

After recording please return to:

Westinghouse Communities of Naples, Inc.  
801 Laurel Oak Drive, #500  
Naples, FL 33963

19.50

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: KAY TANNER, O.C.

FIRST AMENDMENT TO THE  
TWENTY-SECOND SUPPLEMENT  
TO THE  
DECLARATION AND GENERAL PROTECTIVE COVENANTS  
FOR  
PELICAN LANDING  
(UNIT "5")

3455539

OR2441 PG2381

THIS AMENDMENT is made this 22<sup>nd</sup> day of October, 1993, by WESTINGHOUSE BAYSIDE COMMUNITIES, INC., a Florida corporation, which was the Declarant of the AMENDED AND RESTATED DECLARATION AND GENERAL PROTECTIVE COVENANTS FOR PELICAN LANDING, and is hereinafter referred to as DECLARANT, to modify that Twenty-Second Supplement to the foregoing Declaration, which supplement was recorded in Official Records Book 2430, Pages 2948 through 2958, inclusive, of the Public Records of Lee County, Florida ("Supplement"), and is joined in this Amendment by WESTINGHOUSE COMMUNITIES OF NAPLES, INC., a Florida corporation ("WCN") and FRANKLYN DEVELOPMENT CO., an Ohio corporation, ("FDC").

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, all terms used herein shall have the same meaning as those given in the above-described Supplement; and

WHEREAS, the Supplement provides in Section 3 of ARTICLE III 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, WCN and FDC wish to amend the Supplement to amend the minimum floor area per DWELLING UNIT, which amendment 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 first sentence of ARTICLE II, Section 2 c. is hereby amended in its entirety to read as follows:

"The minimum floor area per DWELLING UNIT shall be one thousand six hundred fifty (1,650) square feet of living area."

2. All other terms and conditions of the Supplement not specifically amended hereby shall remain in full force and effect as if fully stated herein.

22<sup>nd</sup> IN WITNESS WHEREOF, the undersigned has executed this First Amendment as of this day of October, 1993.

WESTINGHOUSE BAYSIDE COMMUNITIES, INC., a Florida corporation

WITNESSES:

Vivien Hastings  
Print Name: Vivien Hastings

Laurel Y. Sittler  
Print Name: LAUREL Y. SITTLER

BY: [Signature]  
Jerry H. Schmoyer  
Executive Vice-President

Joined by:

WESTINGHOUSE COMMUNITIES OF NAPLES, INC., a Florida corporation

Vivien Hastings  
Print Name: Vivien Hastings

Laurel Y. Sittler  
Print Name: LAUREL Y. SITTLER

BY: [Signature]  
Jerry H. Schmoyer  
Vice-President

OR 214 1 PG 2382

Joined by:

FRANKLYN DEVELOPMENT CO.,  
an Ohio corporation

*Alan S. Foster*

Print Name: ALAN S. FOSTER

BY: *Russell F. Berzin, Pres.*  
Russell F. Berzin  
President

*Laurel Y. Sitterly*

Print Name: LAUREL Y. SITTERLY

OR2441 PG2383

STATE OF FLORIDA )  
COUNTY OF LEE )

The foregoing instrument was acknowledged before me this 18 day of October, 1993, by Jerry H. Schmoyer, Executive-Vice President of WESTINGHOUSE BAYSIDE COMMUNITIES, INC., a Florida corporation, on behalf of the corporation. He is personally known to me.

*Laurel Y. Sitterly*

Notary Public, State of Florida-at-large

Print: LAUREL Y. SITTERLY

My Comm. Expires: \_\_\_\_\_

Comm.No.: AA735446

STATE OF FLORIDA )  
COUNTY OF LEE )



LAUREL Y. SITTERLY  
MY COMMISSION EXPIRES  
January 23, 1994  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

The foregoing instrument was acknowledged before me this 18 day of October, 1993, by Jerry H. Schmoyer, a Vice-President of WESTINGHOUSE COMMUNITIES OF NAPLES, INC., a Florida corporation, on behalf of the corporation. He is personally known to me.

*Laurel Y. Sitterly*

Notary Public, State of Florida-at-large

Print: LAUREL Y. SITTERLY

My Comm. Expires: \_\_\_\_\_

Comm.No.: AA735446



LAUREL Y. SITTERLY  
MY COMMISSION EXPIRES  
January 23, 1994  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 22 day of October, 1993, by Russell F. Berzin, President of FRANKLYN DEVELOPMENT CO., an Ohio corporation, on behalf of the corporation. He is personally known to me or produced as identification.

Joyce R. Weber  
Notary Public  
Print: Joyce R. Weber  
My Comm. Expires: \_\_\_\_\_  
Comm.No.: \_\_\_\_\_



JOYCE R. WEBER  
MY COMMISSION # CC 236559 EXPIRES  
November 27, 1996  
BONDED THROUGH TROY FARM INSURANCE, INC.

OR254 | PG2384

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CHARLE GREEN LEE CIV. PL.