

**AMENDMENT TO GRANT BETWEEN
STAGECOACH PROPERTY OWNERS ASSOCIATION, INC., AND
SANTA FE DEVELOPERS, INC.**

THIS AMENDMENT is entered into as of the 9TH day of January, 2003 by and between **STAGECOACH PROPERTY OWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation ("POA") and **SANTA FE DEVELOPERS, INC.**, a Florida corporation ("SDI"):

RECITALS

- 1. POA and SDI entered into an Grant which pertains, among other things, to POA's grant of an easement for stormwater drainage over portions of a Surface Water Management System ("SWMS"), on certain real property owned by POA in Pasco County, Florida.
- 2. POA and SDI desire to amend and modify the above-referenced Grant in accordance with this Amendment.

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, POA and SDI agree as follows:

- 1. **Recitals.** The Recitals set forth above are true and correct and are hereby incorporated into this Amendment. All capitalized terms which are not specifically defined in this Amendment shall have the definitions set forth for such capitalized terms in the Grant.
- 2. **Ratification.** The Agreement, as hereby modified, remains in full force and effect.
- 3. **Deletion of Joinders.** The requirement set forth in the Agreement to obtain the joinder of Pasco County, Florida and SWFWMD is hereby deleted. SDI represents that SDI or its consultants, engineers and/or attorneys, have been in contact with such governmental agencies, and such agencies have refused to execute the Joinders and Consents incorporated into the Agreement. The Easement Agreement attached to the Agreement as **Exhibit "B"** is hereby modified to include a consent to be executed by SWFWMD. The parties acknowledge that the Second Amendment to the recorded Declaration affecting the areas to be encumbered by the easement requires SWFWMD's approval for any amendment of the Declaration which could affect the SWMS, and that such requirement may impose an obligation to obtain SWFWMD's approval of the Easement Agreement. It shall be SDI's obligation, at its expense, to approach SWFWMD for such approval and to obtain the approval required to satisfy such provisions of the Second Amendment to the Declaration, all in accordance to SWFWMD's requirements.
- 4. **Modification of Easement Agreement.** The Easement Agreement attached to the Agreement is hereby deleted and substituted with the Grant of Easement attached hereto as **Exhibit "B"**. The Easement Agreement has also been modified to include a new Section 18 and Section 19.
- 5. **Construction Entrance and DRC Staff Recommendations.** SDI represents that SDI has requested approval from Pasco County to locate its construction entrance on SR 54, as provided in the Agreement, but pursuant to Section 34 and 35 on Page 5 of Pasco County DRC staff recommendations dated January 3, 2003 (File No. DR 03-452) (a copy is attached hereto as **Exhibit "C"**), SDI's request was not supported by DRC's Development Review Manager and was not recommended for approval. SDI agrees to comply in all respects with the conditions, requirements and limitations set forth in such recommendations if approved by DRC, as well as any other conditions, requirements or limitations imposed by DRC. POA does not object to the recommendations of Pasco County DRC staff.

ER
SA

* In addition to the Assessment described in the Agreement, SDI's Purchasers + their successors in ownership will each be required to pay POA the sum of \$100.00 per year for use of the pool facilities described in the Agreement.

[Handwritten mark]

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates specified below.

Signed, sealed and delivered in the presence of:

STAGECOACH PROPERTY OWNERS ASSOCIATION, INC., a Florida not-for-profit corporation

(Witness Signature) [Signature]
Print Name: Sudith L. James

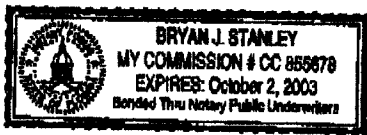
By: [Signature]
Print Name: George E. Morgan
Print Title: President

(Witness Signature) [Signature]
Print Name: STEVEN H. MEZER

STATE OF FLORIDA
COUNTY OF PASCO

The foregoing instrument was acknowledged before me this 9th day of January, 2003, by George E. Morgan, as President of STAGECOACH PROPERTY OWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, on behalf of the corporation. He/She is:

- personally known to me;
- or
- produced a FL driver's license as identification.



[Signature]
Notary Public - (Signature)
Print Name: _____
My Commission Expires: _____

[SIGNATURES CONTINUED ON FOLLOWING PAGE]