

This instrument prepared by:
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Florida Bar No. 0509310
Porges, Hamlin, Knowles, Prouty,
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Bradenton, Florida 34205
941.748.3770

**FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS OF LAKEWOOD RANCH TOWN CENTER**

KNOW ALL MEN BY THESE PRESENTS that the Declaration of Covenants, Conditions, and Restrictions of Lakewood Ranch Town Center ("Declaration"), recorded in Official Record Book 1524, Pages 6099 et seq., of the Manatee County Public Records, is hereby amended by the recording of this Fourth Amendment to the Declaration of Covenants, Conditions, and Restrictions of Lakewood Ranch Town Center.

WHEREAS, Article XIII, Section 4, Declarant's Right to Amend, of the Declaration permits the Declarant to amend the Declaration at any time prior to the turnover of control of the Association to its members, upon the execution and recording of an instrument executed by Declarant; and

WHEREAS, the Declarant has not turned over control of the Association to its members pursuant to the terms of the Declaration.

NOW THEREFORE, the Declarant has amended Article VII, Section 1 and Article XIII, Section 7 of the Declaration as follows:

(~~Strike throughs~~ are deletions; underlined words are additions or changes)

1. Article VII, Section 1, is amended to provide for a new Section 1(a) as follows:

Article VII, Section 1(a). Modifications Committee. The Association shall establish a Modifications Committee, of at least three (3) persons, which shall establish and from time to time modify Design Standards for the control of the design, construction, location, appearance, and maintenance of all modifications of existing properties. Improvements or modifications that require the approval of the Modifications Committee shall include, but shall not be limited to, changes in landscaping, exterior appearance of structures, enclosures, signs, exterior lighting, structural additions or alterations, or changes in drainage, grading, or stormwater management. No improvement or modification of existing properties shall be commenced until the owner receives the prior written approval of the Modifications Committee. The Modifications Committee shall have the authority to promulgate application and approval procedures and standards, and owners shall be required to provide copies of all plans and specifications for any proposed improvement or alteration detailing the location, size, type, materials, color, and any other information requested by the Modifications Committee that may be necessary for consideration of the request. In the event that the Modifications Committee determines that it must engage professional services to review the proposed plan, it shall have the authority to charge an application review fee to cover such

expense. Members of the Modifications Committee shall be appointed by the Board, and shall serve at the pleasure of the Board. It is the intent of this provision that the Plans Review Committee review new construction on vacant parcels in the community until the turnover of the Association, and that the Modifications Committee has the authority to review any addition to or alteration of parcels in the community after the initial construction has been completed as approved by the Plans Review Committee. Owners shall be able to appeal any decision of the Modifications Committee to the Board of Directors within ten (10) days from an adverse decision of the Modifications Committee. The decision of the Board of Directors to affirm or overrule a decision of the Modifications Committee shall be final.

2. Article XIII, Section 7, is amended to provide for a new Section 7(a) as follows:

Article XIII, Section 7(a). Compliance Committee. The Association shall establish a Compliance Committee, of three (3) to seven (7) members of the Association, for the purpose of hearing appeals of fines that may be imposed by the Association for violations of the Association's governing documents. The Compliance Committee shall be appointed by the Board, and shall serve at the pleasure of the Board. The Compliance Committee shall have the authority to adopt reasonable policies and procedures for requesting such hearings, as well as the procedure for the noticing and the conducting of such hearings. In the event that a unit owner requests a hearing regarding the imposition of the fine, the Compliance Committee shall schedule the hearing, at which time the owner shall have the opportunity to be heard, present evidence, question witnesses, or otherwise present argument supporting his or her reasons why the fine should be reduced or eliminated. Each appeal hearing shall be heard by a Hearing Panel of three (3) members of the Compliance Committee. The Chairperson of the Compliance Committee shall have the authority to appoint the Hearing Panel for the requested hearing. A majority vote of the Hearing Panel shall be necessary to modify or eliminate the fine imposed by the Association.

CERTIFICATE OF AMENDMENT

The Declarant does hereby certify that the foregoing Fourth Amendment to the Declaration of Covenants, Conditions, and Restrictions of Lakewood Ranch Town Center was adopted by the Declarant pursuant to Article XIII, Section 4.

IN WITNESS WHEREOF, Declarant has executed this Amendment to the Declaration of Covenants, Conditions, and Restrictions of Lakewood Ranch Town Center, this 4th day of JANUARY, 2006.

Signed, sealed and delivered in the presence of:

SMR Communities Joint Venture, a Florida general partnership, by its partners:

[Signature]
Print Name: R.P. WEBER
Linda N. Moore
Print Name: Linda N. Moore

SMR-1 Development Corporation, Inc., a Florida corporation
By: [Signature]
Thomas J. Danahy, As its President
{Corporate Seal}

[Signature]
Print Name: R.P. WEBER
Linda N. Moore
Print Name: Linda N. Moore

SMR-2, Inc., a Florida corporation
By: [Signature]
Thomas J. Danahy, As its Vice-President
{Corporate Seal}

[Signature]
Print Name: R.P. WEBER
Linda N. Moore
Print Name: Linda N. Moore

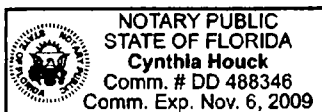
SMR-4, Inc., a Florida corporation
By: [Signature]
Thomas J. Danahy, As its Vice, President
{Corporate Seal}

STATE OF FLORIDA)
COUNTY OF MANATEE)

The foregoing instrument was acknowledged before me this 4th day of January, 2006, by Thomas J. Danahy, as the President of SMR-1 Development Corporation, Inc., a Florida corporation, on behalf of the corporation, the general partner of SMR Communities Joint Venture, a Florida general partnership, on behalf of the partnership, who: () is personally known to me; or () has produced as identification.

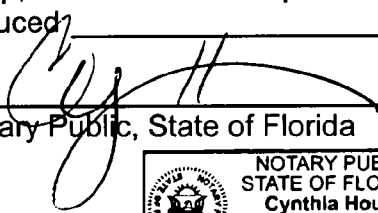
[Signature]
Notary Public, State of Florida

My Commission Expires:

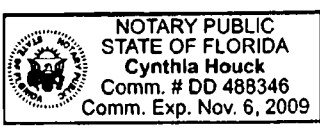


STATE OF FLORIDA)
COUNTY OF MANATEE)

The foregoing instrument was acknowledged before me this 4th day of January, 2006, by Thomas J. Danahy, as the Vice President of SMR-2, Inc., a Florida corporation, on behalf of the corporation, the general partner of SMR Communities Joint Venture, a Florida general partnership, on behalf of the partnership, who: is personally known to me; or has produced _____ as identification.



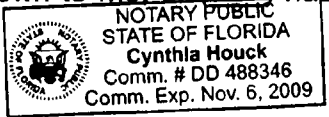
Notary Public, State of Florida

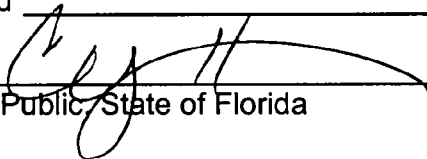


My Commission Expires:

STATE OF FLORIDA)
COUNTY OF MANATEE)

The foregoing instrument was acknowledged before me this 4th day of January, 2006, by Thomas J. Danahy, as the Vice President of SMR-4, Inc., a Florida corporation, on behalf of the corporation, the general partner of SMR Communities Joint Venture, a Florida general partnership, on behalf of the partnership, who: is personally known to me; or has produced _____ as identification.





Notary Public, State of Florida

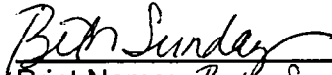
My Commission Expires:

JOINED BY:

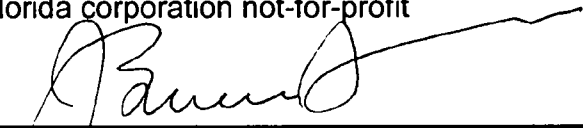
Signed, sealed and delivered

Lakewood Ranch Town Center Owners Association, Inc.,
a Florida corporation not-for-profit


in the presence of:



Print Name: Beth Sunday

By: 

John Swart, As its President

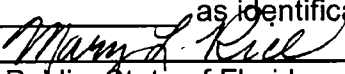


Print Name: Karen D. Sivia

{Corporate Seal}

STATE OF FLORIDA)
COUNTY OF MANATEE)

The foregoing instrument was acknowledged before me this 9th day of January, 2006, by John Swart, as the President of the Lakewood Ranch Town Center Owners Association, Inc., a Florida corporation not-for-profit, who: is personally known to me; or has produced _____ as identification.



Notary Public, State of Florida

My Commission Expires:

