FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR HERITAGE ISLE DISTRICT

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR HERITAGE ISLE DISTRICT is made and executed this 13th day of December, 2007, by Lennar Homes, Inc., a Florida corporation (hereinafter referred to as "Developer").

WITNESSETH:

WHEREAS, Developer, pursuant to that certain Declaration of Covenants and Restrictions for Heritage Isle District dated June 16, 2004, and recorded on June 16, 2004 in Official Records Book 5320, Page 481 of the Public Records of Brevard County, Florida, (hereinafter referred to as the "Declaration"), did declare that certain real property more particularly described in the Declaration was to be subject to certain covenants, conditions, restrictions, reservations and easements more particularly set forth therein, and

WHEREAS, Section 21.2 of Article 21 of the Declaration permits the Declaration to be amended by the Developer prior to the Turnover Date; and

WHEREAS, the Turnover Date has not occurred; and

WHEREAS, Developer desires to amend the Declaration in the manner hereinafter set forth.

NOW, THEREFORE, for and in consideration of the premises hereof, Developer does hereby declare that Article 13, Section 13.12 of the Declaration shall be, and it is hereby, changed, amended, modified and restated as follows, to wit:

NOW, THEREFORE, for and in consideration of the premises hereof, Developer does hereby declare that the Declaration shall be, and it is hereby, changed, amended and modified as follows, to wit:
ARTICLE 13
USE RESTRICTIONS

13.12 Fences/Walls/Screens. No walls or fences shall be erected or installed. Invisible fencing may be permitted with the prior written consent of the ACC. All screening, screened enclosures and storm doors, enclosures of balconies, decks or patios, including the addition of vinyl windows, shall have the prior written approval of the ACC and shall be designed, constructed and installed in accordance with the guidelines established or to be established by the ACC in its sole discretion, which guidelines may be modified by the ACC at any time. All screens shall be charcoal in color.

IN WITNESS WHEREOF, the undersigned, being the Developer herein, has executed this Declaration this 13th day of December, 2007.

"DEVELOPER"

Lennar Homes, Inc., a Florida corporation

By: ____________________________
Name: Charles E. Cook
Title: Division President

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 13th day of December, 2007 by Charles E. Cook, as Division President of Lennar Homes, Inc., a Florida corporation, who is personally known to me who or { } has produced ________________________ as identification.

Patricia Szczesny
NOTARY PUBLIC
Print Name: Patricia Szczesny
My Commission Expires: 4/4/11
Commission #: DD059013