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This instrument prepared by:
Christopher J. Shields, Esq.
PAVESE LAW FIRM
1833 Hendry Street
Fort Myers, Florida 33901
(239) 334-2195

**CERTIFICATE OF AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS
FOR
VILLAS AT KINGS GATE, A PHASE TOWNHOME COMMUNITY**

THIS AMENDMENT is made this 1st day of September, 2010, to the Declaration of Covenants, Conditions and Restrictions for Villas at Kings Gate, a Phase Townhome Community ("Declaration") by KINGS GATE HOMES, LLC, a Florida limited liability company ("Declarant").

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Villas at Kings Gate, a Phase Townhome Community is recorded at Official Records Book 3431, Pages 1064-1110, and as may have been subsequently amended, in the Public Records of Charlotte County, Florida; and

WHEREAS, pursuant to Section 15.3 of the Declaration, Declarant reserved the unilateral right to modify, enlarge, amend, waive or add to the provisions of the Declaration or any of its recorded exhibits for so long as the Declarant holds any Lots and Villas in the Properties for sale in the ordinary course of business; and

WHEREAS, Declarant holds Lots and/or Villas in the Properties for sale in the ordinary course of business; and

WHEREAS, Declarant desires to amend Section 11.8 of the Declaration in certain respects and to evidence such amendments by this writing.

NOW, THEREFORE, the Declaration is amended as follows:

1. Section 11.8 is amended as follows:

Appearance; Refuse Disposal. Each owner shall keep his Lot and Villa free of trash and debris and shall reasonably maintain his Villa. Personal property of residents shall not be left on the lawns or landscaped areas outside the Villas. Trash, garbage or other waste must be kept in appropriate containers suitably screened from view from the street and adjacent Lots. Porches, and lanais shall be used only for the purposes intended, and shall not be used for hanging or drying clothing, ~~for outdoor cooking~~, for cleaning of rugs or other household items, or for storage of bicycles or other personal property. Outdoor cooking is permitted, unless otherwise prohibited or

bicycles or other personal property. Outdoor cooking is permitted, unless otherwise prohibited or restricted by the local Fire District. . All owners must comply with the rules adopted by local Fire District, and with the Florida Fire Prevention Code and the National Fire Protection Association, as amended from time to time, which rules are hereby incorporated by reference.

IN WITNESS WHEREOF, Kings Gate Homes, LLC, a Florida Limited Liability Company, does hereby execute this Declaration of Covenants, Conditions and Restrictions through its undersigned, duly authorized agents, this 1st day of SEPTEMBER, 2010.

Kings Gate Homes, LLC, a Florida Limited Liability Company

Witness #1

ALICIA H. GAYTON

Printed Name of Witness #1

Witness #2

JANEAN SORIERO

Printed Name of Witness #2

By: DAVID H. BALDAUF

Print Name: DAVID H. BALDAUF

Title: MANAGER

Address: 8441 COOPER CREEK BLVD
UNIVERSITY PARK, FL 34201

(CORPORATE SEAL) ay

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 1st day of SEPTEMBER, 2010, by DAVID H. BALDAUF, Manager/Member of Kings Gate Homes, LLC, a Florida Limited Liability Company. He is personally known to me or did produce _____ as identification.

(SEAL)

ALICIA H. GAYTON
Notary Public

