

1 of 4

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**FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
RIVERWOOD**

This Amendment is made this 6th day of November, 1992 by Riverwood Development, Inc., a Florida corporation ("Declarant"), and is joined by Riverwood Community Association, Inc., a Florida not-for-profit corporation ("Association"), Robert M. Taylor, as Trustee ("Trustee") and Riverwood Community Development District ("CDD").

STATEMENT OF BACKGROUND INFORMATION

- A. Developer has declared the Property shall be subject to the Declaration of Covenants, Conditions and Restrictions for Riverwood (the "Declaration") recorded in O.R. Book 1227, Page 1371 et seq. of the Public Records of Charlotte County, Florida.
- B. Declarant, in accordance with Section 19.2 of the Declaration, reserved the right to amend the Declaration, is executing and recording this Amendment.

STATEMENT OF AMENDMENT

Developer hereby amends the Declaration as specifically set forth below:

- 1. Defined Terms. Terms used in this Amendment as defined terms shall have the meaning ascribed to them in the Declaration.

THIS INSTRUMENT WAS PREPARED BY AND SHOULD BE RECORDED AND RETURNED TO:
Marc I. Spencer, Esq.
Cherry & Spencer, P.A.
1665 Palm Beach Lakes Blvd.
Suite 600
West Palm Beach, FL 33401
(407) 471-7767

*Guardian Title ★
13391 McGregor Blvd
Fort Myers FL 33919*

21/50
Recording \$ 24.00
Record Verified: JUDY WEISNER, D.C.
Barbara T. Scott, Clerk of the Circuit Court - Charlotte County
File Number: 197102 OR BOOK 1246 PAGE 0086
Recorded: 11-10-92 09:21 A.M.

2. Private Golf Carts. Section 14.23 of the Declaration shall be deleted in its entirety and the following shall be inserted in its place and stead.

Section 14.23 Private Golf Carts. Except as specifically provided in a Supplemental Declaration, the use of private golf carts within the Properties is prohibited. Notwithstanding this restriction, the Golf Club Owner may, but shall not be required to, permit Owners in Neighborhoods designated by the Board of Directors, who are Golf Club members, to obtain trail privileges and utilize private golf carts on the Golf Course and to travel from their Lot to the Golf Course. In this event, the Board may impose reasonable liability insurance requirements on such Owners to protect the Association. Owners who have private golf cart privileges shall not operate the golf cart on sidewalks or on streets within Riverwood which have not been designated for golf cart traffic by the Association and the CDD. All such carts shall be utilized only by licensed drivers and in compliance with the manufacturer's instructions and all rules and regulations promulgated by the Association and the Golf Club Owner. Notwithstanding this general prohibition, Owners of Commercial and Recreational Properties shall be permitted to use private golf carts for maintenance and operation of their Commercial or Recreational Property.

Any use of golf carts within the Properties shall be at the sole risk of the operator thereof and no action shall be made against the Association, the Declarant or the CDD in relation to personal injury or property damage resulting from such use, and each Owner who uses a private golf cart or permits the same to be used by his family, guests, invitees or agents agrees to indemnify the Association, Declarant and CDD from any claim, loss, damage, fee or costs resulting from use of the private golf cart by the Owner, his family, guests, invitees and agents.

Use of golf carts on any streets within the Properties is further subject to compliance with Florida law and each Owner and user of a private golf cart agrees to comply with any requirements of such law.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Amendment as of the date first written above.

Signed, Sealed and Delivered
in the presence of:

Florence Simmons
Print Name: Florence Simmons

Lynn A. Sweyer
Print Name: LYNN A. SWEYER

RIVERWOOD DEVELOPMENT, INC.

By: [Signature]
Its: Vice President

Print Name and Address:

Bryan P. Brown
2571 Atlas Lake Dr
Naples, FL

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RIVERWOOD COMMUNITY ASSOCIATION, INC.

Florence Simmons

Print Name: Florence Simmons

By: [Signature]

Its: President

[Signature]

Print Name: LYNN A. SWEYER

Print Name and Address:

STEPHEN A. CLAYTON
12800 UNIVERSITY DR. SUITE 850
FT. MYERS, FL 33907

STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 6th day of November, 1992 by Bryan P. Brown, Vice President of Riverwood Development, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has provided a driver's license as identification and did take an oath.

Florence Simmons

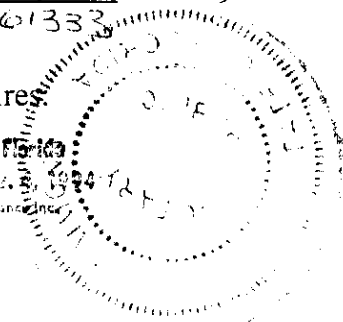
Print Name: Florence Simmons

Notary Public 0001333

State of Florida

My Commission Expires

Notary Public, State of Florida
My Commission Expires Nov. 3, 1994
Bonded Thru Troy Fair - Insurance Inc.



STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 6th day of November, 1992 by Stephen A. Clayton, President of Riverwood Community Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me or has provided a driver's license as identification and did take an oath.

Florence Simmons

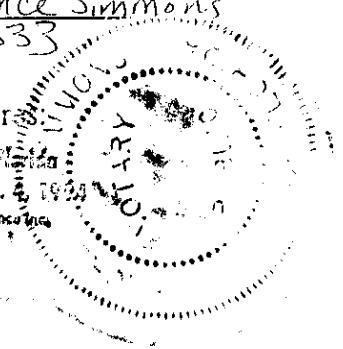
Print Name: Florence Simmons

Notary Public 001333

State of Florida

My Commission Expires

Notary Public, State of Florida
My Commission Expires Nov. 3, 1994
Bonded Thru Troy Fair - Insurance Inc.



JOINDER OF TRUSTEE

Robert M. Taylor, as Trustee under the Trust Agreement created pursuant to Trust Agreement dated May 12, 1989 hereby joins in this Amendment for the sole purpose of agreeing that the Stonebridge Property shall be subject to and encumbered by this Amendment. **THE ASSOCIATION AND EACH OWNER ACKNOWLEDGES AND AGREES THAT ROBERT M. TAYLOR, AS TRUSTEE SHALL HAVE NO LIABILITY WHATSOEVER IN CONNECTION WITH THE PROMULGATION, AMENDMENT OR ENFORCEMENT OF THIS AMENDMENT OR FOR ANY ACTION OR INACTION OF DECLARANT OR THE ASSOCIATION.**

Signed sealed and Delivered
in the Presence of:

ROBERT M. TAYLOR, AS TRUSTEE

Florence Simmons

Print Name: Florence Simmons

By:

Robert M. Taylor

Print Name: Robert M. Taylor

Lynn A. Sweyer

Print Name: LYNN A. SWEYER

Address: 12800 University Dr 350
Et Myers, FL 33007

STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 6th day of November, 1992 by Robert M. Taylor as Trustee. He is personally known to me or has provided a driver's license as identification and did take an oath.

Florence Simmons

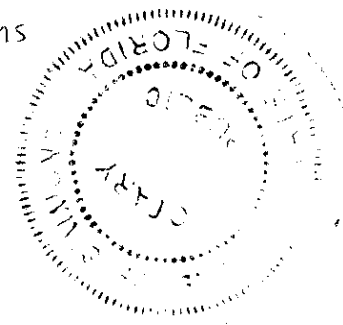
Print Name: Florence Simmons

Notary Public 061333

State of Florida

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Nov. 4, 1994
Printed With TROY Coin - Increases life



OR BOOK 1246 PAGE 0089

JOINDER OF CDD

Riverwood Community Development District hereby joins in this Amendment for the sole purpose of agreeing that any portion of the Stonebridge Property owned by or dedicated to it shall be subject to and encumbered by this Amendment. **THE ASSOCIATION AND EACH OWNER ACKNOWLEDGES AND AGREES THAT RIVERWOOD COMMUNITY DEVELOPMENT DISTRICT SHALL HAVE NO LIABILITY WHATSOEVER IN CONNECTION WITH THE PROMULGATION, AMENDMENT OR ENFORCEMENT OF THIS AMENDMENT OR FOR ANY ACTION OR INACTION OF DECLARANT OR THE ASSOCIATION.**

Signed sealed and Delivered
in the Presence of:

RIVERWOOD COMMUNITY DEVELOPMENT
DISTRICT

Florence Simmons
Print Name: Florence Simmons

Lynn A. Sweyer
Print Name: LYNN A. SWEYER

By: [Signature] Chairman
Print Name: Bryan P. Brown

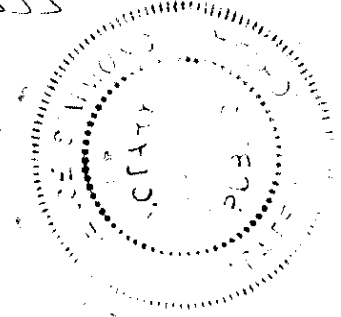
Address: 2571 Cotrus Lake Dr
Naples, FL

STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 6th day of November, 1992 by Bryan P. Brown, _____ Chairman of Riverwood Community Development District. He is personally known to me or has provided a driver's license as identification and did take an oath.

Florence Simmons
Print Name: Florence Simmons
Notary Public CC061333
State of Florida

My Commission Expires:
Notary Public, State of Florida
My Commission Expires Nov. 4, 1994
Bonded thru Troy Fain - Insurance Inc.



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