Linda Doggett, Lee County Clerk of Circuit Court
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PREPARED BY AND TO BE RETURNED TO:
Robert S. Freedman
Carlton Fields, P.A.
4221 W. Boy Scout Boulevard, Suite 1000
Tampa, Florida 33607
(813) 223-7000

Space above reserved for Clerk's office

FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR TOWNHOMES AT PORTICO

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR TOWNHOMES AT PORTICO (this "Amendment") is made is made as of the date noted below by **WCI COMMUNITIES, LLC, ("WCI")** a Delaware limited liability company ("Declarant").

W I T N E S S E T H:

WHEREAS, WCI Communities, LLC is the "Declarant" pursuant to that certain Declaration of Covenants and Restrictions for Townhomes at Portico recorded in Official Records Instrument #2020000068825, public records of Lee County, Florida, as amended and supplemented from time to time (collectively, the "Declaration"); and

WHEREAS, pursuant to Section 15.2.1 of the Declaration, Declarant has the right to amend the Declaration without the approval or joinder of any other party at any time prior to the date on which Declarant shall have conveyed 90% of the Lots on the Property; and

WHEREAS WCI, being the Declarant, has not conveyed 90% of the Lots on the Property as of the effective date hereof; and

WHEREAS, WCI, being the Declarant, now desires to undertake certain amendments to the Declaration, as more particularly described hereinafter;

NOW, THEREFORE, Declarant now desires to amend the Declaration as follows:

1. **Recitals**. The foregoing recitals are true and correct and, by this reference, are hereby incorporated into this Instrument as if fully set forth herein.

2. **Defined Terms**. All terms defined in the Declaration (including, without limitation, the exhibits and attachments thereto) shall have the same meaning in this Amendment unless specifically stated otherwise in this Amendment.

3. **Amendment to Declaration.** Section 8.21 of the Declaration is hereby deleted in its entirety and is null and void and of no further effect.

4. **Validity; Conflict**. Except as modified by this Amendment, the Declaration remains valid and in full force and effect. In the event of a conflict between the provisions of this Amendment and the provisions of the Declaration prior to the effective date hereof, the provisions of this Amendment shall control.

IN WITNESS WHEREOF, this Amendment was executed by the undersigned on this 5th day of April, 2021.

DECLARANT:

WITNESSES:

WCI COMMUNITIES LLC, a Delaware limited liability company

Name: Carolyn Joan Potter
Print Name: Carolyn Joan Potter

By: _____
Darin McMurray, Vice President

Name: Merry Prentis
Print Name: Merry Prentis

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me, by means of ☑ physical presence or ☐ online notarization, this 5 day of April, 2021, by Darin McMurray, as Vice President of WCI Communities LLC, a Delaware limited liability company. He ☑ is personally known to me or ☐ has produced _____ as identification.

My Commission Expires:

(AFFIX NOTARY SEAL)

Notary Public State of Florida
Amy Renee Hofschneider
My Commission GG 280374
Expires 11/29/2022

Amy Renee Hofschneider
(Signature)

Name: Amy Renee Hofschneider
(Legibly Printed)
Notary Public, State of Florida

_____
(Commission Number, if any)