

WRITTEN CONSENT AND JOINDER TO AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS BOOK 3177, PAGE 2077, PUBLIC RECORDS OF LEE COUNTY, FLORIDA

Pursuant to and in accordance with the requirements of the Declaration of Covenants and Restrictions recorded in Official Record Book 3177, Page 2077, Public Records of Lee County, Florida and Chapter 617, Florida Statutes, the undersigned owner(s) of the below identified Unit in Courtside Landings Condominium, in original Declaration of Condominium for which is recorded in O. R. Book 3093, Page 3733, Public Records of Lee County, Florida, does hereby approve of and consent to the amendment to the Declaration of Covenants and Restrictions to which this Consent and Joinder is attached as Exhibit "B". By signing below the undersigned affirms he/she is the owner or authorized voter and has the authority to approve or disapprove the amendment. Done this 11 day of August, 2005.

WITNESSES:

(Sign) Russell C Ulm  
(Print) Russell C Ulm  
(Sign) NA  
(Print) NA

Manuel Ulm  
(Sign Name)  
MARIEH ULM  
(Print Name)  
9  
(Unit Number)

STATE OF MASS  
COUNTY OF Bristol

The foregoing instrument was acknowledged before me this 11th day of August, 2005 by Russell C Ulm, who is/are personally known to me or produced License as identification and did take an oath.



NOTARY PUBLIC  
Judith Chapman Judith L. Chapman  
STATE OF MASS (SEAL)  
My Commission Expires: 9/22/08

(IF THERE IS A SECOND OWNER OR GROUP OF OWNERS ON THE TITLE, PLEASE SIGN BELOW.)  
WITNESSES:

(Sign) \_\_\_\_\_  
(Print) \_\_\_\_\_  
(Sign) \_\_\_\_\_  
(Print) \_\_\_\_\_

\_\_\_\_\_  
(Sign Name)  
\_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
(Unit Number)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

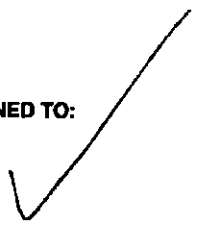
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2005 by \_\_\_\_\_, who is/are personally known to me or produced \_\_\_\_\_ as identification and did take an oath.

NOTARY PUBLIC  
STATE OF \_\_\_\_\_ (SEAL)  
My Commission Expires: \_\_\_\_\_

10.50

**INSTR # 4753346**  
**OR BK 03188 PG 1004**

PREPARED BY AND TO BE RETURNED TO:  
Robert S. Freedman, Esquire  
Carlton, Fields, Ward, Emmanuel,  
Smith & Cutler, P.A.  
Post Office Box 3239  
Tampa, Florida 33601-3239



RECORDED 11/15/99 12:53 PM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DEPUTY CLERK B Thompson

**CORRECTIVE AMENDMENT TO  
DECLARATION OF COVENANTS AND RESTRICTIONS**

**THIS CORRECTIVE AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS** is made as of the date and year stated below by WCI Communities, Inc., a Delaware corporation formerly known as Florida Design Communities, Inc. ("WCI").

**WITNESSETH:**

**WHEREAS**, that certain Declaration of Covenants and Restrictions (the "Declaration") was recorded on October 12, 1999, in Official Records Book 3177, Page 2077, public records of Lee County, Florida; and

**WHEREAS**, Section 3.e. of the Declaration contained an incorrect statement of example as to certain special roadway charges to be levied against the units subject to the Declaration; and

**WHEREAS**, WCI, as the Declarant under the Declaration, desires to amend Section 3.e. of the Declaration to correct such statement of example and to declare that regardless of the example, the operative provisions of such Section 3.e. remain valid and in full force regardless of the effect of this instrument;

**NOW, THEREFORE**, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Fru-Con does hereby state as follows:

1. The foregoing recitals are true and correct and are hereby incorporated as if fully set forth hereinafter.

2. Section 3.e. of the Declaration is hereby amended to read as follows so as to correct an inconsistent statement (CODING: double-underlined text has been added and ~~strikeout~~ text has been deleted):

e. **Special Roadway Charges.** In addition to the General Charges and the Additional Charges, Co-Declarant shall be paid, at the closing of the initial sale of a Unit which is either a Declarant Unit or which is created on the Proposed Phase II Property, an amount equal to \$31.00 the current fiscal year of Co-Declarant and continuing through the fiscal year 2001, which amount shall constitute the Special Roadway Charge to be used by Co-Declarant for repaving of the roadways which constitute a portion of the Common Properties. By way of example, an individual who purchases a Unit during the year 1999 shall pay to Co-Declarant \$93.00, an individual who purchases a Unit during the year 2000 shall pay to Co-Declarant ~~\$62.00~~ \$124.00, and an individual who purchases a Unit during the year 2001 shall pay to Co-Declarant ~~\$34.00~~ \$155.00. Such payment shall not be prorated for the year of closing. Declarant hereby gives notice that the purchaser of a Unit shall be required at closing to reimburse Declarant for the \$31.00 per year charge made against the Unit as contemplated by Co-Declarant and already

PG 1 of 2

paid by Declarant for the benefit of the Unit commencing in 1997 and continuing up to the year prior to the year of closing. Notwithstanding any provision to the contrary, if Declarant has already paid the Special Roadway Charge for the year of closing, the purchaser shall not be required to pay such amount to Co-Declarant but rather shall be required to reimburse Declarant for such payment). No payment of a Special Roadway Charge shall be considered to be payments to offset the amount of the General Charges pertaining to a Unit.

3. Except to the extent modified above, the Declaration remains valid and in full force and effect; provided, however, that the operative provisions of Section 3.e. as contained in the Declaration as originally recorded remain valid and in full force.

IN WITNESS WHEREOF, WCI, by and through its duly-authorized officer, has executed this Declaration on this 11<sup>th</sup> day of November, 1999.

WITNESSES:

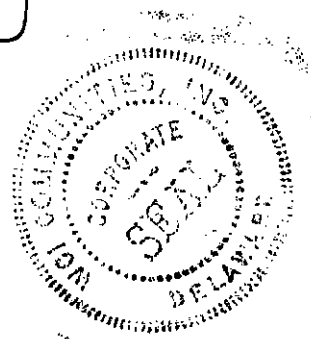
Name: Lynnda Feldman  
Print Name: Lynnda Feldman

Name: Susan H. Munn  
Print Name: Susan H. Munn

DECLARANT:

WCI COMMUNITIES, INC., a Delaware corporation formerly known as Florida Design Communities, Inc.

By: [Signature]  
R.C. Beyer, Jr., Vice President



(SEAL)

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of November, 1999, by R.C. Beyer, Jr., as Vice President of WCI COMMUNITIES, INC., a Delaware corporation formerly known as Florida Design Communities, Inc., on behalf of the corporation, as Declarant hereunder. He is personally known to me.

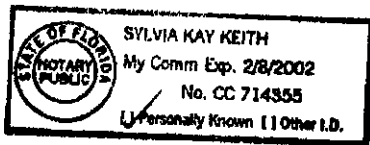
My Commission Expires: 2/8/02  
(AFFIX NOTARY SEAL)

[Signature]  
(Signature)  
Name: SYLVIA KAY KEITH  
(Legibly Printed)

Notary Public, State of Florida

CC 714355

(Commission Number, if any)



PG 2 OF 2

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 241 MATECUMBE KEY ROAD and (street address) legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate NEALE MONTGOMERY as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

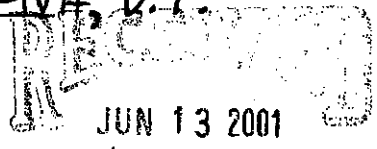
The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

INSTR # 5388917 OR BK 3603 PG 0045 RECD 03/20/02 10:07 AM  
CHARLIE GREEN, CLERK OF COURT, LEE COUNTY  
DEPUTY CLERK M. Bernard

WCI COMMUNITIES, INC.  
EDWARD R. GRIFFITH, V.P.  
Printed Name

STATE OF FLORIDA )  
COUNTY OF LEE )

  
JUN 13 2001

Sworn to (or affirmed) and subscribed before me this 11<sup>th</sup> day of JUNE, 2001

by EDWARD R. GRIFFITH who is personally known to me or has produced ZONING COUNTER as identification.

  
Sylvia DiFolco  
Commission # CC 853834  
Expires July 12, 2003  
Bonded Thru  
Atlantic Bonding Co., Inc.

Sylvia DiFolco  
Notary Public  
SYLVIA DIFOLCO  
(Name typed, printed or stamped)  
(Serial Number, if any)

pg 1 of 3

## PROPERTY DESCRIPTION

A parcel of land lying in Section 06, Township 43 South, Range 23 East, Lee County, Florida, comprised of three parcels as follows:

### PARCEL A-2

The North 415.00 feet of the East 565.71 feet of the West 1,697.13 feet of the North 830.00 feet of the South 1,660.00 feet of Section 06, Township 43 South, Range 23 East, Lee County, Florida; and

### PARCEL A-3

The North 415.00 feet of the East 565.71 feet of the West 2,262.84 feet of the North 830.00 feet of the South 1,660.00 feet of Section 06, Township 43 South, Range 23 East, Lee County, Florida; and

### PARCEL L

The North 830.00 feet of the West 1,131.43 feet of the South 1,660.00 feet of Section 06, Township 43 South, Range 23 East, Lee County, Florida, all more particularly described as follows:

Commencing at the Southwest corner of Section 06, Township 43 South, Range 23 East; THENCE run along the West line of aforesaid Section 06 N00°33'37"E a distance of 830.85 feet to the Southwest corner of the aforementioned Parcel L also being the **POINT OF BEGINNING**; THENCE continue along the West line of aforesaid Section 06 N00°33'37"E a distance of 830.60 feet also being the West line of Parcel L to the North line of the South 1,660.00 feet of the aforesaid Section 06; THENCE run N88°22'02"E a distance of 2,264.49 feet along the North line of the South 1,660.00 feet of the aforesaid Section 06, also being the North line of the aforementioned Parcels A-2 and A-3 to the Northeast corner of Parcel A-3; THENCE run S00°33'37"W a distance 415.30 feet along the East line of Parcel A-3 to the Southeast corner of Parcel A-3; THENCE run S88°22'02"W for a distance of 1,132.24 feet to the Southwest corner of Parcel A-2 also being on the East line of Parcel L; THENCE run S00°33'37"W for a distance of 415.30 feet along the East line of Parcel L to the Southeast corner of Parcel L; THENCE run S88°22'02"W for a distance of 1,132.25 feet along the South line of Parcel L to the **POINT OF BEGINNING**.

Containing 32.36 acres more or less.

Legal Checked  
by Jim 12/21/01

PAGE 2 of 3

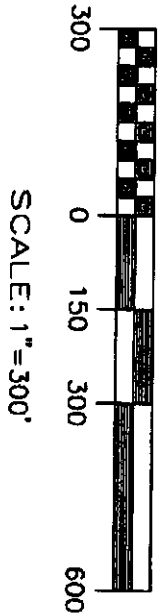
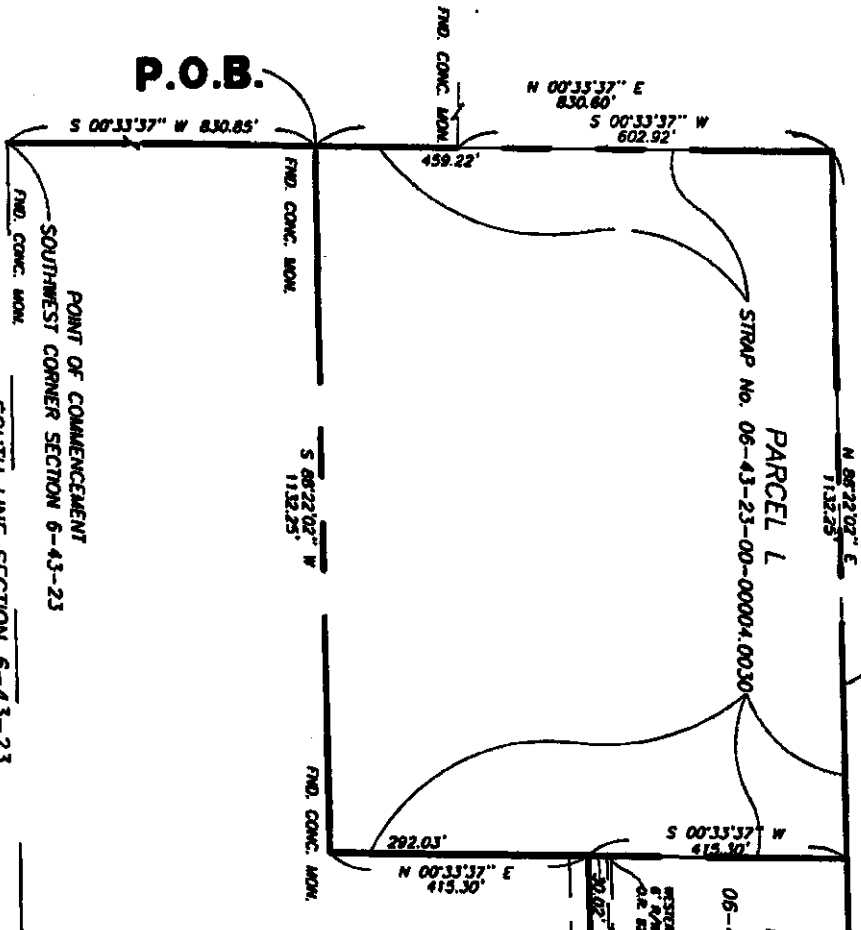


NORTH LINE OF SOUTH 1660' OF SECTION 6-43-23

DCI 2001-00041

TRACT - A' PUNTA GORDA ISLES, SECTION 22  
PLAT BOOK 28, PAGES 118-138

S 68°22'02" W 1400.00'



CONTAINS 32.36 ACRES MORE OR LESS  
**SKETCH (NOT A SURVEY)**

**LEGAL DESCRIPTION:**

IN SECTION 06, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA:  
A PARCEL OF LAND LYING IN SECTION 06, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, COMPRISED OF THREE PARCELS AS FOLLOWS:  
**PARCEL A-2**  
THE NORTH 415.00 FEET OF THE EAST 565.71 FEET OF THE WEST 1897.13 FEET OF THE NORTH 830.00 FEET OF THE SOUTH 1660.00 FEET OF SECTION 06, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA AND:  
**PARCEL A-3**  
THE NORTH 415.00 FEET OF THE WEST 1131.43 FEET OF THE SOUTH 1660.00 FEET OF SECTION 06, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA AND:  
**PARCEL 1**  
THE NORTH 830.00 FEET OF THE WEST 1131.43 FEET OF THE SOUTH 1660.00 FEET OF SECTION 06, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 06, TOWNSHIP 43 SOUTH, RANGE 23 EAST, THENCE RUN ALONG THE WEST LINE OF AFORESAID SECTION 06 NORTH 33°37' E A DISTANCE OF 830.85 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID PARCEL 1, ALSO BEING THE POINT OF BEGINNING.  
THENCE CONTINUE ALONG THE WEST LINE OF AFORESAID SECTION 06 NORTH 33°37' E A DISTANCE OF 830.60 FEET ALSO BEING THE WEST LINE OF PARCEL 1 TO THE NORTH LINE OF THE SOUTH 1660.00 FEET OF THE AFORESAID SECTION 06; THENCE RUN NORTH 22°02' E A DISTANCE OF 2264.49 FEET ALONG THE NORTH LINE OF THE SOUTH 1660.00 FEET OF THE AFORESAID SECTION 06, ALSO BEING THE NORTH LINE OF THE AFORESAID PARCELS A-2 AND A-3 TO THE NORTHEAST CORNER OF PARCEL A-3; THENCE RUN SOUTH 33°37' W A DISTANCE OF 415.30 FEET ALONG THE EAST LINE OF PARCEL A-3 TO THE SOUTHWEST CORNER OF PARCEL A-2; THENCE RUN SOUTH 22°02' W FOR A DISTANCE OF 1132.24 FEET TO THE SOUTHWEST CORNER OF PARCEL A-2; ALSO BEING THE EAST LINE OF PARCEL 1; THENCE RUN SOUTH 33°37' W FOR A DISTANCE OF 415.30 FEET ALONG THE EAST LINE OF PARCEL 1 TO THE SOUTHWEST CORNER OF PARCEL 1; THENCE RUN SOUTH 22°02' W FOR A DISTANCE OF 1132.25 FEET ALONG THE SOUTH LINE OF PARCEL 1 TO THE POINT OF BEGINNING.

**BOUNDARY SKETCH**



PAGE 3 of 3

<p>BOUNDARY SKETCH COURTSIDE LANDINGS</p>	<p>12641 Memo Parkway Fort Myers, Florida 33907</p>	<p>Neese &amp; Associates Civil Engineering &amp; Land Surveying</p>	<p>11-B-1 11-2-2</p>
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CERTIFICATE OF AMENDMENT  
ARTICLES OF INCORPORATION  
PUNTA GORDA ISLES SECTION 22  
HOMEOWNERS ASSOCIATION, INC.

SECRETARY FILED  
DIVISION OF CORPORATIONS  
02 AUG 12 PM 4:27

WE HEREBY CERTIFY that the following amendment to the Articles of Incorporation of Punta Gorda Isles Section 22 Homeowners Association, Inc. which original Articles of Incorporation for Punta Gorda Isles Section 22 were originally recorded in Official Records Book 3177 at Page 2077 of Lee County, Florida were duly adopted by the Association membership at the duly noticed member's meeting of the Association on the 6th day of August, 2002. Said amendment to the Articles of Incorporation were passed by a proper percentage of votes of the voting interests of the Association.

AMENDMENT TO ARTICLES OF INCORPORATION

Additions are underlined  
Deletions are ~~stricken through~~

Article 5 DIRECTORS

5.1 The affairs of the Association will be managed by a Board consisting of the number of Directors determined by the By-Laws but not less than three (3) Directors, and in the absence of such determination shall consist of three (3) Directors. Directors ~~need not~~ shall be members of the Association.

IN WITNESS WHEREOF, we have affixed our hands this 6th day of August, 2002, at Lee County, Florida.

WITNESSES:

PUNTA GORDA ISLES SECTION 22  
HOMEOWNERS ASSOCIATION, INC.



  
Dianne M Racine

BY:   
Carl Winger, PRESIDENT

ATTEST   
Eugene Strandberg, SECRETARY

(CORPORATE SEAL)

INST # 5548174 OR BK 03715 PG 3332 RECORDED 08/28/2002 08:16:58 AM  
CHARLIE GREEN, CLERK OF COURT, LEE COUNTY  
DEPUTY CLERK D Schaefer



pg 1 of 2

STATE OF FLORIDA:  
COUNTY OF LEE:

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared Carl Winger and Eugene Strandberg well known to me to be the President and Secretary respectively of PUNTA GORDA ISLES SECTION 22 HOMEOWNERS ASSOCIATION, INC. and they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said association.

WITNESS my hand and official seal in the County and State last aforesaid this 6<sup>TH</sup> day of August, 2002.

My Commission Expires:

*Dianne M. Racine*  
NOTARY PUBLIC

Prepared by:  
Milton Schaeffer, President  
c/o Benson's, Inc.  
12650 Whitehall Drive  
Fort Myers, FL 33907



*pg 2 of 2*



WRITTEN CONSENT AND JOINDER TO AMENDMENT TO  
DECLARATION OF  
COVENANTS AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS  
BOOK 3177, PAGE  
2077, PUBLIC RECORDS OF LEE COUNTY, FLORIDA

Pursuant to and in accordance with the requirements of the Declaration of Covenants and Restrictions recorded in Official Record Book 3177, Page 2077, Public Records of Lee County, Florida and Chapter 617, Florida Statutes, the undersigned owner(s) of the below identified Unit in Courtside Landings Condominium, in original Declaration of Condominium for which is recorded in O. R. Book 3093, Page 3733, Public Records of Lee County, Florida, does hereby approve of and consent to the amendment to the Declaration of Covenants and Restrictions to which this Consent and Joinder is attached as Exhibit "B". By signing below the undersigned affirms he/she is the owner or authorized voter and has the authority to approve or disapprove the amendment. Done this 19th day of October, 2005.

WITNESSES:

(Sign) Linda L Dutcher  
(Print) Linda L. Dutcher  
(Sign) Karen S. Bitterpusch  
(Print) Karen S. Bitterpusch

Janet A. Carter  
Edward G. Casteel  
(Sign Name)  
CAROLE A. & EDWARD G. CASTEEL  
(Print Name)  
17737 Courtside Landings Circle  
(Unit Number)

STATE OF FLORIDA  
COUNTY OF CHARLOTTE/LEE

The foregoing instrument was acknowledged before me this 19th day of October, 2005 by \_\_\_\_\_, who is/are personally known to me or produced DRIVERS LICENSE as identification and did take an oath.



NOTARY PUBLIC  
Charlotte M. Macelkis  
STATE OF FLORIDA (SEAL)  
My Commission Expires: 9/23/09

(IF THERE IS A SECOND OWNER OR GROUP OF OWNERS ON THE TITLE, PLEASE SIGN BELOW.)

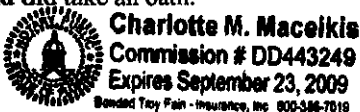
WITNESSES:

(Sign) Linda L Dutcher  
(Print) Linda L. Dutcher  
(Sign) Karen S. Bitterpusch  
(Print) Karen S. Bitterpusch

Judith E. Hegarty  
Gerald F. Hegarty  
(Sign Name)  
Judith E. + Gerald F. Hegarty  
(Print Name)  
17737 Courtside Landings Circle  
(Unit Number)

STATE OF FLORIDA  
COUNTY OF CHARLOTTE/LEE

The foregoing instrument was acknowledged before me this 19th day of October, 2005 by \_\_\_\_\_, who is/are personally known to me or produced DRIVERS LICENSE as identification and did take an oath.



NOTARY PUBLIC  
Charlotte M. Macelkis  
STATE OF FLORIDA (SEAL)  
My Commission Expires: 9/23/09

pg 1 of 1