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

# TENTH AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR PORTICO

**THIS TENTH AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESRICTIONS AND EASEMENTS FOR PORTICO** ("Amendment") is made is made as of the date noted below by WCI Communities, LLC, a Delaware limited liability company authorized to do business in Florida ("WCI").

## WITNESSETH:

**WHEREAS**, the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Portico was recorded on June 8, 2017, in Official Records Instrument No. 2017000125248, public records of Lee County, Florida, as amended and supplemented from time to time (collectively, "Master Declaration"); and

**WHEREAS,** WCI is the Declarant under the Master Declaration; and

**WHEREAS,** Declarant desires to undertake certain amendments to the Master Declaration, based upon request from the Association's board of directors to undertake certain revisions pertaining to parking, as more particularly described hereinafter; and

**WHEREAS,** pursuant to Section 22.1.1.1 of the Master Declaration, since Declarant has not yet conveyed 90% of the Lots, Units and Parcels which are or may be constructed within the Community and subject to the scope of the Master Declaration, Declarant has the power to undertake the following amendments without requirement for the consent of any owner or other party;

**NOW, THEREFORE,** in consideration of the foregoing, Declarant hereby declares the following:

1. The foregoing recitals are true and correct and are deemed incorporated herein as if fully stated hereinafter.

2. All defined terms herein shall have the meaning set forth in the Master Declaration, unless specifically defined in this Amendment.

3. Section 6.7.1.4 of the Master Declaration is hereby amended to read as follows:

> 6.7.1.4 No parking shall be permitted on any street or alleyways contained within the Community between the hours of 12:00 a.m. and 6:00 a.m. ~~save and except for~~ The foregoing restriction shall not be applicable to street parking in designated areas specifically contemplated for vehicular parking.

4. Except as modified by this Amendment, the Master Declaration remains valid and in full force and effect.

5. In the event of a conflict between the provisions of this Amendment and the provisions of the Master Declaration prior to the effective date hereof, the provisions of this Amendment shall control.

**IN WITNESS WHEREOF**, WCI, as Declarant, has caused this Amendment to be executed by its authorized officer and affixed its corporate seal as of this 10 day of March, 2022.

**WITNESSES:**

Signature: Rachel Rose
Print Name: Rachel Rose

Signature: Matthew Kratsch
Print Name: Matthew Kratsch

WCI Communities, LLC, a Delaware limited liability company authorized to do business in Florida

Signature: _____
Darin McMurray, Vice President

SEAL

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 10 day of March, 2022, by Darin McMurray, as Vice President of WCI Communities, LLC, a Delaware limited liability company authorized to do business in Florida. He ☑ is personally known to me or ☐ has produced _____ as identification.

My Commission Expires:

Amy Renee Hofschneider
(Signature)

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

_____
(Commission Number, if any)

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