

GENERAL DEVELOPMENT CORPORATION *
A DELAWARE CORPORATION *
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*
TO WHOM IT MAY CONCERN *

AMENDED DECLARATION OF RESTRICTIONS

WHEREAS, GENERAL DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, AUTHORIZED TO TRANSACT BUSINESS IN FLORIDA, IS THE OWNER OF THE FOLLOWING DESCRIBED PROPERTY, SITUATE, LYING AND BEING IN ~~BREKXAM~~ ^{CHARLOTTE} COUNTY, FLORIDA,
TO WIT: PORT CHARLOTTE SUBDIVISION SECTION 85 A SUBDIVISION IN CHARLOTTE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 6 , AT PAGES 60A THRU 60Q OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, AND,

WHEREAS, GENERAL DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, HAS CAUSED TO HAVE RECORDED A DECLARATION OF RESTRICTIONS, RESERVATIONS, EASEMENTS AND COVENANTS COVERING PORT CHARLOTTE SUBDIVISION, SECTION 85 LOCATED IN CHARLOTTE COUNTY, FLORIDA, WHICH DECLARATION APPEARS OF OFFICIAL RECORD BOOK 97 , PAGES 251 THRU 258 .

WHEREAS, GENERAL DEVELOPMENT CORPORATION, A DELAWARE CORPORATION AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA IS AT PRESENT THE MAJORITY LAND OWNER OF SAID PORT CHARLOTTE SUBDIVISION SECTION 85 AND WHEREAS, SUBSEQUENT TO THE DATE OF THE RECORDING OF SAID DECLARATION, CONDITIONS HAVE SUBSTANTIALLY CHANGED TO CAUSE THE FOLLOWING CHANGES TO BE MADE. PARAGRAPHS ____ AND ____ OF THE PREVIOUSLY RECORDED DECLARATION ARE HEREBY AMENDED AS FOLLOWS, ALSO PARAGRAPHS B-2 THRU B-4 AND B-6 HAVE BEEN ADDED, ANYTHING CONTAINED THEREIN TO THE CONTRARY NOTWITHSTANDING, To WIT:

B-2 WHEN EACH AND EVERY TRACT LISTED IN THIS PARAGRAPH IS SUBDIVIDED INTO RESIDENTIAL LOTS, NO SINGLE RESIDENCE LOT SHALL BE RE-SUBDIVIDED INTO BUILDING LOTS HAVE LESS THAN TEN THOUSAND (10,000) SQUARE FEET NOR HAVING A WIDTH OF LESS THAN SEVENTY-FIVE (75') FEET AT THE MINIMUM BUILDING SET BACK LINE ON RESIDENCE LOTS LISTED IN THIS PARAGRAPH NO BUILDING SHALL BE ERECTED HAVING AN AREA OF LESS THAN ONE THOUSAND (1,000) SQUARE FEET GROUND AREA. RESIDENCES MAY BE CONSTRUCTED ON THE FOLLOWING TRACTS SHOWN ON THE RECORDED PLAT DESCRIBED ABOVE.

TRACTS "A", "C", "D", "G", "N"

B-3 EACH AND EVERY OF THE FOLLOWING TRACTS SHALL BE USED SOLELY FOR A PUBLIC PARK SITE, AND NO STRUCTURE SHALL BE CONSTRUCTED OR ERECTED OTHER THAN THOSE NECESSARY FOR RECREATIONAL FACILITIES. NO BUILDING SHALL BE BUILT NEARER THAN TWENTY-FIVE (25') FEET TO THE FRONT PROPERTY LINE, NOR NEARER THAN SEVEN-ONE-HALF (7 1/2') FEET TO THE SIDE PROPERTY LINES, NOR NEARER THAN TWENTY (20') FEET TO THE REAR PROPERTY LINE.

TRACTS "B", "H", "I", "J", "K", "L", "M"

B-4 EACH AND EVERY OF THE FOLLOWING TRACTS SHALL BE USED SOLELY FOR A UTILITY SITE AND NO STRUCTURE SHALL BE CONSTRUCTED OR ERECTED OTHER THAN THOSE NECESSARY FOR UTILITY SERVICES. NO BUILDING SHALL BE BUILT NEARER THAN TWENTY-FIVE (25') FEET TO THE FRONT PROPERTY LINE, NOR NEARER THAN SEVEN-ONE-HALF (7 1/2') FEET TO THE SIDE PROPERTY LINES, NOR NEARER THAN TWENTY (20') FEET TO THE REAR PROPERTY LINE.

TRACT "F"

B-5 EACH AND EVERY OF THE FOLLOWING TRACTS SHALL BE USED SOLELY FOR A CHURCH SITE, ONLY ONE CHURCH DENOMINATION WILL BE ALLOWED ON EACH TRACT. NO BUILDING SHALL BE BUILT NEARER THAN FORTY (40') FEET TO THE FRONT PROPERTY LINE, NOR NEARER THAN TWENTY-FIVE (25') FEET TO THE SIDE PROPERTY LINES, NOR NEARER THAN TWENTY-FIVE (25') FEET TO THE REAR PROPERTY LINE. CHURCHES ARE REQUIRED TO PROVIDE OFF-STREET PARKING SPACE FOR MEMBERSHIP AND VISITORS.

DOES NOT APPLY

B-6 EACH AND EVERY OF THE FOLLOWING TRACTS SHALL BE USED SOLELY FOR A SCHOOL SITE. NO BUILDING SHALL BE BUILT NEARER THAN FORTY (40') FEET TO THE FRONT PROPERTY LINE, NOR NEARER THAN TWENTY-FIVE (25') FEET TO THE SIDE PROPERTY LINES, NOR NEARER THAN TWENTY-FIVE (25') FEET TO THE REAR PROPERTY LINE.

TRACT "E"

B-7 EACH AND EVERY OF THE FOLLOWING LOTS AND BLOCKS:

LOTS 1 THRU 34, BLOCK 4621
LOTS 1 THRU 10, 35 & 36, BLOCK 4622
LOTS 16 THRU 31, BLOCK 4623

SHALL BE KNOWN AND DESCRIBED AS DUPLEX RESIDENCE LOTS, AND NO STRUCTURE SHALL BE CONSTRUCTED OR ERECTED ON ANY DUPLEX RESIDENCE LOT OTHER

THAN ONE (1) DETACHED TWO (2) FAMILY DWELLING NOT TO EXCEED TWO (2) STORIES IN HEIGHT AND A TWO (2) CAR GARAGE. NO DUPLEX RESIDENCE LOT LISTED IN THIS PARAGRAPH SHALL BE RESUBDIVIDED INTO BUILDING LOTS HAVING LESS THAN TEN THOUSAND (10,000) SQUARE FEET NOR HAVING A WIDTH OF LESS THAN SEVENTY-FIVE (75') FEET AT THE MINIMUM BUILDING SET BACK LINE. ON DUPLEX LOTS LISTED IN THIS PARAGRAPH NO BUILDING SHALL BE ERECTED HAVING AN AREA OF LESS THAN SIX HUNDRED (600) SQUARE FEET AREA PER FAMILY UNIT. (GROUND FLOOR AREA).

B-8

COMMERCIAL LOTS:

A. EACH AND EVERY OF THE FOLLOWING LOTS AND BLOCKS:

SHALL BE KNOWN AS COMMERCIAL LOTS, WHICH MAY BE FOR, BUT NOT LIMITED TO THE FOLLOWING USES. USES OTHER THAN THOSE LISTED MAY BE PERMITTED, PROVIDING A REQUEST FOR APPROVAL, STATING THE PURPOSE AND COMPLETE DESCRIPTION OF THE USE AND OPERATION IS SUBMITTED IN WRITING AND APPROVAL IS RECEIVED. ANTIQUE SHOPS; AQUARIUMS; APARTMENT AND DUPLEX BUILDINGS; ART GOODS AND BRIC-A-BRAC SHOPS; ARTISTS' STUDIOS; BARBER SHOPS; BANKS; BATH AND MASSAGE PARLORS; BEAUTY PARLORS; CIGAR STORES; PRIVATE CLUBS; LODGES; FRATERNITIES AND OTHER PUBLIC MEETING PLACES NOT OPERATED FOR PROFIT; CONFECTIONARY AND ICE CREAM STORES; CONSERVATORIES; CURIO STORES; DRUG AND SUNDRY STORES; EXCEPTING THAT NO LIQUOR, BEER, WINE AND INTOXICATING BEVERAGES MAY BE SOLD THEREIN; RETAIL FRUIT STORES; GASOLINE AND AUTO SERVICE STATIONS ONLY ON CORNER LOTS; GROCERY STORES AND MEAT MARKETS, EXCEPT THOSE DEALING IN LIVE POULTRY; HABERDASHERY; HARDWARE STORES; INCLUDING DISPLAY OR PLUMBING FIXTURES, BUT NOT IN CONNECTION WITH A PLUMBING SHOP; ELECTRONIC SALES AND SERVICES; HAT CLEANING AND BLOCKING; INTERIOR DECORATING, COSTUMING, DRAPERIES, JEWELRY AND LEATHER GOODS STORES; MESSENGER OFFICES; MILLINERY AND WEARING APPAREL STORES; MODISTES; MOTELS AND HOTELS; NEWSTANDS; OFFICES FOR LAWYERS, ARCHITECTS, ENGINEERS, DOCTORS, DENTISTS, AND RELATED PROFESSIONS; OPTICAL STORES; PHOTOGRAPH GALLERIES; PAINT STORES; SOUVENIR STORES; SPORTING GOODS STORES; STATIONERY STORES; TAILOR SHOPS; SHOE STORES AND REPAIRING SHOPS; POST OFFICES; PRESSING SHOPS, CLEANING AND LAUNDRY AGENCIES, PROVIDED NO GASOLINE OR EXPLOSIVES OF ANY KIND ARE STORED OR USED; RESTAURANT OR DINING ROOMS WHERE KITCHEN IS SCREENED OR LOCATED ALTOGETHER WITHIN A CLOSED BUILDING OR ROOM AND AMPLE PROVISION FOR CARRYING AWAY OF

