

6/15/03
261

PLEASE RETURN TO:

FIRST FIDELITY TITLE INC.
COMMERCIAL OPERATIONS
24311 WALDEN CENTER DRIVE
SUITE 102

BONITA SPRINGS, FL 34134
This instrument prepared by:
Vivien N. Hastings, Esquire
24301 Walden Center Drive
Bonita Springs, FL 34134



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INSTR # 5891913
Official Records BK 03992 PG 4582
RECORDED 07/15/2003 02:45:32 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 28.50
DEPUTY CLERK G Sherwood

SEVENTY-NINTH SUPPLEMENT
TO THE
AMENDED AND RESTATED DECLARATION
AND GENERAL PROTECTIVE COVENANTS
FOR
PELICAN LANDING
(Treviso at The Colony)

THIS SUPPLEMENT is made this 25 day of June, 2003, by WCI COMMUNITIES INC. a Delaware corporation, successor by merger of WCI Communities Limited Partnership, successor by merger of Pelican Landing Communities, formerly Westinghouse Bayside Communities, Inc., a Florida corporation, which was Declarant of that particular AMENDED AND RESTATED DECLARATION AND GENERAL PROTECTIVE COVENANTS FOR PELICAN LANDING and is hereinafter referred to as DECLARANT.

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 given in the above-described DECLARATION; and

WHEREAS, the DECLARATION provides in Article VIII, Section 1, thereof that "Declarant shall have the unilateral right, privilege and option, from time to time at any time until all property described on Exhibit "A" has been subjected to this DECLARATION or December 31, 2020, whichever is earlier, to subject to the provisions of this DECLARATION and the jurisdiction of the Association any portion of real property, including without limitation that described in Exhibit "A" attached hereto. Such annexation shall be accomplished by filing in the Public Records of Lee County, Florida a Supplemental Declaration annexing such property"; and

WHEREAS, DECLARANT desires to subject all of the real property described in Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as the "Property") to certain, but not all provisions of the DECLARATION; and

NOW THEREFORE, DECLARANT hereby declares that the Property be held, transferred, sold, conveyed and occupied subject to the provisions of the DECLARATION, excepting therefrom Article XI (Architectural Standards) and Article XII (Use Restrictions), and, in accordance with Article 1, Section 34 of the DECLARATION, hereby assigns one (1) Unit to each condominium unit on the Property for a total of seventy-six (76) Units assigned to the Property.

IN WITNESS WHEREOF, WCI COMMUNITIES INC., a Delaware corporation, does hereby execute this SUPPLEMENT in its name by its undersigned, authorized officers and affixes its corporate seal hereto, this 25 day of June, 2003.

WCI COMMUNITIES INC,
a Delaware corporation

WITNESSES:

Mary S. Cook
Print Name: MARY S. COOK

By: Vivien Hastings
Print Name: VIVIEN HASTINGS
Its: SENIOR VICE PRESIDENT

Laurel Y. Sitterly
Print Name: LAUREL Y. SITTERLY

FLORIDA)
STATE OF ~~GEORGIA~~)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 25 day of June, 2003, by VIVIEN N. HASTINGS, as SENIOR VICE PRESIDENT of WCI Communities Inc., a Delaware corporation, on behalf of the corporation. He is personally known to me.

Laurel Y. Sitterly
Notary Public
Print Name: LAUREL Y. SITTERLY
My Commission expires:



EXHIBIT A

TREVISO AT THE COLONY

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CIRCLE CENTER OF THE CENTERLINE OF THE WESTERLY END OF TRACT 'A', ALSO BEING THE CENTER OF AN 89.00 FOOT RADIUS, ACCORDING TO PELICAN LANDING UNIT TWENTY SEVEN PART ONE, AS RECORDED IN PLAT BOOK 61 PAGES 8 AND 9 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; ALSO BEING A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS SOUTH 20° 17'38" EAST, A DISTANCE OF 522.75 FEET THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 522.75 FEET, THROUGH A CENTRAL ANGLE OF 30° 10'36", SUBTENDED BY A CHORD OF 272.15 FEET AT A BEARING OF SOUTH 54° 37'04" WEST, FOR AN ARC LENGTH OF 275.32 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 50° 28'14" WEST FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 562.75 FEET THROUGH A CENTRAL ANGLE OF 12° 16'55", SUBTENDED BY A CHORD 120.40 FEET AT A BEARING OF SOUTH 33° 23'18" WEST, FOR AN ARC LENGTH OF 120.63 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 62° 41'45" WEST FOR A DISTANCE OF 40.83 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHERLY; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 25° 51'57", SUBTENDED BY A CHORD OF 67.14 FEET AT A BEARING OF NORTH 75° 37'44" WEST, FOR AN ARC LENGTH OF 67.72 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 88° 33'42" WEST FOR A DISTANCE OF 332.55 FEET; THENCE RUN NORTH 03° 29'29" WEST FOR A DISTANCE OF 59.85 FEET; THENCE RUN NORTH 10° 11'29" WEST FOR A DISTANCE OF 93.29 FEET; THENCE RUN NORTH 30° 04'57" WEST FOR A DISTANCE OF 100.61 FEET; THENCE RUN NORTH 04° 15'12" WEST FOR A DISTANCE OF 176.83 FEET; THENCE RUN NORTH 02° 51'30" EAST FOR A DISTANCE OF 39.07 FEET; THENCE RUN SOUTH 83 ° 49'05" EAST FOR A DISTANCE OF 401.48 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE WESTERLY, WHOSE RADIUS POINT BEARS SOUTH 73° 54'00" WEST, A DISTANCE OF 88.00 FEET THEREFROM; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 88.00 FEET, THROUGH A CENTRAL ANGLE OF 10° 31'17", SUBTENDED BY A CHORD OF 16.14 FEET AT A BEARING OF SOUTH 10° 50'21" EAST, FOR AN ARC LENGTH OF 16.16 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 05° 34'43" EAST FOR A DISTANCE OF 53.57 FEET TO THE BEGINNING OF A

TANGENTIAL CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 114.00 FEET; THROUGH A CENTRAL ANGLE OF $42^{\circ} 14'54''$, SUBTENDED BY A CHORD OF 82.17 FEET AT A BEARING OF SOUTH $26^{\circ} 42'10''$ EAST, FOR AN ARC LENGTH OF 84.06 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH $47^{\circ} 49'37''$ EAST FOR A DISTANCE OF 78.28 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE WESTERLY; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 58.00 FEET; THROUGH A CENTRAL ANGLE OF $79^{\circ} 55'40''$, SUBTENDED BY A CHORD OF 74.51 FEET AT A BEARING OF SOUTH $07^{\circ} 51'47''$ EAST, FOR AN ARC LENGTH OF 80.91 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH $35^{\circ} 29'36''$ WEST FOR A DISTANCE OF 25.89 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 18.00 FEET; THROUGH A CENTRAL ANGLE OF $60^{\circ} 49'29''$, SUBTENDED BY A CHORD OF 18.22 FEET AT A BEARING OF SOUTH $65^{\circ} 54'20''$ WEST, FOR AN ARC LENGTH OF 19.11 FEET TO THE END OF SAID CURVE AND A POINT ON A CIRCULAR CURVE CONCAVE SOUTHWESTERLY, WHOSE RADIUS POINT BEARS SOUTH $06^{\circ} 19'04''$ WEST, A DISTANCE OF 102.00 FEET THEREFROM; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 102.00 FEET, THROUGH A CENTRAL ANGLE OF $39^{\circ} 31'41''$, SUBTENDED BY A CHORD OF 68.98 FEET AT A BEARING OF SOUTH $63^{\circ} 55'05''$ EAST, FOR AN ARC LENGTH OF 70.37 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 38.00 FEET THROUGH A CENTRAL ANGLE OF $06^{\circ} 57'52''$, SUBTENDED BY A CHORD OF 4.62 FEET AT A BEARING OF SOUTH $47^{\circ} 38'10''$ EAST, FOR AN ARC LENGTH OF 4.62 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH $51^{\circ} 07'06''$ EAST FOR A DISTANCE OF 27.15 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 28.00 FEET, THROUGH A CENTRAL ANGLE OF $32^{\circ} 24'35''$, SUBTENDED BY A CHORD OF 15.63 FEET AT A BEARING OF SOUTH $67^{\circ} 19'23''$ EAST FOR AN ARC LENGTH OF 15.84 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED.

TOGETHER WITH A 10 FOOT WIDE DRAINAGE EASEMENT ("EASEMENT NO. 1") DESCRIBED AS FOLLOWS:

A 10 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CIRCLE CENTER OF THE CENTERLINE OF THE WESTERLY END OF TRACT 'A', ALSO BEING THE CENTER OF AN 89.00 FOOT RADIUS, ACCORDING TO PELICAN LANDING UNIT TWENTY SEVEN PART ONE, AS RECORDED IN PLAT BOOK 61 PAGES 8 AND 9 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN SOUTH 85°18'39" WEST FOR A DISTANCE OF 240.56 FEET TO THE POINT OF BEGINNING OF THE 10 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED; THENCE RUN SOUTH 02°56'45" EAST FOR A DISTANCE OF 62.27 FEET; THENCE RUN SOUTH 51°33'03" WEST FOR A DISTANCE OF 54.99 FEET; THENCE RUN NORTH 51°07'06" WEST FOR A DISTANCE OF 10.25 FEET; THENCE RUN NORTH 51°33'03" EAST FOR A DISTANCE OF 52.09 FEET; THENCE RUN NORTH 02°56'45" WEST FOR A DISTANCE OF 57.12 FEET; THENCE RUN NORTH 87°03'15" EAST FOR A DISTANCE OF 10.00 FEET; TO THE POINT OF BEGINNING OF THE 10 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED, CONTAINING 0.026 ACRES, MORE OR LESS.

BEARINGS SHOWN HEREON REFER TO THE NORTH LINE OF TRACT 'H' ACCORDING TO THE PELICAN LANDING UNIT TWENTY SEVEN PART ONE, AS RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS BEING SOUTH 89°42'22" WEST.

TOGETHER WITH A 10 FOOT WIDE DRAINAGE EASEMENT ("EASEMENT NO. 2") DESCRIBED AS FOLLOWS:

A 10 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CIRCLE CENTER OF THE CENTERLINE OF THE WESTERLY END OF TRACT 'A', ALSO BEING THE CENTER OF AN 89.00 FOOT RADIUS, ACCORDING TO PELICAN LANDING UNIT TWENTY SEVEN PART ONE, AS RECORDED IN PLAT BOOK 61 PAGES 8 AND 9 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN NORTH 70°53'23" WEST FOR A DISTANCE OF 257.82 FEET TO THE POINT OF BEGINNING OF THE 10 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED; THENCE RUN SOUTH 83°11'52" WEST FOR A DISTANCE OF 102.20 FEET; THENCE RUN SOUTH 42°10'23" WEST FOR A DISTANCE OF 25.13 FEET; THENCE RUN NORTH 47°49'37" WEST FOR A DISTANCE OF 10.00 FEET; THENCE RUN NORTH 42°10'23" EAST FOR A DISTANCE OF 28.87 FEET; THENCE RUN NORTH 83°11'52" EAST FOR A DISTANCE OF 105.94 FEET; THENCE RUN SOUTH 06°48'08" EAST FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF THE 10 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED, CONTAINING 0.030 ACRES, MORE OR LESS.

BEARINGS SHOWN HEREON REFER TO THE NORTH LINE OF TRACT 'H' ACCORDING TO THE PELICAN LANDING UNIT TWENTY SEVEN PART ONE, AS RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS BEING SOUTH 89°42'22" WEST.

TOGETHER WITH A 10 FOOT WIDE DRAINAGE EASEMENT ("EASEMENT NO. 3") DESCRIBED AS FOLLOWS:

A 10 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CIRCLE CENTER OF THE CENTERLINE OF THE WESTERLY END OF TRACT 'A', ALSO BEING THE CENTER OF AN 89.00 FOOT RADIUS, ACCORDING TO PELICAN LANDING UNIT TWENTY SEVEN PART ONE, AS RECORDED IN PLAT BOOK 61 PAGES 8 AND 9 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN NORTH 30°48'48" WEST FOR A DISTANCE OF 479.64 FEET TO THE POINT OF BEGINNING OF THE 10 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED; THENCE RUN SOUTH 40°11'43" WEST FOR A DISTANCE OF 160.86 FEET; THENCE RUN SOUTH 23°51'14" WEST FOR A DISTANCE OF 60.45 FEET; THENCE RUN SOUTH 45°56'13" WEST FOR A DISTANCE OF 77.68 FEET; THENCE RUN NORTH 05°34'43" WEST FOR A DISTANCE OF 12.78 FEET; THENCE RUN NORTH 45°56'13" EAST FOR A DISTANCE OF 67.78 FEET; THENCE RUN NORTH 23°51'14" EAST FOR A DISTANCE OF 59.93 FEET; THENCE RUN NORTH 40°11'43" EAST FOR A DISTANCE OF 162.29 FEET; THENCE RUN SOUTH 49°48'17" EAST FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF THE 10 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED, CONTAINING 0.068 ACRES, MORE OR LESS.

BEARINGS SHOWN HEREON REFER TO THE NORTH LINE OF TRACT 'H' ACCORDING TO THE PELICAN LANDING UNIT TWENTY SEVEN PART ONE, AS RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS BEING SOUTH 89°42'22" WEST.