



INSTR # 6051430
OR BK 04125 Pgs 4222 - 4223; (2pgs)
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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 ✓

**FIRST SUPPLEMENT TO TOWN CENTER DECLARATION OF
FOR SUN CITY CENTER FT. MYERS**

WHEREAS, the Town Center Declaration for Sun City Center Ft. Myers was recorded on December 7, 2001, in Official Records Book 3535, Page 4496, public records of Lee County, Florida (collectively, the "Declaration"); and

WHEREAS, Section 2.3 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

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:

Tract "D," Sun City Center Ft. Myers Phase One, according to the map or plat thereof recorded in Plat Book 69, Pages 76-81, 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 12th day of November, 2003.

WITNESSES:

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

Name: Joyce Van Deusen
Print Name: Joyce Van Deusen

By: [Signature]
Tim Oak, Vice President

Name: Marcella Dickey
Print Name: Marcella Dickey

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 12th day of November, 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:
(AFFIX NOTARY SEAL)

Joyce E. Van Deusen
(Signature)
Name: Joyce E. Van Deusen
(Legibly Printed)
Notary Public, State of Florida
DD 118229
(Commission Number, if any)

