

RETURN TO:
GREENE & SCHERMEYER

Prepared by and Return to:
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1023 Manatee Avenue West
Bradenton, Florida 34205

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OR BOOK 02051 PAGES 2109 - 2112
MANATEE COUNTY CLERK COURT
4 PAGES(S)
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**THIRD AMENDMENT TO
MASTER DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR RIVIERA DUNES**

This THIRD AMENDMENT is made this 16th day of August, 2005, by W.C. RIVIERA L.C., a Florida limited liability company ("Declarant").

WHEREAS, Declarant is the "Declarant" under that certain Master Declaration of Covenants, Conditions, Restrictions and Easements for Riviera Dunes dated November 23, 1999, and recorded in Official Records Book 1616, Page 4557, as amended by that certain First Amendment dated April 23, 2001, and recorded in Official Records Book 1677, Page 1378, and that certain Second Amendment, dated June 26, 2001, and recorded in Official Records Book 1688, Page 4355, all of the Public Records of Manatee County, Florida, and as amended and supplemented from time to time (collectively "Master Declaration");

WHEREAS, Declarant has entered into an Agreement for Purchase and Sale with R.D. Marina, LLC, for the sale of certain real property (the "Marina Parcel Expansion Tract") described in **Exhibit B**, attached hereto and incorporated by this reference in order to expand the Marina Parcel, as defined in the Second Amendment; and

WHEREAS, R.D. Marina LLC, has requested certain modifications of the Master Declaration with respect to the Marina Parcel Expansion Tract, specifically with respect to a portion of the Harbor as such term is identified and described in the Master Declaration, and specifically with respect to the withdrawal of the Marina Parcel Expansion Tract from the Exclusive Common Property, and Declarant has agreed to the modifications to the extent provided herein; and

WHEREAS, Article 4.02(b) designates the Harbor, less the Harbor Stormwater Retention Area, as Exclusive Common Property, subject to the Declarant's right to convey private rights for boat slips, docks and marina facilities within the Harbor; and

WHEREAS, Article 9.02 confirms in Declarant the exclusive right to establish rules and regulations for the use of the Harbor, including without limitation, the right to transfer any portion of the Harbor or operation thereof to anyone and on any terms. Article 9.02 further provides that no Owner(s) of any Lot(s) or Parcel(s), or who are otherwise members in the Master Association, have obtained any vested right or easement, prescriptive or otherwise to use the Harbor, nor has any such Owner or member been granted any ownership or membership interest in the Harbor by virtue of their being such an Owner and/or member; and

WHEREAS, Article 2.03 provides that any property at any time submitted pursuant to the terms of this Master Declaration may be withdrawn therefrom by Declarant, or by another owner thereof with the written consent of the Declarant, provided that the right of such withdrawal shall not extend to any Lots within a Neighborhood in which any Lots are then owned by Regular Members unless the Master Association, by its Board, shall consent thereto; and

WHEREAS, pursuant to Article 16.07 of the Master Declaration, Declarant has reserved the right to amend the Declaration unilaterally prior to the Turnover Date, which date has not occurred; and

WHEREAS, Declarant desires to amend Article 9-A, which is that portion of the Master Declaration regarding the Marina Parcel, to include the Marina Parcel Expansion Tract as part of the Marina Parcel and withdraw the Marina Parcel Expansion Tract as part of the Exclusive Common Area known as the Harbor.

NOW THEREFORE, Declarant hereby amends the Master Declaration as follows:

ARTICLE 9-A
MARINA PARCEL REGULATIONS AND COVENANTS

9-A.01 Description of the Marina Parcel. The Marina Parcel shall hereafter consist of all that real property identified and legally described in **Exhibit "A"** to the Second Amendment and **Exhibit "B"** attached hereto and incorporated herein by this reference. The Marina Parcel, as expanded by this Third Amendment, shall thereafter be considered a "Parcel" as such term is defined at Article 1.34 of the Master Declaration, and shall thus be separate and distinct from the Harbor, shall not be considered a part of the Exclusive Common Area known as the Harbor, and shall not be included within any definition or other description of the Harbor or bound by any covenants, restrictions, regulations pertaining to the Exclusive Common Area and/or the Harbor except as same may affect a Parcel or unless otherwise specifically set forth in this Article 9-A.

Remainder of page intentionally left blank.

IN WITNESS WHEREOF, Declarant has executed this Third Amendment on the date first above written.

Signed, Sealed and Delivered
in the presence of:

Geraldine A. Mills
(Geraldine A. Mills)
Printed name of witness

Clayton Greene
(Clayton Greene)
Printed name of witness

W.C. Riviera Partners, L.C., a
Florida limited liability company

By: Riviera Dunes Resorts
Management Company, a
Florida Corporation, its
Manager

By: Linda J. Svenson
Linda J. Svenson
Its President

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 16th day of August, 2005, by Linda J. Svensen, as President of Riviera Dunes Resorts Management Company, Inc., a Florida Corporation, Manager of W.C. Riviera Partners, L.C., a Florida limited liability company, on behalf of the company. She is personally known to me or has produced for identification _____.

Geraldine A. Mills
Notary Public

(Geraldine A. Mills)
Printed Signature of Notary
My commission expires _____



Exhibit "B"

THIS IS NOT A SURVEY

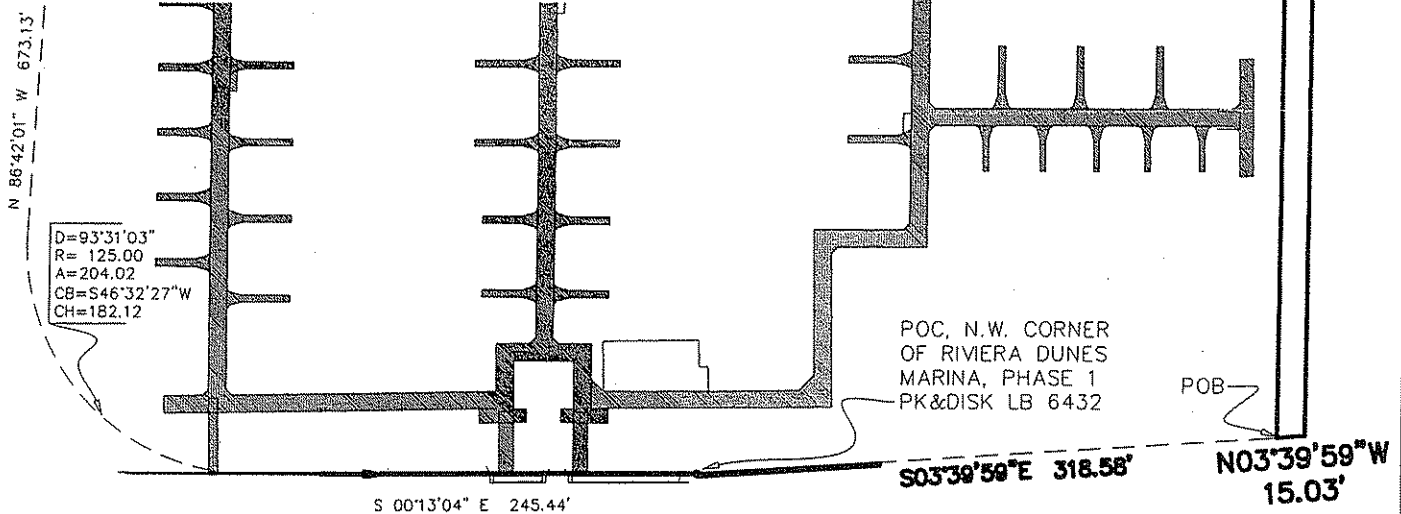
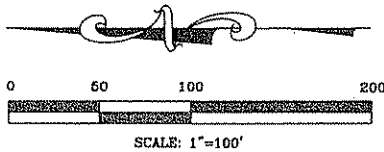
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT

LEGAL DESCRIPTION

A PORTION OF SECTION 24, TOWNSHIP 34 SOUTH, RANGE 17 EAST, LYING IN MANATEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF RIVIERA DUNES MARINA (PHASE 1), AS RECORDED IN CONDOMINIUM BOOK 31, PAGE 49-54, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. SAID POINT ALSO BEING A NAIL AND DISK (LB 6432); THENCE S.03°39'59"E., A DISTANCE OF 318.58 FEET TO THE POINT OF BEGINNING; THENCE S.89°46'15"E., A DISTANCE OF 778.60 FEET; THENCE S.00°22'41"W., A DISTANCE OF 15.00 FEET; THENCE N.89°46'15"W., A DISTANCE OF 777.54 FEET; THENCE N.03°39'59"W., A DISTANCE OF 15.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,671 SQUARE FEET OR 0.27 ACRES, MORE OR LESS.



GLOBAL SURVEYING OF BRADENTON, L.L.C.

CERTIFICATE OF AUTHORIZATION LB 0007327



BRADENTON

5004 STATE ROAD 64
P.O. BOX 20755 BRADENTON, FLORIDA 34204
(941) 746-1512 (941) 747-2450 FAX



TONY L. PURSLEY, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4451

SIGNING DATE 06/24/05

Not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.

Section	Township	Range	Drawn by:	CBW	DATE:	6/24/05
24	34S	17E	Scale: 1"=	100'	JOB:	040667