

THIS INSTRUMENT PREPARED BY
AND TO BE RETURNED TO:
SARAH E. SPECTOR, ESQ.
P.O. BOX 280
FORT MYERS, FLORIDA 33902-0280

**AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
OF HANCOCK CREEK SOUTH CENTER**

This Amendment to Declaration of Covenants and Restrictions of Hancock Creek South Center (the "Amendment") is made this 7th day of November, 2007, by E.C. Stern Enterprises, Inc., a Delaware corporation ("Declarant"), whose mailing address is P.O. Box 2055, Glenview, Illinois 60025.

WHEREAS, The Declaration of Covenants, Conditions, and Restrictions of Hancock Creek South Center (the "Declaration") was recorded on May 28, 1999 in Official Records Book 3124, Page 1528, Public Records of Lee County, Florida; and

WHEREAS, Section 8 of Article I of the Declaration identifies the Declarant as E.C. Stern Enterprises, Inc.; and

WHEREAS, Section 5 of Article XI of the Declaration grants the Declarant the unrestricted right to amend the Declaration until such time as Declarant relinquishes control of the Hancock Creek South Center Property Owners' Association, Inc. (the "Association"); and

WHEREAS, the Declarant still controls the Association; and

WHEREAS, the South Florida Water Management District (the "SFWMD") is requiring and the Declarant hereby wishes to amend the Declaration to include additional language relative to the onsite water management system.

NOW, THEREFORE, the Declarant, hereby amends the Declaration as follows:

1. The foregoing recitals are true and correct.
2. All terms used herein shall have the same meaning as defined in the Declaration.
3. The Declaration is hereby amended to add the following language as the last paragraph of Article X, *South Florida Water Management District Provisions*:

The South Florida Water Management District, the Association, the Declarant and each Owner shall have the right to enforce, by a proceeding at law or in equity, the provisions contained in this Declaration which relate

to the maintenance, operation, monitoring, repair and replacement of the Surface Water Management System. Notwithstanding the foregoing, the South Florida Water Management District has the right to take enforcement action, including a civil action for injunction and penalties, against the Association to compel it to correct any outstanding problems with the Surface Water Management System facilities or the Conservation Areas under the responsibility or control of the Association.

IN WITNESS WHEREOF, E.C. Stern Enterprises, Inc., a Delaware corporation, has caused these presents to be signed in its name by its proper officer, the 7th day of November, 2007.

Signed, sealed and delivered
in the presence of:

E.C. Stern Enterprises, Inc.,
a Delaware corporation

Ann F. Johnson

Print: Ann F. Johnson

By: *E. H. Stern*

Print: E. H. STERN

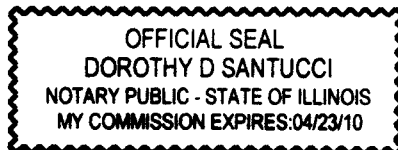
Slava Veselovsky

Print: Slava Veselovsky

Date: 11/7/07

Illinois
STATE OF ~~FLORIDA~~)
COUNTY OF ~~LEE~~ Cook)

The foregoing instrument was acknowledged before me this 7th day of November, 2007, by E. H. Stern, as Pres. of E.C. Stern Enterprises, Inc., on behalf of the corporation and the company, (☒) who is personally known to me OR (☐) who produced _____ as identification.



Dorothy D. Santucci
Notary Signature

DOROTHY D. SANTUCCI
Print Notary Name

NOTARY PUBLIC
State of ~~Florida~~

ILLINOIS

My Commission Expires: 4/23/2010