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Prepared by John M. Strickland ✓ 183
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INSTRUMENT # 1999095299 5 PGS
1999 JUL 13 03:50 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCOURSEY Receipt#120895

AMENDMENT TO DECLARATION OF RESTRICTIONS
COVENANTS AND CONDITIONS

1999095299
This Amendment to Declaration of Restrictions, Covenants and Conditions (the "Amendment") is made on July 8, 1999, between J.W. GRAHAM, as sole surviving Trustee under an unrecorded Trust Agreement dated January 10, 1986 (the "Trustee"); ARVIDA/JMB Partners, a Florida general partnership, as successor in interest to ARVIDA Corporation, a Delaware corporation ("Arvida"); and TOWN PLAZA II INVESTMENT, Ltd., a Florida limited partnership ("Town Plaza").

A. Trustee is the owner of the property described in Exhibit "A", and holds title to such property pursuant to the Deed recorded in Official Records Book 1836, Page 2887, Public Records of Sarasota County, Florida. This Deed sets forth the full power and authority of the Trustee with regard to the Trustee's property. The original Trustees were J.W. Graham and H. Lee Sullivan. However, H. Lee Sullivan is deceased, and pursuant to the provisions of the Deed, J.W. Graham is the sole Trustee.

B. Arvida and Trustee (together with H. Lee Sullivan, who was then a co-trustee) entered into a Declaration of Restrictions, Covenants and Conditions (the "Deed") regarding the real property conveyed to the Trustee by Arvida, these Restrictions, Covenants and Conditions being recorded in Official Records Book 1836 at Page 2843, et. seq. of the Public Records of Sarasota County, Florida (the "Declaration").

C. Subsequent to the recording of the Declaration, Arvida

conveyed property other than that owned by Trustee, but which is in a development adjacent to the property owned by Trustee, to Town Plaza.

D. Certain disputes have arisen between and among Trustee, Arvida and Town Plaza regarding the Declaration. The parties wish to resolve these disputes and further wish to amend the Declaration.

THEREFORE, for good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The facts stated in the introduction are true and are made a part of this Amendment.

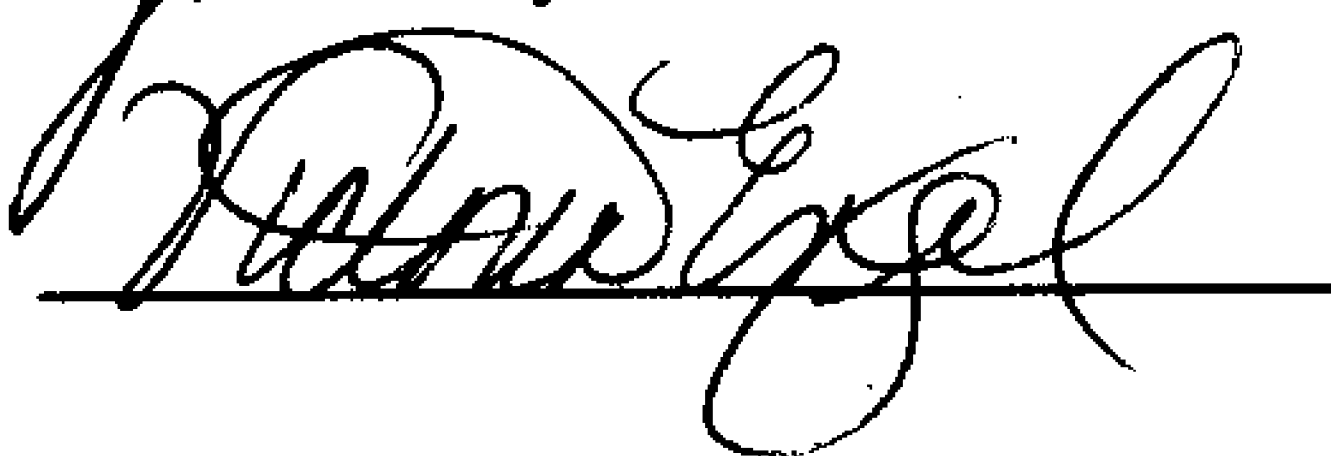
2. Except for the Restrictions, Covenants, and Conditions contained in paragraphs 1, 17, 18, 28 and 32, of the Declaration recorded in O.R. Book 1826 at Page 2843, et. seq., relating to the property of the Trustee described in Exhibit "A" attached hereto, the Restrictions, Covenants, and Conditions contained in this Declaration are hereby terminated and shall be of no further force or effect.

3. This Amendment may be executed in one or more counterparts, each of which shall constitute an original.

4. Except as modified by this Amendment, the provisions of the Declaration shall remain in full force and effect.

In witness of this Amendment, the parties have executed it below.

Signed, sealed and delivered
in the presence of:

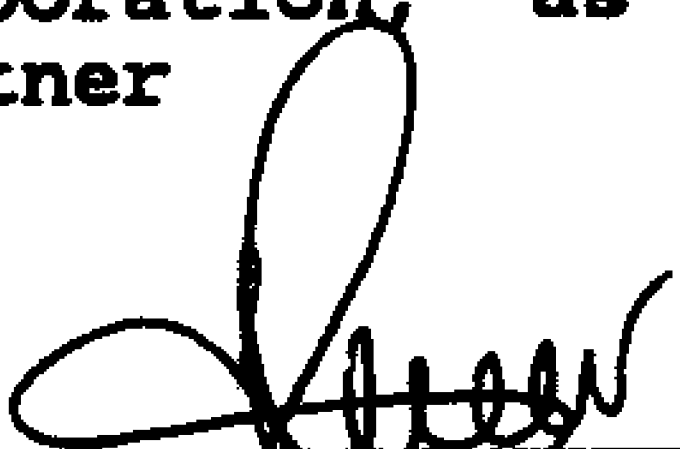




J.W. Graham, as Trustee,
aforesaid

TOWN PLAZA II INVESTMENT, LTD.,
a Florida limited partnership

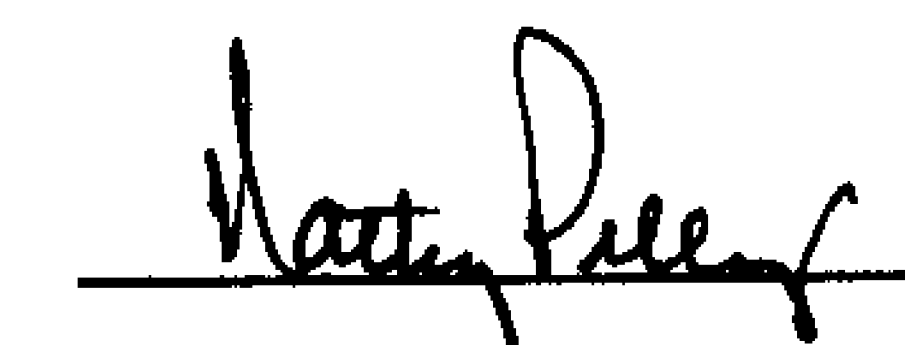
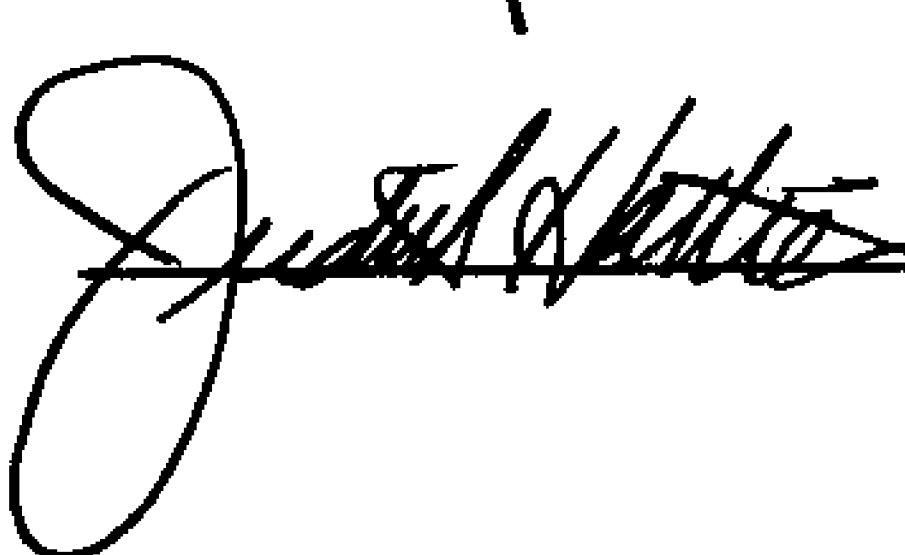
By: Mannausa Development
Company, a Florida
corporation, as its General
Partner




By: 
As its: President

ARVIDA/JMB PARTNERS, a Florida
general partnership

By: ARVIDA/JMB MANAGERS, INC.,
a Delaware corporation, as
its General Partner

By: 
As its: Vice President

STATE OF FLORIDA
COUNTY OF FLORIDA

The foregoing instrument was acknowledged before me this 21st
day of June, 1999 by J.W. GRAHAM, as Trustee,
aforesaid who is personally known to me or who has produced
N/A as identification.



VICTORIA ENGEL
MY COMMISSION # CC478477 EXPIRES
October 1, 1999
BONDED THRU TROY FAIR INSURANCE, INC.

[Signature]
Notary Public
Printed Name of Notary:
VICTORIA ENGEL

My Commission Expires:

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 16
day of June, 1999 by Thomas J. Munnish as
President of Mannausa Development Company, the
general partner of TOWN PLAZA II INVESTMENT, LTD, a Florida limited
partnership, on behalf of the partnership. He/She is personally
known to me or has produced _____ as
identification.



[Signature]
Notary Public
Printed Name of Notary:
CINDY FREDRICKSON

My Commission Expires:

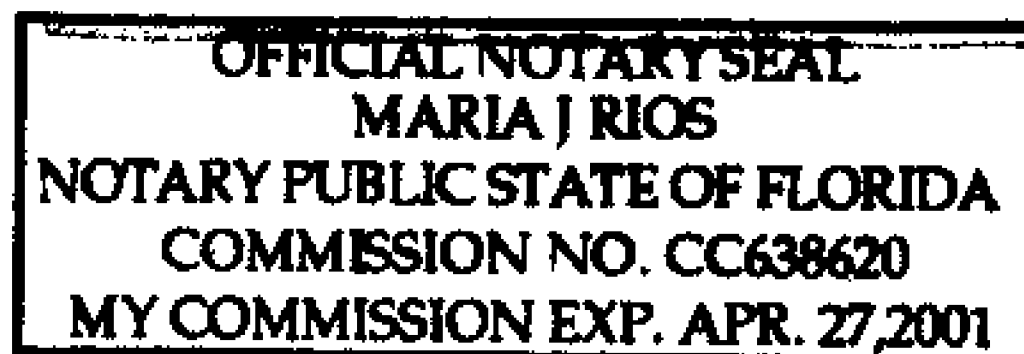
STATE OF FLORIDA
COUNTY OF SARASOTA Palm Beach

The foregoing instrument was acknowledged before me this 8th
day of July, 1999 by John Baric as
of ARVIDA/JMB Managers, Inc., a Delaware
corporation, the general partner of ARVIDA/JMB PARTNERS, a Florida
general partnership, on behalf of the partnership. He/She is
personally known to me or has produced _____ as
identification.

[Signature]
Notary Public
Printed Name of Notary:
Maria J Rios

My Commission Expires:

graham/town plaza/partial release



OFFICIAL RECORDS INSTRUMENT # 1999095299 5 pgs

Parcel "C", Bay Isles, Unit No. 9, as per plat thereof recorded in Plat Book 30, Pages 47 and 47A, Public Records of Sarasota County, Florida. Together with and including as a part of this Parcel the 10' wide easement area extending along the northwesterly boundary of said Parcel "C" as reflected on the aforementioned plat;

