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When Recorded, Return To:
Joanne Janes
Bonita Bay Properties, Inc.
9990 Coconut Rd., Suite 200
Bonita Springs, FL 34135

INSTR # 5672127
OR BK 03814 PG 1545
RECORDED 01/04/2003 12:04:08 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
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STATE OF FLORIDA

Cross Reference: Book 2909
Page 838

COUNTY OF LEE

(2)

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
SHADOW WOOD

THIS AMENDMENT to the Declaration of Covenants, Conditions, and Restrictions for Shadow Wood is made this 16th day of December, 2002, by Long Bay Partners LLC ("Declarant").

WITNESSETH:

WHEREAS, on January 14, 1998, Declarant filed that certain Declaration of Covenants, Conditions, and Restrictions for Shadow Wood, recorded in Book 2909, Page 838, *et seq.*, of the Public Records of Lee County, Florida (as amended and supplemented from time to time, the "Declaration"); and

WHEREAS, Declarant desires to amend the provisions of the Declaration as they apply to the "Private Amenities" (as that term is defined in the Declaration); and

WHEREAS, pursuant to the terms of Section 19.1 of the Declaration, Declarant may unilaterally amend the Declaration for any purpose until termination of the Class "B" membership, so long as such amendment does not substantially conflict with the Master Plan; and

WHEREAS, the Class "B" membership has not terminated and this amendment does not substantially conflict with the Master Plan;

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby amends the Declaration to include a new section identified as Section 15.9 and which shall state as follows:

15.9. Subjecting Private Amenities to the Declaration.

All or any portion of the Private Amenities may be subjected to this Declaration for the limited purpose of requiring that all provisions of this Declaration relating to the maintenance and operation of the Surface Water Management System shall apply to such Private Amenities. Private Amenities may be submitted to the Declaration for such limited purpose by the filing of a Supplemental Declaration in the Public Records. Except as otherwise specifically provided in this Article XV or in a Supplemental Declaration submitting such property to this Declaration, the submitted Private Amenities shall be exempt from the application of all provisions of the Declaration, including, but not limited to, Articles III, IV, VI, VIII, and XIV, with the exception of any provisions that address the Private Amenities' obligations with regard to the Surface Water Management System.

IN WITNESS WHEREOF, Long Bay Partners LLC, a Florida limited liability company, through its undersigned managing general partner, has duly executed this Declaration and affixed its corporate seal thereto as of this 16th day of Dec, 2002.

DECLARANT: **LONG BAY PARTNERS LLC, a Florida limited liability company**

By: Bonita Bay Properties, Inc., a Florida corporation

Bonnie Thines
WITNESS Bonnie Thines

By: John M. Gleeson
w³ John M. Gleeson, Vice President

Michael A. Jones
WITNESS Michael A. Jones

[CORPORATE SEAL]

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 16th day of December, 2002, by John M. Gleeson, as Vice President for Bonita Bay Properties, Inc., a Florida corporation, on behalf of such entity. He is personally known to me or has produced _____ as identification and did (did not) take an oath.

Given under my hand and official seal this 16th day of December, 2002.

My term of office expires on 2/10/06.

Joanne Janes [SEAL]
NOTARY PUBLIC
Joanne Janes

