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GENERAL DEVELOPMENT CORPORATION *
DELAWARE CORPORATION *
*
*
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 ~~XXXXXX~~ CHARLOTTE COUNTY, FLORIDA,

TO WIT: PORT CHARLOTTE SUBDIVISION SECTION 87 A SUBDIVISION IN CHARLOTTE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7 , AT PAGES 20A THRU 20N 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 87 LOCATED IN CHARLOTTE COUNTY, FLORIDA, WHICH DECLARATION APPEARS OF OFFICIAL RECORD BOOK 112 , PAGES 672 THRU 678 .

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 87 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, B-3, B-5 AND B-6, ^{B-7, B-8} 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 ERRECTED 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 "I", "J" & "K"

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 "A", "B" & "H"

B-4 EACH AND EVERY OF THE FOLLOWING TRACTS SHALL BE USED SOLELY FOR A AND NO STRUCTURE SHALL BE CONSTRUCTED OR ERECTED OTHER THAN THOSE NECESSARY FOR NO BUILDING SHALL BE BUILT NEARER THAN FEET TO THE FRONT PROPERTY LINE, NOR NEARER THAN FEET TO THE SIDE PROPERTY LINES, NOR NEARER THAN FEET TO THE REAR PROPERTY LINE.

DOES NOT APPLY

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.

TRACTS "C" & "F"

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 9, BLOCK 4639;
LOTS 1 THRU 10, BLOCK 4651

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 GOOD 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 SERVICE; HAT CLEANING AND BLOCKING; INTERIOR DECORATING, COSTUMING, DRAPERIES, JEWELRY AND LEATHER GOODS STORES; MESSENGER OFFICES; MILLINERY AND WEARING APPAREL STORES; MOBILISTES; HOTELS AND MOTELS; NEWSSTANDS; 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 PROVISIONS FOR CARRYING AWAY OF

DISSIPATING FUMES, ODORS, SMOKE OR NOISE AND WHERE PREMISES ARE SO ARRANGED AND THE BUSINESS IS SO CONDUCTED AS NOT TO BE OFFENSIVE OR OBNOXIOUS TO OCCUPANTS OF ADJOINING PREMISES; FLORISTS' SHOPS AND LANDSCAPE OFFICES; AUTOMOBILE ACCESSORY STORES, NEW PARTS AND EQUIPMENT INCLUDING NEW TIRES; BAIT AND TACKLE SHOPS; RETAIL BAKERIES; BICYCLE-SALES AND REPAIR SHOPS; BOWLING ALLEYS, PROVIDING AMPLE PARKING SPACE IS INCLUDED ON THE PREMISES; EMPLOYMENT AGENCIES; FURNITURE STORES, NEW MERCHANDISE ONLY; LAWN MOWER SALES, RENTAL AND SERVICE; MORTUARIES AND FUNERAL PARLORS; PRINTING SHOPS; CERAMIC SHOPS, NOT INCLUDING MANUFACTURE; ELECTRICAL APPLIANCES AND FIXTURES, SALE AND REPAIR; SKATING RINKS, PROVIDING AMPLE PARKING SPACE IS PROVIDED ON THE PREMISES; TELEPHONE EXCHANGES; TELEGRAPH STATIONS; THEATRES AND MOTION PICTURE HOUSE; WAITING ROOMS FOR COMMON CARRIERS; WALLPAPER STORES.

- B. ALCOHOLIC BEVERAGES MAY BE SERVED IN HOTELS OR MOTELS CONTAINING FIFTY (50) OR MORE GUEST RENTING ROOMS AND IN RESTAURANTS CONTAINING SEATS TO ACCOMMODATE NOT LESS THAN ONE HUNDRED (100) CUSTOMERS.
- C. ANY BUILDING OR IMPROVEMENT HEREAFTER CONSTRUCTED SHALL BE MASONRY OR OTHER APPROVED TYPE OF CONSTRUCTION.
- D. ON COMMERCIAL LOTS SIDE WALLS OF COMMERCIAL STRUCTURES MAY BE BUILT WITH THE OUTSIDE FACE AT THE INTERIOR SIDE-LOT LINES. PARTY WALLS SHALL NOT BE USED, EXCEPT WHERE ONE OWNER BUILDS A SERIES OF ADJOINING STRUCTURES, AND THESE WALLS ARE PROPERLY CONSIDERED IN THE DESIGN. IF A COMMERCIAL STRUCTURE IS NOT TO BE BUILT AT THE INTERIOR SIDE-LOT LINE, IT SHALL NOT BE CONSTRUCTED NEARER THAN FOUR (4') FEET TO THE INTERIOR SIDE-LOT LINE NOR NEARER THAN TWENTY-FIVE (25') FEET TO THE FRONT OR REAR LOT LINE, NOR NEARER THAN TWENTY-FIVE (25') FEET TO THE SIDE STREET LINE OF SAID LOTS.

TRACTS "D" & "G"

B-9 EACH AND EVERY OF THE FOLLOWING TRACTS HAVE BEEN SUBSEQUENTLY
REPLATTED IN PORT CHARLOTTE SECTION RECORDED IN PLAT

