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Prepared By and To Be Returned To:  
**ROBERT S. FREEDMAN, ESQUIRE**  
**CARLTON FIELDS, P.A.**  
Post Office Box 3239  
Tampa, Florida 33601-3239

**INSTR # 6091430**  
OR BK 04157 Pgs 1411 - 1412; (2pgs)  
RECORDED 12/24/2003 02:21:34 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY, FLORIDA  
RECORDING FEE 10.50  
DEPUTY CLERK J Miller

**SECOND SUPPLEMENT TO COMMUNITY DECLARATION**  
**FOR SUN CITY CENTER FT. MYERS**

**WHEREAS**, the Community Declaration for Sun City Center Ft. Myers was recorded on December 7, 2001, in Official Records Book 3535, Page 4531, public records of Lee County, Florida, as amended and supplemented from time to time (collectively, the "Declaration"); and

**WHEREAS**, Article 13 of the Declaration allows Bay Colony-Gateway, Inc., a Delaware corporation, and its successors, assigns and designees, as Declarant under the Declaration ("Declarant"), in its sole discretion and without the need for consent or approval of any other person or entity, to amend the Declaration to make additional land subject to the scheme of said Declaration and to bring such land within the jurisdiction and control of the Sun City Center Ft. Myers Community Association, Inc.; and

**WHEREAS**, Declarant desires to amend the Declaration to subject additional land to the terms, conditions, covenants, restrictions and easements of the Declaration;

**NOW, THEREFORE**, this instrument hereby provides that Declarant, for itself and its successors, grantees and assigns, hereby makes, declares and publishes its intention to subject and does hereby subject the real property described hereinafter to all terms, provisions, covenants, conditions, restrictions and easements contained in the Declaration, with terms, provisions, covenants, conditions, restrictions and easements to run with said property and be binding upon the owners of said property, as follows:

The real property which is, and shall be, held, transferred, sold, conveyed, and occupied subject to the Declaration is located in the County of Lee, State of Florida, and is more particularly described as follows:

**SUN CITY CENTER FT. MYERS, PARCEL A & B, according to map or plat thereof recorded in Plat Book 76, Pages 35-40, Public Records of Lee County, Florida.**

Said property shall hereafter be included within the "Property" as defined and referenced in the Declaration.

The real property described above shall be subject to all of the terms, provisions, conditions, covenants, restrictions and easements contained in the Declaration.

IN WITNESS WHEREOF, this instrument was executed by the undersigned this 16<sup>th</sup> day of December, 2003.

**WITNESSES:**

Name: *Catherine Smith*  
Print Name: Catherine Smith

Name: *Lynn Wells*  
Print Name: Lynn Wells

**DECLARANT:**  
**BAY COLONY-GATEWAY, INC., a**  
**Delaware corporation**

By: *[Signature]*  
Tim Oak, Vice President

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of December, 2003, by Tim Oak, as Vice President of BAY COLONY-GATEWAY, INC., a Delaware corporation, as Declarant hereunder. He is personally known to me.

My Commission Expires: 10/15/07

(AFFIX NOTARY SEAL)

*Lynn Wells*  
(Signature)  
Name: Lynn Wells  
(Legibly Printed)  
Notary Public, State of Florida  
DD6258717  
(Commission Number, if any)

