

This instrument prepared by:
Christopher J. Shields, Esq.
PAVESE LAW FIRM
1833 Hendry Street
Fort Myers, Florida 33901
(239) 334-2195

**CERTIFICATE OF AMENDMENT
TO THE
AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM
OF
PALM COLONY AT PELICAN LANDING, A CONDOMINIUM**

THE UNDERSIGNED, being duly elected and acting President and Secretary, respectively, of **PALM COLONY AT PELICAN LANDING CONDOMINIUM ASSOCIATION, INC.**, a Florida not-for-profit corporation, do hereby certify that the resolution set forth below was approved, evidenced by a written statement or ballot manifesting their intention that such amendments be adopted. The resolution was approved and adopted by the votes indicated for the purposes of amending the Amended and Restated Declaration of Condominium of Palm Colony at Pelican Landing, A Condominium, as originally recorded as recorded in Official Records Book 4669, page 2659 *et. seq.*, and as may have been subsequently amended, in the Public Records of Lee County, Florida.

1. The following resolution was approved by at least two-thirds (2/3) of the voting interests present in person or by proxy and voting at a duly noticed special membership meeting, called for the purpose of amending the Declaration:

RESOLVED, that the Amended and Restated Declaration of Condominium of Palm Colony at Pelican Landing, A Condominium be and is hereby amended, and the Amendments to the Amended and Restated Declaration of Condominium of Palm Colony at Pelican Landing, A Condominium are in the form attached hereto as Exhibit "A".

RESOLVED: That the officers and directors are hereby instructed and authorized to execute the aforementioned document and cause it to be filed of public record, together with a Certificate of Amendment.

Dated this 15 day of December, 2008.

PALM COLONY AT PELICAN LANDING CONDOMINIUM ASSOCIATION, INC.

WITNESS:

Dwight Allen
DWIGHT ALLEN
Printed Name of Witness

By: Robert F. Baxter
Print Name: ROBERT F. BAXTER, MD
Title: President

WITNESS:

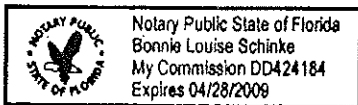
Dwight Allen
DWIGHT ALLEN
Printed Name of Witness

ATTEST:
By: Judith A. Whitbeck
Print Name: JUDITH A. WHITBECK
Title: Secretary

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 15 day of Dec, 2008, by Robert Baxter, President of Palm Colony at Pelican Landing Condominium Association, Inc., a non-profit Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced _____, as identification and did not take an oath.

(SEAL)



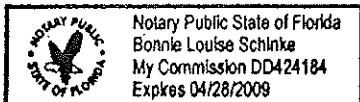
Signature of Notary Public

Bonnie L. Schinke
(Print, type or stamp commissioned name of Notary Public)

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 15 day of Dec, 2008, by Judith Whitbeck, Secretary of Palm Colony at Pelican Landing Condominium Association, Inc., a non-profit Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced _____, as identification and did not take an oath.

(SEAL)



Signature of Notary Public

Bonnie L. Schinke
(Print, type or stamp commissioned name of Notary Public)

EXHIBIT "A"
AMENDMENT
TO THE AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM OF
PALM COLONY AT PELICAN LANDING, A CONDOMINIUM

The Amended and Restated Declaration of Condominium of Palm Colony at Pelican Landing, A Condominium, shall be amended as follows (otherwise, all other provisions shall remain the same):

[New language is shown in underlined type; Deleted language is shown in ~~strike-through type~~.]

1. Section 9.7 shall be amended as follows:

Alterations by Unit Owners. No owner may make or permit the making of any modifications or alterations to his unit, the common elements, or the limited common elements, or in any manner change the appearance of any portion of the condominium, or make any structural change within the unit interior without first obtaining the written consent of the Board of Directors, which consent shall be denied if the Board determines that the proposed modifications or alterations would adversely affect, or in any manner be detrimental to, the condominium in part or whole. The Board may, in appropriate circumstances, require sealed plans from an Architect or Professional Engineer licensed to practice in Florida as a condition of reviewing any requested modification, alteration or addition to the condominium property. The Board, in reaching its decision, may take into account uniformity of appearance, compatibility with architecture in Palm Colony at Pelican Landing Condominium, the quality of the proposed alteration, objections of neighboring residents, and such other criteria as the Board may reasonably adopt in reaching its decision. ~~If the Board determines to permit any alteration or addition which is visible from the exterior of the premises, from any vantage, said addition or improvement must also be approved by the unit owners in the manner provided in Article 9.10 of the Declaration of Condominium.~~ If any unit owner requests approval of an alteration or modification involving the removal or modification of any interior partition or wall, the Association may permit such removal if the removal would not materially affect or interfere with the utility services constituting common elements, if any, located therein or the structural integrity of the building.

2. Section 10.4 shall be amended as follows:

Signs. No person may post or display any signs, banners, and the like, anywhere outside the unit on the condominium property, ~~including "For Sale," "For Rent," "Open House" and other similar signs. If any sign is erected in violation of this provision, the Association shall have the right to remove it.~~ "For Sale" and "Open House" signs will be allowed so long as they comply with all Pelican Landing sign restrictions, rules and regulations.