

This instrument prepared by  
and return to:  
Vivien N. Hastings, Esq.  
801 Laurel Oak Drive, #500  
Naples, FL 33963  
(941) 597-6061

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FIRST AMENDMENT TO THE  
TWENTY-FIFTH SUPPLEMENT  
TO THE  
AMENDED AND RESTATED  
DECLARATION AND GENERAL PROTECTIVE COVENANTS  
FOR  
PELICAN LANDING  
(Unit Seventeen and Unit Seventeen Addition)

THIS AMENDMENT is made this 5th day of October, 1995, by WCI COMMUNITIES LIMITED PARTNERSHIP, a Delaware limited partnership, successor to Pelican Landing Communities, Inc. (formerly Westinghouse Bayside Communities, Inc.). to modify that Twenty-fifth Supplement to the Declaration and General Protective Covenants recorded in Official Records Book 2449, Pages 797-809, inclusive, of the Public Records of Lee County, Florida ("SUPPLEMENT"), which SUPPLEMENT affects that property described as Pelican Landing Unit Seventeen as recorded in Plat Book 53, Pages 50-53, inclusive, of the Public Records of Lee County, Florida.

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 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

RECORD VERIFIED - CHARLE GREEN, CLERK  
BY: G. THORWOOD, D.C.

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WHEREAS, DECLARANT wishes to amend the SUPPLEMENT to revise the legal description to include Lot 1 and Lot 2, Pelican Landing Unit Seventeen Addition, a Replat of Tract "D" of Pelican Landing Unit Seventeen according to the plat thereof recorded in Plat Book 57, Page 29, of the Public Records of Lee County, Florida, and to assign two (2) additional PROPERTY UNITS to the NEIGHBORHOOD, which amendments shall not substantially impair the general and uniform plan of development for the NEIGHBORHOOD.

NOW THEREFORE, DECLARANT hereby amends the SUPPLEMENT as follows:

1. Paragraph 3, Page 1 of the SUPPLEMENT is hereby amended to read as follows:

"WHEREAS, all of Pelican Landing Unit Seventeen as recorded in Plat Book 53, Pages 50 through 55, inclusive, and all of Pelican Landing Unit Seventeen Addition, as recorded in Plat Book 57, Page 29, all of the Public Records of Lee County, Florida are subjected to the DECLARATION by this SUPPLEMENT."

2. Paragraph 5, Page 1 of the SUPPLEMENT is hereby amended to read as follows:

"WHEREAS, in accordance with the terms of the DECLARATION, DECLARANT desires to subject Pelican Landing Unit Seventeen as recorded in Plat Book 53, Pages 50 through 53, inclusive, and Pelican Landing Unit Seventeen Addition, as recorded in Plat Book 57, Page 29, all of the Public Records of Lee County, Florida (hereinafter defined and referred to as the NEIGHBORHOOD) to the DECLARATION for those reasons set forth in the preamble to the DECLARATION; and"

3. Paragraph 2, Page 2 of the SUPPLEMENT is hereby amended to read as follows:

NOW THEREFORE, DECLARANT hereby declares that real property described in Pelican Landing Unit Seventeen and Pelican Landing Unit Seventeen Addition shall be held, transferred, sold, conveyed and occupied subject to the DECLARATION, and the supplemental restrictions, covenants, servitudes, impositions, easements, charges and liens hereinafter set forth.

4. Article 1, Page 2, Definitions, Paragraph 6. is hereby amended to read as follows:

"6. "NEIGHBORHOOD" shall mean and refer to the real property, or any portion thereof, described as Pelican Landing Unit Seventeen, as recorded in Plat Book 53, Pages 50 through 53, inclusive, and Pelican Landing Unit Seventeen Addition, as recorded in Plat Book 57, Page 29, all of the Public Records of Lee County, Florida.

5. Article 1, Page 3, Definitions, Paragraph 8 is hereby amended to read as follows:

"8. "SUPPLEMENT" shall mean this Twenty-fifth Supplement to the Amended and Restated Declaration and General Protective Covenants for Pelican Landing (Unit Seventeen and Unit Seventeen Addition)."

6. Article III, Page 11, 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 platted LOT for a total of forty-five (45) 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 5th day of October, 1995.

WCI COMMUNITIES LIMITED PARTNERSHIP,  
a Delaware limited partnership

WITNESSES:

Jeanne Finn

Print Name: Jeanne Finn

Lisa C. Sivorda


Print Name: Lisa C. Sivorda

BY: Jerry H. Schroyer

Jerry H. Schroyer  
Senior Vice President

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 18 day of October, 1995 by Jerry H. Schmoyer, Senior Vice President, of WCI COMMUNITIES LIMITED PARTNERSHIP, a Delaware limited partnership, on behalf of the partnership.

  
Notary Public: Joann Finn  
My Commission expires:

OFFICIAL NOTARY SEAL  
JOANN FINN  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC476898  
MY COMMISSION EXPI. JULY 31, 1999

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CHARLE GREEN LEE CIV. R.