveyance of the LOT or the first occupancy of the UNIT, the OWNER of the LOT shall pay to the ASSOCIATION a contribution to a working capital fund of the Association in an amount equal to two (2) months' ASSESSMENTS for COMMON EXPENSES, which shall be in addition to the OWNER's responsibility for ASSESSMENTS for COMMON EXPENSES. Thereafter, at the time of any resale or conveyance of any LOT, a contribution to the working capital fund in the amount of One Thousand and No/100ths Dollars (\$1,000.00) shall be paid to the ASSOCIATION by the purchaser at the time of closing on the LOT. Such contributions to the working capital fund of the ASSOCIATION shall not be considered as advance maintenance payments or funds of the ASSOCIATION, but rather as a purchaser's share of the initial and continuing expenses of the ASSOCIATION itself. The working capital fund ~~shall~~may be used by the ASSOCIATION for start-up expenses or otherwise as the ASSOCIATION shall determine from time to time and need not be restricted or accumulated.

(The remainder of Article 8 is unchanged)

C. In all other respects, the Declaration shall remain unchanged.

(The remainder of this page has been intentionally left blank)

Amendment to Declaration

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IN WITNESS WHEREOF, the Declarant has executed this Amendment to the Declaration as of the date first written above.

WITNESSES (TWO):

Signed, sealed and delivered in the presence of:

Lori Langlois
Print Name: Lori Langlois
Stephanie A Kolenut
Print Name: Stephanie A Kolenut

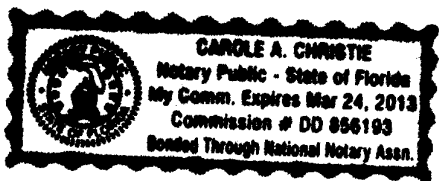
DECLARANT:

TOUSA HOMES FLORIDA, L.P.,
a Delaware limited partnership

By: *Jay Coughlin*
Print Name: Jay Coughlin
Title: VP

STATE OF FLORIDA)
) SS:
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 10 day of June, 2009, by Jay Coughlin the VP of TOUSA HOMES FLORIDA, L.P., a Delaware limited partnership, on behalf of said company, who is () personally known to me, or who has () produced _____ as identification. (If no source of identification is indicated, then he/she is personally known to me.)



Carole A Christie
Notary Public, State of Florida
Print Name: Carole A. Christie
My Commission Expires: 3-24-2013