

Retn:  
JOHN A NOLD  
PICK UP

THIS INSTRUMENT PREPARED BY  
AND TO BE RETURNED TO:

John A. Nold, Esq.  
995 North Collier Boulevard  
Marco Island, FL 34145

**AMENDMENT TO NEIGHBORHOOD COVENANTS FOR  
EAGLE CREEK VILLA HOMES NO. 1 NEIGHBORHOOD ASSOCIATION, INC.**

THIS AMENDMENT is made this 21<sup>st</sup> day of October, 1998, by EAGLE CREEK PROPERTIES, INC., a Florida corporation ("Declarant").

**RECITALS**

A. Declarant is the "Declarant" under the Neighborhood Covenants for Eagle Creek Villa Homes No. 1 Neighborhood Association recorded in Official Records Book 1224, Page 336, of the Public Records of Collier County, Florida, as supplemented and amended from time to time (the "Declaration") by virtue of succession or assignment. The capitalized terms used herein shall have the meanings given them in the Declaration.

B. Because of the "zero lot line" nature of the Units on Lots subject to the Declaration, certain components (e.g., roof overhangs) may extend onto or over adjoining Lots but in a manner which does not materially interfere with the use and enjoyment of such adjoining Lots.

C. Declarant now desires to amend the Declaration so as to provide for such encroachments in the Declaration providing that Declarant may do so for so long as it holds title to any Lot effected by the Declaration, which Declarant presently does.

NOW, THEREFORE, by virtue of the authority of Declarant as aforesaid, the Declaration is hereby amended by adding the following new paragraph thereto:

The foregoing easement shall also extend to, include and permit any portion of a Unit on a Dominant Lot (e.g., roof overhangs, downspouts, gutters or air conditioning equipment) to extend onto or over the adjoining Servient Lot, but in no event to an extent greater than when such portion was initially constructed or installed.

IN WITNESS WHEREOF, this Amendment has been executed as of the date and year first above written

Signed, sealed and delivered in the presence of:

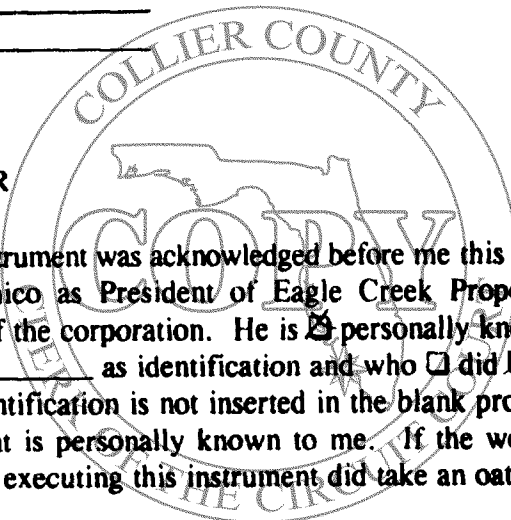
EAGLE CREEK PROPERTIES, INC., a Florida corporation

Lori Cornelius  
Lori Cornelius  
Witness Printed Name

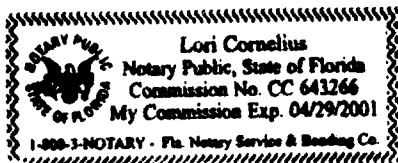
By: David J. Amico  
David J. Amico, President

Patrick Lasko  
PATRICK LASKO  
Witness Printed Name

STATE OF FLORIDA  
COUNTY OF COLLIER



The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of October, 1998, by David J. Amico as President of Eagle Creek Properties, Inc., a Florida corporation, on behalf of the corporation. He is  personally known to me or he has  produced \_\_\_\_\_ as identification and who  did  did not take an oath. NOTE: If a type of identification is not inserted in the blank provided, then the person executing this instrument is personally known to me. If the words "did not" are not marked, then the person executing this instrument did take an oath.



Lori Cornelius  
Notary Public  
\_\_\_\_\_  
Notary Public Printed Name  
My Commission Expires: \_\_\_\_\_