

This instrument was prepared by:
Timothy A. Johnson, Jr. Esq.
Johnson, Blakely, Pope, Bokor, Et al
911 Chestnut Street
Clearwater, Florida 34617

92009285

** RE-RECORDING OF THIRD AMENDMENT RECORDED IN O.R. BOOK 2360, page 1, to show execution of Corporate General Partners.

THIRD AMENDMENT TO DECLARATION OF COVENANTS AND
RESTRICTIONS OF LAKE OF THE WOODS
OF JACARANDA HOMEOWNERS ASSOCIATION, INC.

This THIRD AMENDMENT to Declaration of Covenants and Restrictions of Lake of the Woods, made this 13 day of January 1992 ("Third Amendment"), by SWF LAKE OF THE WOODS LIMITED PARTNERSHIP, a Florida limited partnership, as the successor Declarant of GULFSTREAM DEVELOPMENT CORP., a Florida corporation, formerly known as Gulfstream Real Estate Ventures Corp., pursuant to the Assignment of Developer's Rights, dated February 9, 1990, recorded in O.R. Book 002188, Page 000886 of the Public Records of Sarasota County, Florida (hereinafter referred to as "Declarant"), amends that certain Declaration of Covenants and Restrictions of Lake of the Woods, made May 15, 1989 and recorded in O.R. Book 002141, Page 001075, and rerecorded in O.R. Book 002145, Pages 002272-002301, of the Public Records of Sarasota County, Florida (the "Declaration").

W I T N E S S E T H:

WHEREAS, the Declaration was amended by Certificate of Amendment to the Declaration of Covenants and Restrictions recorded in O.R. Book 2154, Page 2766, and that certain Second Amendment to Declaration of Covenants and Restrictions of Lake of the Woods of Jacaranda Homeowners Association, Inc., recorded in O.R. Book 2359, Page 2999, all of the Public Records of Sarasota County, Florida; and

WHEREAS, Section 12.01 of the Declaration provides that the Declaration may be amended by the Declarant without the consent of the Association or any owner, so long as the Declarant appoints a majority of the directors of the Association; and

WHEREAS, the Articles of Incorporation for the Association provides in Article VII, Paragraph 3, that the Declarant shall have the right to appoint all of the directors so long as the Declarant owns twenty-five percent (25%) or more of the property subject to the Declaration, provided it has not been longer than five (5) years after the conveyance of the first lot containing a unit by the Declarant; and

WHEREAS, Declarant owns twenty-five percent (25%) or more of the property subject to the Declaration; and

WHEREAS, it has not been more than five (5) years since the conveyance of the first lot containing a unit by the Declarant; and

WHEREAS, the Declarant continues to appoint a majority of the directors of the Association; and

WHEREAS, Declarant desires to amend the Declaration to allow for the construction of model homes and to allow for the showing and sale of model homes;

NOW, THEREFORE, Declarant amends the Declaration as hereinafter set forth.

1. RECITALS. The Recitals set forth above are true and correct and are incorporated herein.

2. The following shall be added as Section 7.28 to the Declaration:

7.28 Models. Any contractor owning lots subject to the Declaration may use any of said lots owned by said contractor, as a

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✓ All South T. & E.
245 N Tamland Trail Ste E
Venice, Fl 34285

model, sales office, promotion and development office, solely for the sale and development of said lots owned by said contractor, provided that such use shall also conform with applicable laws, zoning and rules and ordinances of the appropriate governmental authorities and all other covenants and conditions of the Declaration. Notwithstanding the foregoing, the placing of any promotional signage or other advertising (including, without limitation, flags and pennants) upon any of the lots owned by said contractor shall be subject in all respects to the covenants and conditions of the Declaration and to all rules and regulations of the Association and any committee or similar regulatory body thereof respecting same, as may be promulgated from time to time. Provided, however, that neither the covenants and conditions of the Declaration nor such promulgated rules and regulations, nor any other action of the Association or any committee or regulatory body thereof, shall prohibit said contractor from placing at least one sign, measuring 2 feet by 3 feet, on each model site to advertise the model homes as such, so long as such sign is not prohibited by any governmental agency having jurisdiction over such sites. The provisions of this Section 7.28 shall only be applicable to each contractor for a maximum period of forty-two (42) months from the date of the initial conveyance of any of said lots owned by said contractor or such lesser period as may be contractually agreed upon between Declarant and said contractor; upon expiration of said period as is applicable to said contractor, said contractor may not use said lots, as a model, sales office, promotion and development office. The provisions of this Section 7.28 shall not in any manner prohibit Declarant from constructing and using models, sales office, or promotion and development office on any lots owned by Declarant and subject to the Declaration, for so long as Declarant owns property subject to the Declaration.

IN WITNESS WHEREOF, Declarant has executed this Amendment the day and year first above written.

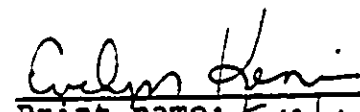
WITNESSES:

SWF LAKE OF THE WOODS LIMITED PARTNERSHIP, a Florida limited partnership

By: TAMFLA VIII CORP., a Florida corporation


Print name: SCOTT E. CREEK JR


Print name: ARTHUR SMITH ALLEN

By: 
Print name: Evelyn Kevin
As: Vice President

By: SWF LAKE-WOODS DEVELOPMENT CORP., a Florida corporation

Lucille Pitts
Print name: Lucille Pitts

By: Arthur Smith Allen
Print name: ARTHUR SMITH ALLEN
As: VICE PRESIDENT

Ellen Stein
Print name: Ellen Stein

5209 Tampa Palms Blvd.
Tampa, Florida 33647

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JAN 21 4 26 PM '92
RECORDED IN OFFICIAL RECORDS
KAREN L. JOHNSON
CLERK OF COUNTY CLERK
SARASOTA COUNTY, FLORIDA

New York
STATE OF FLORIDA)
COUNTY OF New York)

BEFORE ME, the undersigned Notary Public, personally appeared Evlyn Kevin, as vice president of TAMFLA VIII CORP., a Florida corporation, on behalf of SWF LAKE OF THE WOODS LIMITED PARTNERSHIP, a Florida limited partnership, as the successor Declarant of GULFSTREAM DEVELOPMENT CORP., a Florida corporation. ~~[He]~~ [She] ~~is~~ personally known to me ~~and has produced~~ as identification and [did] [did not] take an oath.

Witness my hand and official seal at _____
this 16th day of January, 1992.

Nancy K. Felcher
NOTARY PUBLIC, State of New York
No. 60-4773069
Qualified in Westchester County
Term Expires January 31, 1993

Nancy K. Felcher
Notary Public
Print Name: NANCY K FELCHER

My commission expires: 1-31-93

Massachusetts
STATE OF FLORIDA)
COUNTY OF Suffolk)

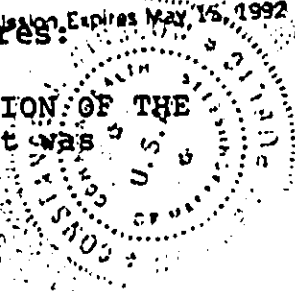
BEFORE ME, the undersigned Notary Public, personally appeared Arthur Smith Allen, as vice president of SWF LAKE-WOODS DEVELOPMENT CORP., a Florida corporation, on behalf of SWF LAKE OF THE WOODS LIMITED PARTNERSHIP, a Florida limited partnership, as the successor Declarant of GULFSTREAM DEVELOPMENT CORP., a Florida corporation. [He] ~~[She]~~ [is personally known to me] ~~[has produced~~ as identification and ~~[did]~~ [did not] take an oath.

Witness my hand and official seal at Boston, Massachusetts
this 15th day of January, 1992.

Constance J. Winslow
Notary Public
Print Name: Constance J. Winslow

My commission expires: May 15, 1992

***THIS DOCUMENT IS BEING RECORDED TO SHOW THE EXECUTION OF THE CORPORATE GENERAL PARTNERS OFFICERS. This document was previously recorded in O.R. Book 2360, page 1.



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