

INSTR # 2018000020229, Doc Type RES, Pages 5, Recorded 01/25/2018 at 11:50 AM
Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee \$44.00 Deputy Clerk ERECORD

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Return to: (enclose, self-addressed stamped envelope)

Angela Tompkins, Paralegal
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This Instrument Prepared by:

Mark F. Grant, Esq.
Greenspoon Marder, P.A.
200 East Broward Boulevard
15th Floor
Fort Lauderdale, FL 33301

Cross Reference:

Declaration: OR Book 4149, Page 3797

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**AMENDMENT TO
SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR SANDOVAL AL ® PHASE 3B
VAREO NEIGHBORHOOD (BLOCK 9020),
LAMBAY NEIGHBORHOOD (BLOCK 9025),
MALAITA NEIGHBORHOOD (BLOCK 9026),
MALAITA NEIGHBORHOOD BLOCK 9030, LOTS 1-13), AND
CAYES NEIGHBORHOOD (BLOCK 9030, LOTS 14-50)**

THIS AMENDMENT TO SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SANDOVAL® PHASE 3B VAREO NEIGHBORHOOD (BLOCK 9020), LAMBAY NEIGHBORHOOD (BLOCK 9025), MALAITA NEIGHBORHOOD (BLOCK 9026), MALAITA NEIGHBORHOOD (BLOCK 9030, LOTS 1-13), AND CAYES NEIGHBORHOOD (BLOCK 9030, LOTS 14-50) ("Amended Supplemental Declaration") is made this 23 day of January, 2018, by TAYLOR MORRISON OF FLORIDA, INC., a Florida corporation ("Declarant").

WITNESSETH:

WHEREAS, on December 17, 2003, Cape Coral Development Associates, LLC, a Florida limited liability company ("CCDA"), filed that certain DECLARATION OF COVENANTS, CONDITIONS AND

RESTRICTIONS FOR SANDOVAL COMMUNITY, recorded in Official Records Book 4149, Page 37 97, et seq., of the Public Records of Lee County, Florida, as amended and/or supplemented (the "Declaration"); and

WHEREAS, CCDA assigned any and all rights held by it, as the original declarant under the Declaration, to Declarant by virtue of that certain ASSIGNMENT OF DECLARANT RIGHTS dated December 29, 2011, and recorded January 9, 2012, as Instrument #2012000005445, of the Public Records of Lee County, Florida (the "Assignment"); and

WHEREAS, pursuant to the terms of Section 9.3 of the Declaration, Declarant may unilaterally impose additional covenants and easements on any portion of the Properties by recording a Supplemental Declaration describing such property to be encumbered and the additional or modified covenants and easements governing such areas; and

WHEREAS, that certain PLAT OF SANDOVAL® PHASE 3B was recorded in Instrument Number 2015000012065 (the "Original Plat"); and

WHEREAS, that certain SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SANDOVAL® PHASE 3B VAREO NEIGHBORHOOD (BLOCK 9020), LAMBAY NEIGHBORHOOD (BLOCK 9025), MALAITA NEIGHBORHOOD (BLOCK 9026), MALAITA NEIGHBORHOOD (BLOCK 9030, LOTS, 1-13) AND CAYES NEIGHBORHOOD (BLOCK 9030 LOTS, 14-53 was recorded on June 16, 2015 AS Official Records Instrument # 2015000130185, of the Public Records of Lee County, Florida (the "Original Supplemental Declaration"); and

WHEREAS, the Original Plat and Original Supplemental Declaration designates Lots 14-53 of Block 9030 as the "Cayes Neighborhood" and Tract "R-20B as "Cayes Circle", and

WHEREAS, that certain PLAT OF SANDOVAL®PHASE 3B, PART 4B (a replat of a portion of Block 9030 and all of Tract "R-20B" of Sandoval® Phase 3B as recorded in Instrument Number 2015000012065 of the Public Records of Lee County, Florida), was recorded as Official Records Instrument # 2017000198269, of the Public Records of Lee County, Florida (the "Replat"), and

WHEREAS, the Replat designates Lots 14-50 of Block 9030 as the “Cayes Neighborhood” (Lots 51-53 have been removed) and depicts the revised legal description for Lots 14-50 of Block 9030 and for Tract “R-20B”, and

WHEREAS, Declarant is desirous of amending the legal description described on Exhibit A to the Original Supplemental Declaration to reflect the revised legal description described on the Replat for Lots 14-50 of Block 9030 and for all of Tract “R-20B”, and

WHEREAS, Declarant is the owner of the real property described in **Exhibit “B”** attached hereto (the “Revised Property”).

NOW, THEREFORE, Declarant hereby amends the Original Supplemental Declaration as follows:

1. The above recitals are true and correct and are incorporated herein by reference.
2. Unless otherwise defined herein, each term defined in the Declaration and used herein shall have its meaning as defined in the Declaration.
3. The Original Supplemental Declaration is hereby amended to include the legal description for the Revised Property attached hereto as **Exhibit “B”** and incorporated herein by reference.
4. This Amended Supplemental Declaration shall become effective upon recording amongst the Public Records of Lee County, Florida.
5. Except as modified hereby, the Declaration shall remain in full force and effect in accordance with the terms thereof.

IN WITNESS WHEREOF, this Supplemental Declaration has been signed by Declarant on the date set forth below.

DECLARANT:

TAYLOR MORRISON OF FLORIDA, INC
a Florida Corporation

Signature _____

By: _____

Print Name _____

Vice President

Signature _____

Print Name _____

STATE OF FLORIDA

)
)ss
COUNTY OF SARASOTA)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Tony J. Squiteri, as Vice President of TAYLOR MORRISON OF FLORIDA, INC., a Florida corporation, freely and voluntarily under authority duly vested in him by said corporation, who is personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this 23 day of January, 2018.

Notary Public, State of Florida at large

Typed, Printed or Stamped Name of Notary Public

My Commission Expires:

EXHIBIT "B"

PROPERTY DESCRIPTION

ALL PROPERTY SHOWN ON THAT CERTAIN PLAT OF SANDOVAL®
PHASE 3B, PART 4B, ACCORDING TO THE PLAT THEREOF
RECORDED AS INSTRUMENT # 2017000198269, OF THE PUBLIC
RECORDS OF LEE COUNTY, FLORIDA.