

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

19.50

WHEREAS, certain rights, interests, powers and benefits of Gulfstream Development Corp., a Florida corporation, as a developer or declarant were assigned to the undersigned, Taylor Woodrow Communities, a Florida general partnership, ("Declarant"), under that certain Assignment and Assumption of Developer's Rights, dated November 23, 1992, and recorded in Official Records Book 2455, Page 2345, of the Public Records of Sarasota County, Florida (the "Assignment"). Said Assignment includes, but is not limited to such rights, interests, powers and benefits as developer or declarant described under that certain Declaration of Covenants and Restrictions of Lake of the Woods recorded in Official Records Book 2141, Page 1075, as re-recorded in Official Records Book 2145, Page 2272, as amended in Official Records Book 2154, Page 2766, Official Records Book 2359, Page 2999, Official Records Book 2360, Page 1, and Official Records Book 2363, Page 499, all of the Public Records of Sarasota County, Florida, ("Declaration").

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, Article VII, Paragraph 3, of the Articles of Incorporation for the Association provides that the Declarant shall have the right to appoint all of the directors, if the Declarant owns twenty-five percent (25%) or more of the property subject to the Declaration, and provided it has not been longer than five (5) years after conveyance of the first lot 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 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 include certain Southwest Florida Water Management District ("SWFWMD") restrictions;

NOW THEREFORE, the undersigned hereby declares that the Declaration is hereby modified and amended as follows:

Paragraph 7.19 Surface Water Management is hereby amended to include the following language which pertains exclusively to those certain lots described in the plat for the Lakes of Jacaranda, Unit 1, recorded in Plat Book 36, Page 18, Public Records of Sarasota County, Florida:

It shall be the responsibility of each property owner within the subdivision at the time of construction of a building, residence, or structure, to comply with the construction plans for the surface water management system pursuant to Chapter 40D-4, F.A.C., approved and on file with the Southwest Florida Water Management District (SWFWMD). Furthermore, it is the lot owner's responsibility not to remove native vegetation (including cattails) that become established within the wet detention ponds abutting their property. Removal includes dredging, the application of herbicides or algaecides, introduction of grass carp, and cutting. Lot owners should address any question regarding authorized activities within the wet detention pond to SWFWMD, Venice Permitting Department.

Except as amended hereby, all remaining terms and conditions shall remain in full force and effect.

IN WITNESS WHEREOF, Declarant has executed this Fourth Amendment to Declaration of Covenants and Restrictions this 26 day of July, 1993.

Witnesses:

Kim D. Nelson
* Kim D. Nelson
*(Print name of Witness)

Theresa A. Short
* Theresa A. Short
*(Print name of Witness)

Kim D. Nelson
* Kim D. Nelson
*(Print name of Witness)

Theresa A. Short
* Theresa A. Short
*(Print Name of Witness)

TAYLOR WOODROW COMMUNITIES,
a Florida general partnership

By: TAYLOR WOODROW HOMES
FLORIDA, INC., a Florida
corporation, as general
partner

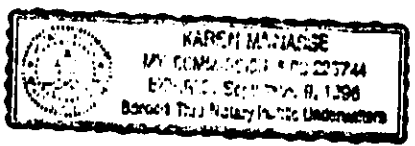
By: [Signature]
As its President

By: MONARCH HOMES OF FLORIDA,
INC., a Florida corporation
as general partner

By: [Signature]
As its President

STATE OF FLORIDA
COUNTY OF ~~SARASOTA~~ INDIAN RIVER

The foregoing instrument was acknowledged before me this 26 day of July, 1993, by John R. Reskin, as President of TAYLOR WOODROW HOMES FLORIDA, INC., a Florida corporation, as general partner of TAYLOR WOODROW COMMUNITIES, a Florida general partnership, on behalf of said partnership, who is personally known to me or produced _____ as identification and who did not take an oath.

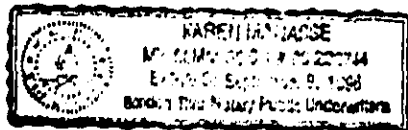


(NOTARIAL SEAL)

Karen Manasse
* Karen Manasse
*(Print Name of Notary Public)
Notary Public - State of Florida
My Commission Expires _____
Commission Number _____

STATE OF FLORIDA
COUNTY OF SARASOTA- DUVAL

The foregoing instrument was acknowledged before me this
26 day of July, 1993, by John R. Pashko,
as President of MONARCH HOMES OF FLORIDA, INC., a
Florida corporation, as general partner of TAYLOR WOODROW
COMMUNITIES, a Florida general partnership, on behalf of said
partnership, who is personally known to me or produced
_____ as identification and who did not take an
oath.



(NOTARIAL SEAL)

Karen Manasse
* Karen Manasse
*(Print Name of Notary Public)
Notary Public - State of Florida
My Commission Expires _____
Commission Number _____

jlw/5thamend.jac

KAREN E. BUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

94 FEB 10 PM 4: 26

RECORDED IN OFFICIAL
RECORDS
RECORD VERIFIED