

Revised to:

This Instrument prepared by:
Charles Mann, Esq.
PAVESE, HAVERFIELD, DALTON,
HARRISON & JENSEN, L.L.P.
1833 Hendry Street
Fort Myers, Florida 33901
(239) 334-2195



INSTR # 6020533
Official Records BK 04101 PG 3964
RECORDED 10/23/2003 02:17:13 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DEPUTY CLERK S Jensen

**AMENDMENT
TO THE
DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
PALM ISLAND, PHASE 2**

THIS AMENDMENT is made this 16 day of October, 2003, by U.S. HOME CORPORATION, a Delaware Corporation authorized to do business in the State of Florida ("Declarant").

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Palm Island, Phase 2 ("Declaration") was recorded in Official Records Book 3750, at Page 3673, as amended, of the Public Records of Lee County, Florida; and

WHEREAS, U.S. Home is the Declarant and Developer under the Declaration; and

WHEREAS, Section 14.10 of the Declaration provides that the Declarant may, in its sole discretion, by an instrument filed of record, unilaterally modify, enlarge, amend, waive or add to the covenants, conditions, restrictions and other provisions of the Declaration and any recorded exhibit thereto or annex additional property into this Declaration; and

WHEREAS, the Declarant desires to amend Section 5.34 of the Declaration.

NOW, THEREFORE, the Declarant makes the following amendment to the Declaration:

(Underlined language is added and cross through language is deleted)

Section 5.34 of the Declaration is hereby amended to read as follows:

5.34 Docks. Certain lots in the Community may have canal frontage that provides access to other waterways. No dock, boat lift or other structure may be constructed upon or adjacent to any canal frontage lot without first obtaining the consent of the Community Association. Furthermore, no such dock, boat lift or other structure shall be constructed upon or adjacent to any canal frontage lot without first obtaining all necessary government permits and approvals. Said government permits and approvals may or may not be obtainable, and the Declarant and the Developer do not make any representation towards the likelihood of obtaining said permits for approvals. However, in no event

shall any Owner or Member construct any improvement or take any action whatsoever that will unreasonably restrict any other Owner with canal access from their right of ingress and egress across any canal or portion thereof that is subject to this Declaration.

IN WITNESS WHEREOF, we have hereunto affixed our hands and the seal of said corporation, this 16 day of October, 2003.

WITNESSES:

[Signature]
Signature
Andy Paslet
Printed Name
[Signature]
Signature
PATRICIA LINDEN
Printed Name

U.S. HOME CORPORATION
a Delaware corporation

By: [Signature]
Name: MICHAEL HUENIKEN
Title: SR VP

STATE OF FL)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 16 day of OCTOBER, 2003, by Michael Hueniken, of U.S. Home Corporation, a Delaware corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ as identification and did not take an oath.

(Notary Seal)

Patricia Linden
My Commission DD237901
Expires August 04 2007

[Signature]
Signature of Notary Public
PATRICIA LINDEN
(Print, type or stamp commissioned name of Notary Public)

Commission No: DD 237901

Patricia Linden
My Commission DD237901
Expires August 04 2007



Patricia Linden
My Commission DD237901
Expires August 04 2007