

 This instrument prepared by and
after recording return to:

Grant T. Downing, Esquire
Godbold, Downing, Sheahan & Bill, P.A.
222 West Comstock Avenue, Suite 101
Winter Park, Florida 32789

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SILVER CREEK

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Silver Creek (the "First Amendment") is made this 31st day of August, 2006, by SC DEVELOPMENT ENTERPRISES, LLC, a Florida limited liability company ("Developer").

WITNESSETH:

WHEREAS, that certain Declaration of Covenants, Conditions and Restrictions for Silver Creek was recorded on February 18, 2004, in Official Records Book 2332, Page 250, of the Public Records of Clay County, Florida (the "Declaration"); and

WHEREAS, Developer reserved under Article VII, Section 5 the right and authority in its sole discretion to amend the Declaration and desires at this time to amend Article II, Sections 6(a) and 6(b) regarding the Surface Water or Stormwater Management System.

NOW, THEREFORE, in consideration of the premises and other good and valuable considerations paid, Developer hereby amends the Declaration in accordance with provisions set forth hereafter.

1. ARTICLE II, SECTION 6(a). Article II, Section 6(a) of the Declaration is deleted in its entirety and replaced with the following:

"6(a). The Association shall be responsible for the maintenance, operation and repair of the surface water or stormwater management system. Maintenance of the surface water or stormwater management system(s) shall mean the exercise of practices which allow the systems to provide drainage, water storage, conveyance or other surface water or stormwater management capabilities as permitted by the St. Johns

River Water Management District. Any repair or reconstruction of the surface water or stormwater management system shall be as permitted or, if modified, as approved by the St. Johns River Water Management District.”

2. ARTICLE II, SECTION 6(b). Article II, Section 6(b) shall be deleted in its entirety.

3. ORIGINAL DECLARATION. Except as specifically amended herein, all other terms and provisions of the original Declaration shall remain applicable, unchanged and in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, this First Amendment to Declaration has been executed on the day and year first above written.

Signed, sealed and delivered in the presence of:

Luann Ruse
Signature

Print Name: LUANN RUSE

Colleen Hughes
Signature

Print Name: COLLEEN HUGHES

SC DEVELOPMENT ENTERPRISES, LLC, a Florida limited liability company

Chris M. Cioffi
By:

Print Name: CHRIS M. CIOFFI

As: MEMBER

STATE OF FLORIDA

COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 31st day of AUG, 2006, by CHRIS CIOFFI, as MANAGING MEMBER of SC DEVELOPMENT ENTERPRISES, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification.

IMPRINT NOTARY RUBBER STAMP SEAL BELOW



Luann Ruse
Commission #DD143001
Expires: Sep 26, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

Luann Ruse
Signature of Person Taking Acknowledgment
Notary Public

JOINDER

EQUITY INVESTMENTS, LLC

EQUITY INVESTMENTS, LLC, a Florida limited liability company, does hereby join in the First Amendment to Declaration of Covenants, Conditions and Restrictions for Silver Creek (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.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 5th day of SEPTEMBER, 2006.

WITNESSES:

EQUITY INVESTMENTS, LLC, a Florida limited liability company

D. Marquez

Print Name: Diana Marquez

David Shapiro
David Shapiro, Managing Member

Carmen Jusino

Print Name: Carmen Jusino

The foregoing instrument was acknowledged before me this 5th day of SEPTEMBER, 2006 by David Shapiro, as Managing Member of EQUITY INVESTMENTS, LLC, a Florida limited liability company, who is personally known to me or has produced _____ as identification.

My commission expires:

Alicia Ash
NOTARY PUBLIC, State of Florida at Large

Print Name: Alicia Ash

