

MAR 20 2 43 PM '91

FIRST AMENDMENT
TO
DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS
OF
PALM ISLAND

2994269

THIS AMENDMENT is made this 31st day of January 1991 by MOODY DEVELOPMENT OF PALM ISLAND, INC. ("Developer").

R E C I T A L S

A. Developer subjected certain lands owned by it to that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements of Palm Island recorded in Official Records Book 47, pages 56 - 63 of the public records of Lee County, Florida ("Declaration").

B. Pursuant to the provisions of Section 13.3, the Developer reserved the right to amend the Declaration so long as it owned a Lot subject to the Declaration, without the consent or joinder of any Owner, Institutional Mortgagee or the Association, as the Developer may deem necessary or convenient to supplement the terms and conditions of the Declaration.

C. Developer desires to modify the side set back restrictions for the Lots to promote the orderly development thereof.

NOW, THEREFORE, in consideration of the premises, the Developer hereby amends the first sentence of Section 6.5 of the Declaration to read as follows:

... All Dwelling Units and other Proposed Improvements on Lots will comply with the following set back requirements: Garages will be a minimum of fifteen feet (15') from the front Lot line; the front of the Dwelling Units will be a minimum of twenty feet (20') from the front Lot line; rear set back of Dwelling Units will be zero feet (0') to twenty feet (20'), the exact set back requirements shall be determined by Developer; side setbacks of the Dwelling Unit shall be determined by the Developer including the determination of which side shall be the Zero lot line side, if any, and the exact location of the Dwelling Unit on the lot. However, in all cases there shall be maintained a minimum of six feet (6') between the main structures of Dwelling Units, excluding patios and screened courtyards, etc.

Except as modified herein, all terms and conditions of the Declaration remain in full force and effect.

IN WITNESS WHEREOF, the undersigned sets its hand and seal on the date first above written.

MOODY DEVELOPMENT OF
PALM ISLAND, INC.

By: Claudia N. Hart
Claudia N. Hart, Its President

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me by Claudia N. Hart, the President of MOODY DEVELOPMENT OF PALM ISLAND, INC., a Florida corporation, on behalf of the corporation.

Ethel M. Clelland
Notary Public

My Commission Expires:

Notary Public, State of Florida
My Commission Expires March 22, 1992
Bonded Thru Troy Fair - Insurance Inc.

PREPARED BY: Ethel M. Clelland
P.O. Box 2070,
Ft. Myers, FL 33902
PALMISLE AMEND:WP377

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: SUSAN THOMPSON

6.00