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Cross Referenced

Instrument #2006000274795

**FIRST AMENDMENT TO
THE SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR SANDOVAL HOPEFIELD (Parcel 110) NEIGHBORHOOD**

THIS AMENDMENT to the Supplemental Declaration is made this 6th day of October, 2009, by Cape Coral Development Association, LLC, a Florida limited liability company (the "Declarant");

WITNESSETH:

WHEREAS, on December 17, 2003, Declarant filed that certain Declarations of Covenants, Conditions, and Restrictions for Sandoval Community, recorded in O.R. Book 4149, Page 3797, *et seq.*, and Amendments recorded in O.R. Book 4465, Page 1569, and O.R. Book 4792, Page 4342, all in the Public Records of Lee County, Florida; and

WHEREAS, on July 12, 2006, Declarant recorded that certain Supplemental Declaration of Covenants, Conditions and Restrictions for Sandoval, Hopefield Neighborhood, recorded in O.R. Book as Instrument #2006000274795, *et seq.* in the Public Records of Lee County, Florida ("Supplemental Declarations") and

WHEREAS, pursuant to the terms of Section 9.3 of the Declaration, the Declarant has the unilateral right to amend the Supplemental Declaration so long as it has the unilateral right to amend the Declaration; and;

WHEREAS, pursuant to Section 18.1 of the Declaration, Declarant may unilaterally amend the Declaration for any purpose until termination of the Class "B" membership, so long as such amendment does not substantially conflict with the Master Plan, and

WHEREAS, the Class "B" membership has not terminated; and

WHEREAS, Declarant desires to amend the Supplemental Declaration in a manner which does not substantially conflict with the Master Plan'

NOW THEREFORE, pursuant to the powers retained by Declarant under the Supplemental Declaration, Declarant hereby amends the Supplemental Declaration as follows:

Article IV, Section B of the Supplemental Declaration is amended as follows:

2. Minimum Square Footage. All Dwellings within the Property shall contain a minimum of 1,450 square feet but not more than 2,650 square feet of enclosed living area. Enclosed living area shall include the total enclosed floor area within the horizontal

dimensions of each level of a dwelling, excluding garages, terraces, non-air conditioned storage areas, decks and porches.

IN WITNESS WHEREOF, Cape Coral Development Associates, LLC as the Declarant, hereby executed this First Amendment to the Supplemental Declaration of Covenants, Conditions and Restrictions for Sandoval Maraval Neighborhood by and through its authorized representatives on the date and year first above written.

Witnesses:

DECLARANT:
CAPE CORAL DEVELOPMENT
ASSOCIATES, LLC, a Florida limited
Liability company

Bonnie Thinner
Signature

BONNIE THINNER
Printed Name

[Signature]
Signature

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

By: [Signature]
Gary Dumas, Vice President

NATHAN BLACK
Printed Name

CORPORATE SEAL

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 6th day of October, 2009, by Gary Dumas, as Vice President or Resource Conservation Properties, Inc., a Florida corporation, on behalf of such entity. He is personally known to me and did not take an oath.

Given under my hand and official seal this 6th day of October, 2009.

My term of office expires: 4-7-2012

[Signature]
Notary Public PHYLLIS M BRITTON

