

WHEREAS, Golf Resort Ventures is the owner of the Golf Course Parcel and its general partner is Pelican Landing Golf Resorts, Inc., a Delaware corporation, which is a wholly owned subsidiary of Declarant; and

WHEREAS, Article VIII, Section 4 of the Declaration provides that" Declarant has the right to amend this Declaration at any time, and with the approval of no other Person being required, so long as it holds an unexpired option to expand the community pursuant to this Article VIII, without prior notice and without the consent of any Person, for the purpose of removing certain portions of the Properties then owned by Declarant or its affiliates or the Association from the provisions of this Declaration to the extent originally included in error or as a result of any changes whatsoever in the plans for the Properties desired to be effected by Declarant, provided such withdrawal is not unequivocally contrary to the overall, uniform scheme of development for the Properties, as determined by Declarant"; and

WHEREAS, Declarant desires to withdraw the Golf Course Parcel from the provisions of the Declaration and the jurisdiction of the Pelican Landing Community Association, Inc. and to memorialize in this document that the Golf Course Parcel shall never be re-subjected to the provisions of the Declaration in the future without the written consent of the owner of the Golf Course Parcel.

NOW THEREFORE, the Declarant hereby amends the Declaration to delete the Golf Course Parcel from the legal description attached as Exhibit "B" to the Declaration, thereby removing the Golf Course Parcel from the provisions of the Declaration and from the jurisdiction of the Pelican Landing Community Association, Inc. and this amendment is hereby adopted in the form attached hereto, and made a part hereof.

IN WITNESS WHEREOF, the Declarant has caused this Certificate of Amendment to be duly executed this 29 day of JANUARY, 2002.

WITNESSES:

WCI COMMUNITIES, INC., a Delaware corporation

Laurel Y. Sitterly
Print Name: Laurel Y. Sitterly

By: Vivien N. Hastings
Vivien N. Hastings
Senior Vice President

Melanie Scire
Print Name: Melanie Scire

STATE OF FLORIDA
COUNTY OF LEE

The foregoing Certificate of Amendment was acknowledged before me by Vivien N. Hastings, as Senior Vice President of WCI Communities, Inc., a Delaware corporation, on behalf of the corporation. She is personally known to me.

Witness my hand and official seal this 29 day of JANUARY, 2002.

Laurel Y. Sitterly
Notary Public
Laurel Y. Sitterly
My Commission Expires:



**AMENDED AND RESTATED DECLARATION AND GENERAL PROTECTIVE
COVENANTS FOR PELICAN LANDING**

1. Article I, Section 24, is hereby amended to delete the real property described in Exhibit "A" attached hereto ("Golf Course Parcel") from the legal description attached as Exhibit "B" to the Declaration, thereby removing the Golf Course Parcel from the provisions of the Declaration, and from the jurisdiction of the Pelican Landing Community Association, Inc.

2. Declarant hereby prohibits the Golf Course Parcel from ever being annexed into and becoming subject to the provisions of the Declaration in the future without the written consent of the owner of the Golf Course Parcel.

DESCRIPTION

HYATT RESORT GOLF PARCEL

PARCEL IN
SECTIONS 5, 6, 7 AND 8, T. 47 S., R. 25 E.
LEE COUNTY, FLORIDA

All those lands as described in Official Record Book 780, pages 3182 through 3184 and Official Record Book 2525, pages 1400 through 1402, Public Records of Lee County, Florida along with all that part of Government Lot 1, Section 7, Township 47 South, Range 25 East, Lee County, Florida lying east of the Mean High Water line of the waters of the Estero Bay all being more particularly described as follows:

All that part of Sections 5, 6, 7 and 8, Township 47 South, Range 25 East, Lee County, Florida along with Lots B8, B9, B10, B11, B12, B21, B22, B23, B24 and B25, Florida Gulf Land Company's Subdivision, according to the plat thereof as recorded in Plat Book 1, page 59, Public Records, Lee County, Florida all being more particularly described as follows:

BEGINNING at the southeast corner of said Government Lot 1, Section 7; thence along the west line of the northwest one-quarter (NW-1/4) of said Section 8, S01°07'45"E, a distance of 1284.54 feet to a line lying 40 feet northerly of and parallel with, as measured at right angles to, the south line of the northwest one-quarter (NW-1/4) of said Section 8; thence along said parallel line S89°16'14"E, a distance of 1267.99 feet to the east line of the west one-half (W-1/2) of the northwest one-quarter (NW-1/4) of said Section 8, said line also being the west line of said El Dorado Acres; thence along said fractional line and the west line of El Dorado Acres N01°00'40"W, a distance of 2612.29 feet to the south line of the southwest one-quarter (SW-1/4) of said Section 5, said line also being the south line of said Florida Gulf Land Company's Subdivision, said line also being the north line of said El Dorado Acres; thence along said line S89°25'14"E, a distance of 1273.31 feet to the south one-quarter (S-1/4) corner of said Section 5; thence along the south line of the southeast one-quarter (SE-1/4) of said Section 5, said line also being the north line of said El Dorado Acres, S88°49'04"E, a distance of 322.44 feet to the east line of Lot B8 of said Florida Gulf Land Company's Subdivision; thence along said east line of Lot B8 and continue along the east line of Lot B25 N00°26'57"W, a distance of 2655.63 feet to the north line of the southeast one-quarter (SE-1/4) of said Section 5, said line also being the north line of Lot B25 of said Florida Gulf Land Company's Subdivision; thence along said line S89°30'21"W, a distance of 325.11 feet to the center of said Section 5; thence along the north line of the southwest one-quarter (SW-1/4) of said Section 5 S89°34'01"W, a distance of 2592.59 feet to the west one-quarter (W-1/4) corner of said Section 5; thence along the west line of the southwest one-quarter (SW-1/4) of said Section 5 S01°27'58"E, a distance of 92.76 feet to the boundary of those lands as described in Official Record Book 1762, page 4173, Public Records,

OR BK 03572 PG 4583

Lee County, Florida; thence along said boundary in the following five (5) described courses:

- 1) S89°10'33"W, a distance of 349.32 feet;
- 2) S00°49'45"E, a distance of 162.43 feet;
- 3) N81°21'24"W, a distance of 600.65 feet;
- 4) S46°11'08"W, a distance of 523.57 feet;
- 5) S00°48'54"E, a distance of 775.71 feet

to the north line of Government Lot 4, of said Section 6; thence along said north line S89°41'05"W, a distance of 200 feet more or less to the Mean High Water line of the waters of the Estero Bay; thence southerly along said Mean High Water line to the south line of Government Lot 1 of said Section 7; thence along said south line of Government Lot 1 N89°33'42"E, a distance of 1279 feet more or less to the POINT OF BEGINNING of the Parcel herein described;

ALONG WITH:

Lot 8, Block 14, El Dorado Acres, an unrecorded subdivision in Section 8, Township 47 South, Range 25 East according to the plat thereof as recorded in Deed Book 310, page 183 and Official Record Book 82, page 474, Public Records, Lee County, Florida;

LESS AND EXCEPT the following parcel of land:

OR BK 03572 PG 4584

Description of Hyatt Golf Resort Time Share Parcel,
being a part of Sections 5 and 6, Township 47 South,
Range 25 East, Lee County, Florida
(Revised 11/15/01)

All that part of Sections 5 and 6, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commencing at the southeast corner of said Section 6;

thence North 32°03'01" West 401.93 feet to the Point of Beginning of the parcel herein described;

thence North 35°11'25" West 153.86 feet;

thence South 59°23'02" West 537.28 feet;

thence North 31°15'19" West 104.97 feet;

thence North 06°23'24" East 410.85 feet;

thence North 35°42'31" West 280.13 feet;

thence North 06°47'06" East 453.60 feet;

thence North 18°34'18" West 182.05 feet;

thence North 03°21'04" West 151.03 feet;

thence North 17°12'51" East 216.81 feet;

thence North 66°41'26" East 491.36 feet;

thence South 69°14'14" East 229.14 feet;

thence South 25°02'44" East 76.93 feet;

thence South 63°59'01" East 35.54 feet;

thence South 20°24'37" East 276.35 feet;

thence South 25°02'44" East 245.21 feet;

thence South 17°54'44" East 130.83 feet;

thence South 28°11'56" West 205.73 feet;

thence South 16°04'11" East 265.70 feet;

thence South 53°58'04" East 190.76 feet;

thence South 22°12'52" East 87.71 feet;

thence South 72°12'41" West 131.17 feet;

thence South 69°10'37" West 363.26 feet;

thence South 20°46'24" East 161.13 feet;

thence South 60°31'34" West 62.68 feet to the Point of Beginning of the parcel herein described.

Subject to easements and restrictions of record.

Containing 33.40 acres more or less.

Bearings are based on the east line of said Section 6, being North 01°33'26" West.

Certificate of authorization #LB-43.

WilsonMiller, Inc.

Registered Engineers and Land Surveyors

By: John P. Maloney Date 11-15-2001
John P. Maloney, P.S.M. #4493

Ref: 4K-438

Not valid unless embossed with the Professional's seal.

EXHIBIT "A"

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OR BK 03572 PG 4585

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