

PREPARED BY:  
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**CERTIFICATE OF AMENDMENT OF AMENDED AND RESTATED DECLARATION**  
**OF RESTRICTIONS AND PROTECTIVE COVENANTS**  
**FOR**  
**SAIL HARBOUR AT HEALTHPARK HOMEOWNERS' SUB-ASSOCIATION, INC.**

THE UNDERSIGNED being the President of SAIL HARBOUR AT HEALTHPARK HOMEOWNERS' SUB-ASSOCIATION, INC., a Florida non-profit corporation, does hereby certify that the attached Amendments to the Amended and Restated Declaration of Restrictions and Protective Covenants, recorded in the Public Records of Lee County, Florida at Instrument number 2009000330589, were duly approved, adopted and enacted by the affirmative vote of the proper percentage of voting interests in the Association at a members meeting called for that purpose at which a quorum was present held on the 21<sup>st</sup> day of ~~April~~ <sup>May</sup>, 2012. The original Declaration was recorded in Official Record Book 4587, at Page 3260, et. seq., of the Public Records of Lee County, Florida, Dated this 1<sup>st</sup> day of ~~April~~ <sup>May</sup>, 2012.

WITNESSES:

(Sign) [Signature]

(Print) WILLIAM WALKER

(Sign) [Signature]

(Print) DAVID ARSENEAU

SAIL HARBOUR AT HEALTHPARK  
HOMEOWNERS' SUB-ASSOCIATION,  
INC.

BY: [Signature] President  
President of the Association  
Tom Jazowski

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of ~~April~~ <sup>May</sup>, 2012 by Tom Jazowski, as President of SAIL HARBOUR AT HEALTHPARK HOMEOWNER'S SUB-ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.

NOTARY PUBLIC-STATE OF FLORIDA  
Jeanne Roedding  
Commission # DD836737  
Expires: DEC. 09, 2012  
BONDED THRU ATLANTIC BONDING CO., INC.

NOTARY PUBLIC: [Signature]

**AMENDMENT TO AMENDED AND RESTATED DECLARATION OF  
RESTRICTIONS AND PROTECTIVE COVENANTS FOR SAIL HARBOUR AT  
HEALTHPARK HOMEOWNERS' SUB-ASSOCIATION, INC.**

**Note:** Language being added is underlined and language being deleted is ~~struck through~~.

***The Declaration shall be amended as follows:***

11.1(F) Ownership of More than 5 Lots Prohibited. The Association declares that the ownership, in whole, in part, directly or indirectly, of more than five (5) Lots in Sail Harbour at the same time by the same person, family, partnership, corporation, trust or other entity violates the private residential, non-transient purposes and character of the Sail Harbour community and is prohibited. No natural person, or artificial entity (including, but not limited to, corporations, limited liability companies, partnerships, or trust(s), or any officer, director, member, general partner, limited partner, beneficiary, trustee, or principal thereof, may hold a legal, equitable or contractual interest in more than five (5) Lots within Sail Harbour at the same time. Nor shall any artificial entity that has officers, directors, shareholders, members, beneficiaries, trustees, etc., in common with any other artificial entity, or individual unit owner hold an interest in more than five (5) Lots within Sail Harbour at the same time. Further, no person who is related to a Lot owner (by blood, marriage, or adoption) or who has contractual relationships with another Lot owner and who the Board reasonably believes is purchasing the Lot for or on behalf of said Lot owner that already owns five (5) Lots, shall be permitted to own a Lot, unless the purchaser acquires and actually uses said Lot as a bone fide residence. (The intent of the foregoing sentence is to prohibit persons from acting as a "front" or "straw man" in order to allow a person or entity to purchase more than five (5) Lots.) By way of example if a person owns five Lots and wishes to purchase a sixth Lot or has an interest, directly or indirectly, in a corporation, trust, partnership or other entity seeking to purchase a Lot or has a contractual or familial relationship with the person or entity that is seeking to purchase a Lot, the transaction is prohibited. Any Lot owner who owns more than five (5) Lots as of the date this provision is recorded in the Public Records of Lee County, Florida shall be allowed to retain such ownership interest and are "grandfathered," as to those Lots owned on said date but shall not be allowed to purchase additional Lots beyond the number presently owned. This Section shall control notwithstanding any other contrary provision or Section contained in the governing documents.

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RESTRICTIONS AND PROTECTIVE COVENANTS FOR SAIL HARBOUR AT  
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**Note:** Language being added is underlined and language being deleted is ~~struck through~~.

*The Declaration shall be amended as follows:*

**8.5    Signs.** No person may post or display a sign anywhere within Sail Harbour except for a sign provided by a home security company which may be posted in accordance with Section 720.304(6) Florida Statutes. ~~other than two (2) "For Sale", "For Rent", "Open House" or other similar sign when said sign is used for the purpose of actively marketing the home for sale. Any such sign may not be larger than four (4) square feet.~~