

SECOND AMENDMENT
TO
DECLARATION
OF
PROTECTIVE COVENANTS
FOR
FOXWOOD AT PANTHER RIDGE

June **THIS SECOND AMENDMENT** (the "Second Amendment") is made as of the 14th day of 1999, by **PANTHER RIDGE COMMUNITIES, LTD.**, a Florida limited partnership (the "Declarant").

WITNESSETH:

WHEREAS, Declarant has heretofore executed and filed of record, that certain Declaration of Protective Covenants for Foxwood at Panther Ridge, dated November 14, 1997, and, recorded in O.R. Book 1535, Page 4540, of the Public Records of Manatee County, Florida, as amended and supplemented (the "Declaration"); and

WHEREAS, Section 9.12(l) of the Declaration requires compliance by each Owner and the Association with the requirements of the ERP and the ERP Plans; and

WHEREAS, SWFWMD has directed that Declarant amend the Declaration to set forth in detail some of the requirements and restrictions of the ERP and the ERP Plans, in clarification of Section 9.12(l); and

WHEREAS, Declarant wishes to amend the Declaration accordingly, pursuant to Section 10.05(a) thereof;

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

1. **Recitals and Definitions.** The recitals contained hereinabove are true and correct and are incorporated herein by reference. Capitalized terms used herein shall have the meaning given them in the Declaration unless the context otherwise clearly indicates.

2. **Creation of New Section 9.12(q).** A new Section 9.12(q) is created and added to the Declaration, to read as follows:

"(q) Without limiting the generality of Section 9.12(l) above, each Owner and the Association shall comply with the following specific provisions of the ERP:

- (i) Each Tract shall have a minimum 75 foot vegetated buffer upland of all wetlands, which buffer includes a 25 foot perpetually undisturbed buffer over the 25 feet

nearest to the wetlands. In addition, there shall be a 75 foot vegetated buffer adjacent to all off-site property lines.

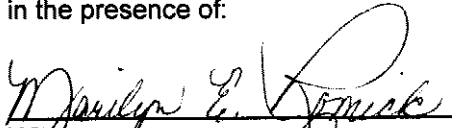
- (ii) No Owner may construct or maintain any building, residence, or structure, or undertake or perform any activity in the wetlands, the 25 foot perpetually undisturbed buffer areas, or the drainage easements described in the ERP, unless prior approval is received from SWFWMD Venice Regulation Department.
- (iii) Only minimal impacts are allowed within the landward 50 feet of the 75 foot vegetated buffer, and none within the 25 foot perpetually undisturbed buffer surrounding wetlands.
- (iv) No Owner may construct or maintain any building, residence or structure, or apply fertilizers, pesticides or herbicides within the 75 foot vegetated buffer adjacent to all off-site property lines. All Owners are encouraged to maintain the existing 75 foot vegetated buffer in its existing natural vegetative condition.

SWFWMD reserves the right to require the Association to perform corrective actions if SWFWMD determines a pattern of non-compliance with regard to the extent of construction or application of fertilizers, pesticides or herbicides within the wetlands and other perpetually undisturbed buffer areas and drainage easements, as described above and Violation of the specific condition may result in the Subdivision not being certified to comply with state water quality standards pursuant to Section 401, Public Law 92-500, 33 USC Section 1341."

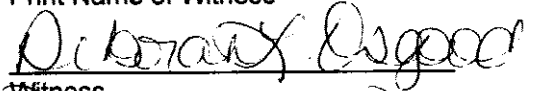
- 3. **Covenant and Ratification.** Declarant covenants that the Turnover Date has not occurred. The Declaration as amended hereby is hereby ratified and confirmed.

IN WITNESS WHEREOF, Declarant has caused these presents to be executed in its name by its general partner thereunto duly authorized as of the day and year first above written.

Signed, sealed and delivered
in the presence of:


Witness

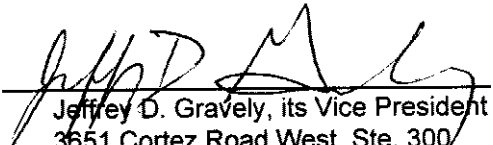
Marilyn E. Rasmick
Print Name of Witness


Witness

Deborah L. Osgeer
Print Name of Witness

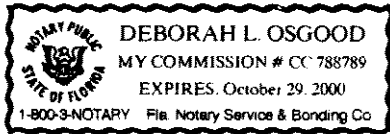
**PANTHER RIDGE COMMUNITIES, LTD, a
Florida limited partnership**

By: **PANTHER RIDGE COMMUNITIES, INC.**
a Florida corporation, its general partner

By: 
Jeffrey D. Gravely, its Vice President
3651 Cortez Road West, Ste. 300
Bradenton, FL 34210

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 14th day of June, 1999, by Jeffrey D. Gravely, as Vice President of Panther Ridge Communities, Inc., a Florida corporation, on behalf of the corporation, as general partner of Panther Ridge Communities, Ltd., a Florida limited partnership, on behalf of the partnership, (☒) who is personally known to me or (☐) who has produced n/a as identification.



Deborah L. Osgood
Notary Public
My Commission Expires: 10/29/2000

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