

CERTIFICATE OF AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS
FOR
MARSH LANDING

OR2 775 P64 196

WE HEREBY CERTIFY THAT, the amendment to the Declaration of Covenants, Conditions & Restrictions set out herein and made a part hereof (said Declaration of Covenants, Conditions & Restrictions being recorded in Official Records Book 2725, at Page 664, et. als., of the Public Records of Lee County, Florida) passed in accordance with the necessary affirmative votes to pass the amendments as required by the Declaration of Covenants, Conditions & Restrictions for Marsh Landing; and that as a result of the foregoing, and proper notice have been given, said amendments have been duly adopted.

(Note: Underlined language is added and crossed through language is deleted).

Article XI, Section 6, shall be amended to read as follows:

Section 6. Unlicensed Motor Vehicles. ~~No-licensed motor vehicles shall be allowed on the Properties. No motorbikes, motorcycles, motor scooters, or other vehicles of that type shall be permitted on the properties, if they are a nuisance by reason of noise or manner of use in the sole judgment of the Board.~~ Abandoned or inoperable vehicles or oversized vehicles of any kind shall not be stored or parked on any portion of the property. "Abandoned" and/or "inoperable vehicles" shall be defined as any vehicle which has not been driven under its own propulsion for a period of three (3) weeks or longer, provided, however, this shall not include vehicles parked or operable vehicles registered with the Association and parked in driveways by their owners. A written notice requesting the "abandoned and inoperable vehicle" and requesting removal thereof may be personally served upon the owner or posted on the unused vehicle; and if said vehicle has not been removed within seventy-two (72) hours thereafter, the Association shall have the right to remove same without liability to it and the expense thereof shall be charged against the owner. "Oversized" vehicles, for the purposes of this Section shall be considered vehicles which are too high to clear the entrance of a standard residential garage.

No commercial vehicles or campers, mobile homes, motor homes, motorcycles, house trailers or trailer of every other description, recreational vehicles, boats, boats with trailers, house trailers or vans shall be permitted to be parked or stored on any property without the express written consent and approval by the Association, in its sole and unbridled discretion. For the purpose of this Section "commercial vehicles" shall mean those of which are not designed and used for customary personal/family purposes. The absence of commercial type letters or graphics on a vehicle shall not be dispositive as to whether or not it is a commercial vehicle. Passenger vans and other vehicles situated on a truck chassis such as Suburbans, Explorers and Jeeps shall be considered noncommercial unless used as a commercial vehicle. The prohibitions of parking contained above in this Section shall not apply to temporary parking of a commercial vehicle, such as, construction use or providing pick-up and delivery and other commercial services. No parking on areas other than pavement shall be permitted.

19.50
RECORDED VERIFIED - CHARLIE CREEK, CLERK
BY: MARK JO. RUSTINSON, D.C.

STATE OF FLORIDA

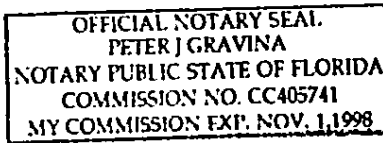
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 28th day of December, 1996, by J. Wes McMillin, President of Marsh Landing Community Association, Inc., a non-profit Florida corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification and did not take an oath.

(Notary Seal)

[Signature]
Notary Public, State of Florida
Print Name _____

Commission No. _____



JOINDER AND CONSENT OF CLASS "C" MEMBER AND LAND MORTGAGEE

The undersigned Class "C" and Land Mortgagee, being Rottlund Homes of Florida, Inc., a Minnesota corporation (Developer) and Kraus-Anderson, Incorporated, a Minnesota corporation, respectively, do hereby join in and consent to the above referenced amendments specifically as it relates to Article XI, Sections 6 and 10.

CLASS "C" MEMBER:
Rottlund Homes of Florida, a Minnesota Corporation

[Signature]
Peter J. Gravina
[Signature]
Julie A. Daus
JULIE A. DAUS

By [Signature]
J. Wes McMillin, Vice President

LAND MORTGAGEE:
Kraus-Anderson, Incorporated, a Minnesota Corporation

By _____, President

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STATE OF FLORIDA

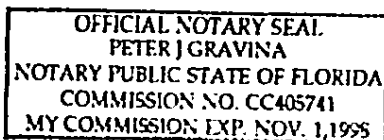
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 23 day of Dec, 1996, by J. Wes McMillin, Vice President of Rottlund Homes of Florida, a Minnesota corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification and did not take an oath.

(Notary Seal)

[Signature]
Notary Public, State of Florida
Print Name Peter J Gravina

Commission No.



STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____ of Kraus-Anderson, Incorporated, a Minnesota corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification and did not take an oath.

(Notary Seal)

Notary Public, State of Florida
Print Name _____

Commission No.

OR2775 PG4 199

