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PREPARED BY AND RETURN TO:

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FIRST AMENDMENT TO DECLARATION FOR RIVER MARINA ESTATES

THIS FIRST AMENDMENT TO DECLARATION FOR RIVER MARINA ESTATES (this "**First Amendment**") is made by Lennar Homes, LLC, a Florida limited liability company, f/k/a Lennar Homes, Inc., a Florida corporation ("**Lennar**") and joined in by River Marina Estates Homeowners Association, Inc., a Florida not-for-profit corporation (the "**Association**").

RECITALS

A. That certain Declaration for River Marina Estates was recorded in Official Records Book 2182, at Page 1994, of the Public Records of Martin County, Florida (the "**Original Declaration**") respecting the residential community known as River Marina Estates ("**River Marina Estates**").

B. Section 4.3 of the Original Declaration provides that, prior to the Turnover Date, Lennar, as Developer, shall have the right to amend the Original Declaration as it deems appropriate, without the joinder or consent of any person or entity whatsoever. The Turnover Date has not yet occurred.

NOW THEREFORE, Lennar hereby declares that every portion of River Marina Estates is to be held, transferred, sold, conveyed, used and occupied subject to the covenants, conditions and restrictions hereinafter set forth.

1. **Recitals.** The foregoing Recitals are true and correct and are incorporated into and form a part of this First Amendment.
2. **Conflicts.** In the event that there is a conflict between this First Amendment and the Original Declaration, this First Amendment shall control. Whenever possible, this First Amendment and the Original Declaration shall be construed as a single document. Except as modified hereby, the Original Declaration shall remain in full force and effect.
3. **Definitions.** All initially capitalized terms not defined herein shall have the meanings set forth in the Original Declaration, except that the defined terms are hereby modified as follows:

"**Declaration**" shall mean the Original Declaration and this First Amendment together with all amendments and modifications thereof.

4. **Animals.** Section 13.2 of the Declaration is hereby deleted and replaced with the following:

13.2 **Animals.** No animals of any kind shall be raised, bred or kept within River Marina Estates for commercial purposes. Association may prohibit breeds of dogs that the Board considers dangerous in its sole discretion. Otherwise, Owners may keep up to three (3) domestic pets with a weight of up to one hundred (100) pounds in the aggregate as permitted by County ordinances and otherwise in accordance with the Rules and Regulations established by the Board from time to time. Notwithstanding the foregoing, pets may be kept or harbored in a Home only so long as such pets or animals do not constitute a nuisance. A determination by the Board that an animal or pet kept or harbored in a Home is a

nuisance shall be conclusive and binding on all parties. All pets shall be walked on a leash. No pet shall be permitted outside a Home unless such pet is kept on a leash or within an enclosed portion of the yard of a Home, as approved by the ACC. No pet or animal shall be "tied out" on the exterior of the Home or in the Common Areas, or left unattended in a yard or on a balcony, porch, or patio. No dog runs or enclosures shall be permitted on any Home. When notice of removal of any pet is given by the Board, the pet shall be removed within forty-eight (48) hours of the giving of the notice. All pets shall defecate only in the "pet walking" areas within River Marina Estates designated for such purpose, if provided by Association, or on that Owner's Home. The person walking the pet or the Owner shall clean up all matter created by the pet. Each Owner shall be responsible for the activities of its pet. Notwithstanding anything to the contrary, seeing eye dogs shall not be governed by the restrictions contained in this Section.

5. Covenant. This First Amendment shall be a covenant running with the land.

IN WITNESS WHEREOF, the undersigned hereunto set its hand and seal as of this 24 day of April, 2007.

WITNESSES:

LENNAR HOMES, LLC,
a Florida limited liability company,
f/k/a LENNAR HOMES, INC.,
a Florida corporation

Sharon Caputo
Print Name: Sharon Caputo
Emily Smith
Print Name: Emily Smith

By: David M. Baselice
Name: David M. Baselice
Title: Vice President

{SEAL}

STATE OF FLORIDA)
PALM BEACH COUNTY)

SS.:

The foregoing was acknowledged before me this 24 day of April, 2007 by DAVID M. BASELICE as VICE PRESIDENT of Lennar Homes, LLC, a Florida limited liability company, f/k/a Lennar Homes, Inc., a Florida corporation, who is personally known to me or who has produced as identification on behalf of the entity.

My commission expires: 01-02-2009

Carolyn K. Cordero
NOTARY PUBLIC
State of Florida at Large
Print name: CAROLYN K. CORDERO



JOINDER

RIVER MARINA ESTATES HOMEOWNERS ASSOCIATION, INC.

RIVER MARINA ESTATES HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation (the "**Association**") does hereby join in the First Amendment to Declaration for River Marina Estates (the "**First Amendment**"), to which this Joinder is attached, and the terms thereof are and shall be binding upon the undersigned and its successors in title. Association agrees that this Joinder is for convenience purposes only and does not apply to the effectiveness of the First Amendment as Association has no right to approve the First Amendment.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 24 day of April, 2007.

WITNESSES:

[Signature]
Print Name: Emily Smith

[Signature]
Print Name: Christine Lopez

**RIVER MARINA ESTATES
HOMEOWNERS ASSOCIATION, INC.,**
a Florida not-for-profit corporation

By: [Signature]
Name: Sharon Caputo
Title: President
{SEAL}

STATE OF FLORIDA)
Palm B COUNTY)

SS.:

The foregoing was acknowledged before me this 24 day of April, 2007 by Sharon Caputo as President of RIVER MARINA ESTATES HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, who is personally known to me or who has produced as identification on behalf of the corporation.

My commission expires: 01-02-2007

[Signature]
NOTARY PUBLIC, State of Florida at Large
Print name: CAROLYN K. CORDERO

