



This Instrument Prepared by
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INSTR # 6527914
OR BK 04496 Pgs 0448 - 450; (3pgs)
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CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
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**AMENDMENT TO THE
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
COLONIAL POINTE**

THIS AMENDMENT is made this 10 day of NOVEMBER, 2004 by Colonial Homes, Inc., a Florida corporation, ("Declarant"), to the Declaration of Covenants, Conditions and Restrictions for Colonial Pointe ("Declaration").

WHEREAS, the Declaration is recorded in Official Records Book 3969, pages 1429 through 1506, Public Records of Lee County, Florida; and

WHEREAS, pursuant to Section 14.10 of the Declaration, the Declarant reserved, in its sole discretion, the right to unilaterally modify, enlarge, amend, waive or add to the covenants, conditions, restrictions and other provisions of this Declaration in any way that the Declarant deems appropriate; and

WHEREAS, the Declarant is desirous of adding new Section 5.42 to the Declaration entitled "Minimum Lease Period."

NOW, THEREFORE, the Declarant amends the Declaration to include the attached Exhibit "A" to this Amendment as an Exhibit to the Declaration:

See Exhibit "A" attached hereto

IN WITNESS WHEREOF, we have hereunto affixed our hands and the seal of said corporation, this 10th day of November, 2004.

WITNESSES:

COLONIAL HOMES, INC.,
a Florida corporation

Merianne E. Byers

Signature of Witness

Merianne E. Byers

Printed Name of Witness

Daniel Thron

Signature of Witness

DANIEL THRON

Printed Name of Witness

By:

Anthony Persichilli

DIVISION PRESIDENT

STATE OF FLORIDA)

COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 10th day of November, 2004, by Anthony Persichilli, DIVISION PRESIDENT (title) of Colonial Homes, Inc., a Florida 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)



Merianne E. Byers
My Commission DD135225
Expires July 18, 2006

Merianne E. Byers

Signature of Notary Public

Merianne E. Byers

Printed Name of Notary Public

EXHIBIT "A"

(New language is underlined; Deleted language is typed in ~~strikethrough~~)

5.42 Minimum Lease Period. No living unit may be leased or rented for less than ninety (90 days). Notwithstanding the foregoing, any living unit which is currently being rented or leased on at least a weekly basis as of the effective date of this amendment shall be entitled to continue to be rented or leased on a weekly basis. However, once title to the unit is sold or otherwise conveyed to another party, then the new owner shall be required to adhere to the ninety (90) day minimum lease restriction. The number of persons who can occupy the premises on an overnight basis when the living unit is rented or leased is limited to two (2) persons times the number of bedrooms in the living unit, plus two.