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FIRST AMENDMENT TO THE  
FOURTEENTH SUPPLEMENT  
TO THE  
DECLARATION AND GENERAL PROTECTIVE COVENANTS  
FOR  
PELICAN LANDING  
(PARCEL "E")

OR2373 Pg1133

THIS AMENDMENT is made this 12th day of March, 1993, by WESTINGHOUSE BAYSIDE COMMUNITIES, INC., a Florida corporation, to modify that Fourteenth Supplement to the Declaration and General Protective Covenants recorded in Official Records Book 2352, Pages 910 - 919, inclusive, of the Public Records of Lee County, Florida ("Supplement"), which Supplement affects that property described in Exhibit "A" attached hereto and made a part hereof.

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, the Supplement provides in Section 3 that "The DECLARANT may, in its sole discretion, modify, amend, delete, waive or add to this SUPPLEMENT or any part thereof. The power of amendment, however, shall be limited to modification or enlargement of existing covenants which provision shall not substantially impair the general and uniform plan of development originally set forth herein"; and

WHEREAS, DECLARANT wishes to amend the Supplement to revise the legal description to include additional property and to provide for fifty-six Dwelling Units instead of sixty (60), which provisions shall not substantially impair the general and uniform plan of development for the NEIGHBORHOOD.

NOW THEREFORE, DECLARANT hereby amends the Supplement as follows:

- 1. The legal description attached as Exhibit "A" to the Supplement shall be deleted in its entirety and shall be replaced by the revised legal description attached hereto as Exhibit "A".

After recording please return to: Westinghouse Communities of Naples, Inc.  
801 Laurel Oak Drive, #500  
Naples, FL 33963

OR2373 Pg1 134

2. Article II, Use Restrictions, Paragraph a. is hereby amended to read as follows:

a. The NEIGHBORHOOD may be used for a residential project consisting of fifty-six (56) attached villas, associated amenities and uses, including a swimming pool, and other recreational facilities located in the common area as depicted in the site plan for the NEIGHBORHOOD and for no other purposes. No business buildings may be erected in the NEIGHBORHOOD and no business may be conducted on any part thereof, nor shall any building or portion thereof be used or maintained as a professional office. No structures shall be erected or placed in or on any lakes or water management areas in or adjacent to the NEIGHBORHOOD without the prior written consent of the DECLARANT.

3. Article III, General Provisions, Paragraph 1. is hereby amended to read as follows:

1. PROPERTY UNITS

In accordance with Article 1, Section 34 of the DECLARATION, DECLARANT hereby assigns one (1) property unit to each DWELLING UNIT in the NEIGHBORHOOD for a total of fifty-six (56) property units assigned to the NEIGHBORHOOD.

All terms used herein shall have the same meaning as given in the above-described Supplement.

IN WITNESS WHEREOF, the undersigned has executed this First Amendment as of this 12th day of March, 1993.

WESTINGHOUSE BAYSIDE COMMUNITIES,  
INC., a Florida corporation

WITNESSES:

Joann Finn  
Print Name: Joann Finn

Wendy Beville  
Print Name: WENDY BEVILLE

BY: Jerry M. Schmoyer  
Executive Vice President

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Joined by:

THE ROTTLUND COMPANY, INC., a  
Minnesota corporation

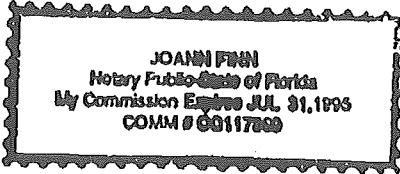
Joann Finn  
Print Name: JOANN FINN

BY: [Signature]  
Robert Gleason  
Authorized Representative

[Signature]  
Print Name: LAURA A. SARGEANT

STATE OF FLORIDA )  
COUNTY OF LEE )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March, 1993,  
by Jerry H. Schmoyer, Executive Vice President, of WESTINGHOUSE BAYSIDE  
COMMUNITIES, INC., a Florida corporation, on behalf of the corporation.



Joann Finn  
Notary Public: Joann Finn  
My Commission expires: 7-31-95

STATE OF FLORIDA )  
COUNTY OF LEE )

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of March, 1993,  
by Robert Gleason, as Authorized Representative, of THE ROTTLUND COMPANY, INC., a  
Minnesota corporation, on behalf of the corporation.

Joann Finn  
Notary Public: Joann Finn  
My Commission expires: 7-31-95



DESCRIPTION  
(PARCEL "E")

SECTION 16, T. 47 S., R. 25 E.  
LEE COUNTY, FLORIDA

A tract or parcel of land lying in the south half (S-1/2) of Section 16, Township 47 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

From the northeast corner of the northwest quarter (NW-1/4) of said Section 16 run S 00° 02' 54" W along the east line of said northwest quarter (NW-1/4) for 2,643.98 feet to the southeast corner of said fraction; thence continue S 00° 02' 06" W along the east line of the southwest quarter (SW-1/4) of said Section 16 for 407.09 feet to the Point of Beginning.

From said Point of Beginning run S 80° 02' 09" E for 239.59 feet to a point of curvature; thence run Easterly, Southeasterly and Southerly along the arc of a curve to the right of radius 270.00 feet (chord bearing S 40° 04' 26" E) (chord 346.83 feet) (delta 79° 55' 26") for 376.63 feet to a point of tangency; thence run S 00° 06' 43" E for 335.88 feet to a point of curvature; thence run Southerly, Southwesterly and Westerly along the arc of a curve to the right of radius 30.00 feet (chord bearing S 44° 30' 00" W) (chord 42.14 feet) (delta 89° 13' 26") for 46.72 feet to a point of tangency on the north line of Pelican Landing Parkway (100 feet wide) as recorded in Official Record Book 2267 at page 2034 of the Lee County Records; thence run S 89° 06' 43" W along said northerly line for 141.30 feet to a point of curvature; thence run Westerly and Northwesterly along said northerly line along the arc of a curve to the right of radius 1,360.00 feet (chord bearing N 71° 57' 12" W) (chord 882.61 feet) (delta 37° 52' 09") for 898.88 feet to a point of tangency; thence run N 53° 01' 08" W for 78.49 feet to a point of curvature; thence run Northwesterly, Northerly and Northeasterly along the arc of a curve to the right of radius 37.50 feet (chord bearing N 08° 01' 08" W) (chord 53.03 feet) (delta 90° 00' 00") for 58.90 feet to a point of tangency on the southeasterly line of Pennyroyal Drive (Tract "J") of Pelican Landing Unit Eight as recorded in Plat Book 50 beginning at page 79 of the Lee County Records; thence run N 36° 58' 52" E along said southeasterly line for 441.17 feet to a point of curvature; thence run Northeasterly along said southeasterly line along the arc of a curve to the right of radius 1,000.00 feet (chord bearing N 40° 29' 13" E) (chord 122.29 feet) (delta 07° 00' 40") for 122.37 feet; thence run S 53° 01' 08" E for 146.99 feet; thence run S 66° 31' 38" E for 115.63 feet; thence run S 80° 02' 09" E for 52.71 feet to the Point of Beginning.

Containing 13.71 acres, more or less.

Bearings hereinabove mentioned are based on the east line of the southwest quarter (SW-1/4) of Section 16, Township 47 South, Range 25 East to bear S 00° 02' 06" W.

DR2373 Pg:138

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CHARLES GREEN LEE CIV. E.

OR 2373 PG 136

DESCRIPTION

PELICAN LANDING TRACT "I"

SECTION 16, T. 47 S., R. 25 E.  
LEE COUNTY, FLORIDA

A tract or parcel of land located in Section 16, Township 47 South, Range 25 East, Lee County, Florida being more particularly described as follows:

COMMENCE at the Northeast (NE) corner of the Southwest quarter (SW 1/4) of Section 16, Township 47 South, Range 25 East;

THENCE run S 00°02'06" W along the east line of said Southwest quarter for a distance of 331.27 feet to a point on a non-tangential circular curve concave to the northeast and the POINT OF BEGINNING of the herein described parcel;

THENCE along said curve having for its elements: a radius of 330.00 feet, a delta of 39°18'53", a chord bearing of S 60°22'43" E, a chord length of 222.02 feet, for a distance of 226.44 feet to a cusp;

THENCE run N 80°02'09" W for a distance of 248.72 feet;

THENCE run N 55°31'38" W for a distance of 34.57 feet;

THENCE run N 32°00'00" E for a distance of 41.18 feet;

THENCE run N 64°59'06" S for a distance of 61.06 feet to a point on a non-tangential circular curve concave to the northeast;

THENCE along said curve having for its elements: a radius of 330.00 feet, a delta of 01°45'39", a chord bearing of S 39°30'17" E, a chord length of 10.17 feet, for a distance of 10.17 feet to a point on said east quarter section line and said POINT OF BEGINNING.

CONTAINING 0.21 Acres, more or less.

SUBJECT TO easements, restrictions and reservations of record.

BEARINGS hereinabove mentioned are based on the east line of Pelican's Nest Unit One as recorded in Plat Book 41 at Pages 58 through 60, Public Records of Lee County, Florida.

# JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET  
TELEPHONE (813) 334-0046  
TELECOPIER (813) 334-3661  
POST OFFICE BOX 1530  
FORT MYERS, FLORIDA  
33902-1550

February 25, 1993

DESCRIPTION  
PARCEL IN

SECTION 16, T. 47 S., R. 25 E.  
LEE COUNTY, FLORIDA

CARL E. JOHNSON  
1911-1960

DR2373 PG1137

A tract or parcel of land lying in the south half (S-1/2) of Section 16, Township 47 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

From the northeast corner of the northwest quarter (NW-1/4) of said Section 16 run S 00° 02' 54" W along the east line of said northwest quarter (NW-1/4) for 2,643.98 feet to the southeast corner of said fraction; thence continue S 00° 02' 06" W along the east line of the southwest quarter (SW-1/4) of said Section 16 for 349.31 feet; thence run N 89° 57' 54" W along a line perpendicular to said east line for 61.84 feet to the Point of Beginning.

From said Point of Beginning run S 32° 00' 00" W for 41.18 feet; thence run N 66° 31' 38" W for 29.94 feet; thence run N 64° 59' 06" E for 54.39 feet to the Point of Beginning.

Containing 610 square feet, more or less.

Bearings hereinabove mentioned are based on the east line of the southwest quarter (SW-1/4) of Section 16 to bear S 00° 02' 06" W.

*W. Britt Pomeroy, Jr.*  
W. BRITT POMEROY, JR.  
Professional Land Surveyor  
Florida Certificate No. 4448

3-11-93

WBP/kc  
19580a

CHAIRMAN  
ARCHIE T. GRANT, JR.

PRESIDENT  
FORREST H. BANKS

JOSEPH W. EBNER  
STEVEN K. MORRISON  
ANDREW D. TILTON  
JEFFREY C. COONER

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THOMAS L. FENDLEY  
W. DAVID KEY, JR.  
W. BRITT POMEROY  
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PATRICIA H. NEWTON

CONSULTANT  
LESTER L. BULSON