

Prepared by & Return to:

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1023 Manatee Avenue West
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**THIRD AMENDMENT TO
DECLARATION OF EASEMENTS FOR RIVIERA DUNES**

This THIRD AMENDMENT is made this 4th day of April, 2003, by W.C. RIVIERA PARTNERS, L.C., a Florida limited liability company ("Developer"), whose address is 590 Haben Boulevard, Palmetto, Florida 34221.

RECITALS

A. Developer 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, of the Public Records of Manatee County, Florida, as amended and supplemented from time to time (the "Master Declaration").

B. By virtue of Developer's authority under the Master Declaration, and by virtue of that certain Special Warranty Deed dated September 5, 2000, and recorded in Official Records Book 6622; and that certain Special Warranty Deed dated October 12, 2000, and recorded in Official Records Book 1652, Page 2365, all of the Public Records of Manatee County, Florida, the Developer has created certain easements and has reserved rights to create, establish, deed, grant, reserve or assign any portion or all of such easements as set forth in the Declaration and the referenced Special Warranty Deeds.

C. By virtue of that certain Declaration of Easements for Riviera Dunes dated April 23, 2001, and recorded in Official Records Book 1677, Page 1381 of the Public Records of Manatee County, Florida (the "Declaration of Easements"), as amended by First Amendment to Declaration of Easements for Riviera Dunes dated June 26, 2001, and recorded in Official Records Book 1688, Page 4362, and further amended by the Second Amendment to Declaration of Easements for Riviera Dunes dated May 14, 2002, and recorded in the Official Records Book 1748, Page 3608 all of the Public Records of Manatee County, Florida, Developer has granted, declared and created certain easements, restrictions and reservations as set forth therein.

D. Developer desires to amend the Declaration of Easements to exclude Parcels 15, 16 and 17, such parcels as described on **Exhibit R** attached hereto and incorporated herein, from any rights, obligations or reservations of Developer set forth in the Declaration of Easements or amendments thereto.

E. Capitalized terms in this Third Amendment have the same meaning as defined in the Master Declaration unless otherwise noted.

NOW THEREFORE, the Declaration of Easements is amended as follows:

1. Paragraph G, is hereby amended to provide:

G. In order to further facilitate the development of the Property and for the benefit of the fee simple owners of Parcels (as that term is defined in the Master Declaration) situated within the Property, except those Parcels 15, 16 and 17 as described on **Exhibit R** attached hereto and incorporated herein and for the benefit of the City of Palmetto, Developer intends to declare, restate and to create certain perpetual, non-exclusive easements for pedestrian and/or vehicular ingress and egress, for parking, for utilities and storm drainage, installation, maintenance and repair, and for landscaping.

2. Section 1(a), "Declaration of Easements," first sentence, is hereby amended to provide:

a. Except for Parcels 15, 16 and 17, a permanent, non-exclusive easement over, across and upon the real property legally described and depicted on **Exhibit "D"** attached hereto and incorporated herein (hereinafter the "**Haben/US 41 Access and Utility Easement**").

3. Section 9, Declaration of Easements is hereby amended to provide:

9. Right of Developer. Developer reserves the right to make and place of record, with respect to the Property, except those Parcels 15, 16 and 17 as described on **Exhibit R** attached hereto and incorporated herein, additional dedications, easements, restrictions, covenants and the like, provided that they are not in conflict with the provisions of this Declaration, without the approval or joinder of any future Owner, mortgagee, tenant or other occupant of any other Parcel provided such does not materialize and adversely effect any Owner or the Parcel, in which event the adversely effected Owner must joint in.

[This space intentionally left blank.]

IN WITNESS WHEREOF, the Developer has executed this instrument as of the day and year first above written. Third Amendment to the Declaration of Easements for Riviera Dunes as of this 4th day of April, 2003.

Signed, sealed and delivered in the presence of:

[Signature]

Print Name: WILLIAM C. ROBINSON, JR.

[Signature]
Print Name: CAROL E. DIMON

W.C. Riviera Partners, L.C., a
Florida
limited liability company, by its
manager, Riviera Dunes Resorts
Management Company, a Florida
corporation

By: [Signature]
Linda J. Svenson
As its President

STATE OF FLORIDA :
COUNTY OF MANATEE :

The foregoing instrument was acknowledged before me this 4th day of APRIL, 2003, by Linda J. Svenson, as President of Riviera Dunes Resorts, 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.



Carol E Dimon
My Commission DD178445
Expires March 21, 2007

[Signature]
Notary Public

(CAROL E. DIMON)

Printed Signature of Notary

My Commission Expires: _____

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R.B. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL.

PARCEL A (BEING WEST OF U.S. HIGHWAY 301/3.R. 66)

BEGIN AT THE NW CORNER OF SECTION 24, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°33'40" W ALONG THE WEST LINE OF SECTION 24, 874.82 FEET; THENCE S 40°33'30" E, 720.33 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 301/3.R. 66; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE N 00°00'26" E, 1117.81 FEET TO ITS INTERSECTION WITH A LINE BEARING S 89°27'02" E FROM THE PUU; THENCE N 00°02'04" E, 800.00 FEET; THENCE N 10°58'44" W, 7.30 FEET; THENCE N 10°50'20" W, 180.50 FEET; THENCE N 00°02'33" E, 300.00 FEET; THENCE N 60°50'20" W, 131.41 FEET; THENCE N 89°27'14" W ALONG THE SOUTHERLY RIGHT-OF-WAY OF 701 STREET, 299.81 FEET; THENCE S 00°32'20" W, 1220.94 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL BEING AND LYING IN SECTIONS 13 & 24, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

