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**SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR TUSCAWILLA**

This Second Amendment to Declaration of Covenants, Conditions and Restrictions for Tuscawilla ("Second Amendment") is made by **KC CANOPY CREEK LLC, a Delaware limited liability company** ("Declarant"), successor by merger with EF Minus S, L.L.C., a Florida limited liability company, as of the 8th day of April, 2008.

WITNESSETH:

WHEREAS, EF MINUS S, L.L.C., a Florida limited liability company, as original declarant (referred to herein as the "Original Declarant"), filed in the Public Records of Martin County, Florida, on October 12, 2006, in Official Records Book 2187, page 2722, that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TUSCAWILLA dated August 2, 2006 (the "Declaration"); and

WHEREAS, Declarant is the successor by merger with Original Declarant, and Declarant has been assigned and has assumed all of Original Declarant's rights and responsibilities as "Declarant" under the Declaration; and

WHEREAS, the Declaration has been amended pursuant to First Amendment to Declaration of Covenants, Conditions and Restrictions recorded November 30, 2007, in Official Records Book 2294, at page 1415, of the Public Records of Martin County, Florida (the "First Amendment"), and further reference in this Second Amendment to the Declaration shall mean the Declaration as amended by said First Amendment; and

WHEREAS, the following described lots, to-wit:

Lots 67, 68, 75, 89 and 90, TUSCAWILLA PUD, according to the Plat thereof, as recorded in Plat Book 16, at Page 39, of the Public Records of Martin County, Florida.

("the Lots"), were not intended to be subject to certain provisions in the Declaration; and

WHEREAS, this Second Amendment has been duly authorized in accordance with Subsection 14.7 of the Declaration.

NOW THEREFORE, in consideration of the premises stated above, Declarant, joined by the Association, does hereby amend the Declaration as follows:

1. The recitals set forth in the preamble to this Second Amendment are hereby certified as being true and correct and any capitalized terms in this Second Amendment that are not defined herein shall have the meaning ascribed to them in the Declaration.

2. Declarant hereby appoints M TRACK, LLC, a Florida limited liability company and its successors and assigns, as one of its nominees under Section 12.2.15 of the Declaration.

3. Anything in the Declaration to the contrary notwithstanding, the Lots shall not be subject to Article XII of the Declaration except the Lots shall be subject to Sections 12.2.6 and 12.2.9. The Lots shall however, be subject to all restrictions as may be required by (i) any zoning or site approval applicable to the Lots; (ii) any permit restriction in any permit applicable to the Lots; and (iii) the rights of the Association to access and maintain any common areas or easements dedicated to the Association on the plat of Tuscawilla PUD.

4. In all other respects the terms and conditions of the Declaration are hereby ratified and confirmed.

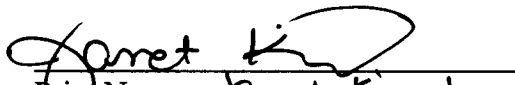
IN WITNESS WHEREOF, a duly authorized Manager of the undersigned Declarant has executed this Second Amendment to Declaration of Covenants, Conditions and Restriction under seal, as of the day and year first above written.

**[NO FURTHER TEXT THIS PAGE
SIGNATURES AND ACKNOWLEDGMENT APPEAR ON FOLLOWING PAGES]**

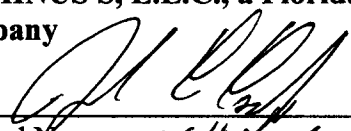
DECLARANT:

Signed, sealed and delivered
in the presence of:


Print Name: JUDITH SCORDINO

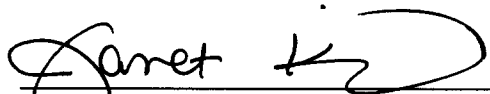

Print Name: Janet Kind

**KC CANOPY CREEK LLC, a Delaware limited
liability company, successor by merger to
EF MINUS S, L.L.C., a Florida limited liability
company**

By: 
Printed Name: JOHN C. CSAPO
Title: Manager

STATE OF FLORIDA)
)ss
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 7 day of April, 2008, by John Csapo, as Manager of **KC CANOPY CREEK LLC, a Delaware limited liability company, successor by merger to EF MINUS S, L.L.C., a Florida limited liability company**, on behalf of said limited liability company. The above-named individual ☒ is personally known to me or ☐ has produced the following as identification _____.


Notary Public- State of Florida
Print Name: Janet Kind
Commission Number: DD744205
My commission expires: 2-10-12

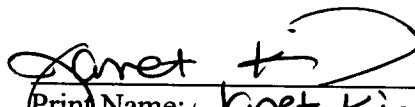
(Notarial Seal)



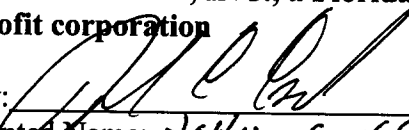
JOINDER OF ASSOCIATION

CANOPY CREEK COMMUNITY ASSOCIATION, INC., formerly known as Tusawilla Community Association, Inc., a Florida not-for-profit corporation, hereby joins in this Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Tusawilla, for the sole purpose of agreeing to perform its obligations as contained herein.


Print Name: JUDITH SCORDINO


Print Name: Janet Kind

CANOPY CREEK COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation, formerly known as TUSCAWILLA COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation

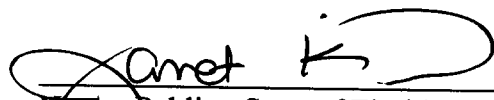
By: 
Printed Name: JOHN C. CSAPO
Title: PRESIDENT

STATE OF FLORIDA)
)ss
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 8 day of April, 2008, by John Csapo the President of **CANOPY CREEK COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation, formerly known as TUSCAWILLA COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation**, on behalf of said not-for-profit corporation. The above-named individual ☒ is personally known to me or ☐ has produced the following as identification _____.



(Notarial Seal)


Notary Public - State of Florida
Print Name: Janet Kind
Commission Number: DD 744205
My commission expires: 2-10-12