

This document prepared by  
and return to:  
David L. Cook, Esq.  
Henderson Franklin Starnes & Holt, P.A.  
3451 Bonita Bay Blvd., Suite 206  
Bonita Springs, FL 34134

INSTR # 2011000185032, Pages 2  
Doc Type RES, Recorded 08/18/2011 at 03:02 PM,  
Charlie Green, Lee County Clerk of Circuit Court  
Rec. Fee \$18.50  
Deputy Clerk J MILLER  
#1

**AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR VERANDAH**

This Amendment to Declaration of Covenants, Conditions, and Restrictions for Verandah is made this 3<sup>rd</sup> day of August, 2011 by VERANDAH DEVELOPMENT LLC, a Florida limited liability company ( the "Declarant").

**RECITALS**

A. On December 11, 2002, Declarant filed that certain Declaration of Covenants, Conditions, and Restrictions for Verandah (the "Declaration"), recorded in Official Records Book 3795, Page 2515, *et seq.*, of the Public Records of Lee County, Florida.

B. The Declaration, and all subsequent amendments and supplements thereto are collectively referred to as the "Declaration".

C. Pursuant to the terms of Article XIX, Section 19.1 of the Declaration, the Declarant may unilaterally amend the Declaration in its sole discretion prior to termination of the Class B membership, as that term is defined therein, so long as the amendment does not substantially conflict with the Master Plan.

D. The Class B membership has not terminated and the Declarant desires to amend the Declaration.

**NOW THEREFORE**, pursuant to the powers retained by Declarant under the Declaration, the Declarant hereby amends section 4.3 of the Declaration by adding a new sub-section (c) to read as follows:

4.3 Guidelines and Procedures.

(c) Participating Builders. The Design Guidelines include a requirement that all Builders within Verandah must be approved by Declarant and be admitted as a Participating Builder. The Participating Builder Program also requires Builders to pay Declarant or its realty company a commission or marketing fee to market Builder's homes and construction services. Declarant may, but shall not be obligated, to waive either or both of (i) the requirement to be admitted as a Participating Builder for specific Builders who desire to build solely on Property owned by such Builder, and (ii) the requirement to pay a commission or marketing fee for specific Builders who build on Property solely for their own use.

**IN WITNESS WHEREOF**, the undersigned has signed and sealed this Amendment the day and  
1825111v1

year first above written.

WITNESSES:

VERANDAH DEVELOPMENT LLC,  
a Florida limited liability company.

By: Resource Conservation Properties, Inc.  
a Florida corporation  
Its: Managing Member

Teresa Isabella  
Printed Name: Teresa Isabella

By: [Signature]  
Gary Dumas

Diane Murray  
Printed Name: Diane Murray

Its: Vice President  
(CORPORATE SEAL)

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of Aug, 2011 by Gary Dumas, Vice President of Resource Conservation Properties, Inc., a Florida corporation, Managing Member of Verandah Development LLC, a Florida limited liability company, on behalf of said corporation and company. He is personally known to me.

(SEAL)

Diane Murray  
Notary Public  
Printed Name: Diane Murray  
Serial No.: \_\_\_\_\_  
My Commission Expires: 12/3/14

