

This instrument prepared by and)
 should be returned to:)
)
 Robert L. Taylor, Esquire)
 TAYLOR & CARLS, P.A.)
 1900 Summit Tower Boulevard)
 Suite 800)
 Orlando, Florida 32810)
 (407) 660-1040)
)
)

Orange Co FL 1997-0334902
 091597 02:35:22pm
 OR Bk 5327 Pg 2971
 Rec 19.50

**THIRD AMENDMENT
 TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
 FOR DIAMOND COVE**

THIS AMENDMENT is made and entered into this 11TH day of SEPTEMBER, 1997, by the Engle Homes/Orlando, Inc., a Florida corporation, hereinafter referred to as the "DEVELOPER".

WITNESSETH

WHEREAS, the DEVELOPER executed the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DIAMOND COVE, and caused the same to be recorded on April 1, 1994, in Official Records Book 4720, Page 2913 of the Public Records of Orange County, Florida, and executed an amendment thereto and caused the same to be recorded on May 8, 1996 in Official Records Book 5054, Page 1843, of the Public Records of Orange County, Florida (hereinafter collectively referred to as "Declaration"); and

WHEREAS, pursuant to Article XI, Section 5 of the Declaration, the DEVELOPER has the right, until DEVELOPER no longer owns any portion of the Property, to amend the Declaration by recording an amendatory instrument in the Public Records of Orange County, Florida, executed by the DEVELOPER only; and

WHEREAS, the DEVELOPER has determined that the following amendment to the Declaration is necessary and beneficial to the preservation and management of DIAMOND COVE and the operation of Diamond Cove Homeowners' Association, Inc..

NOW, THEREFORE, in consideration of the premises, the DEVELOPER hereby declares the following:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. Article V, Section 3 of the Declaration is amended to read as follows (NOTE: ADDITIONS TO TEXT ARE INDICATED BY **BOLD UNDERLINE**; DELETIONS BY **STRIKEOUT**):

Section 3. Extent of MEMBERS' Easements. The rights and easements of enjoyment created hereby shall be subject to the right of the ASSOCIATION to dedicate or transfer all or any part of the Common Property to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the MEMBERS, provided, however that no such dedication or transfer, determination as to the purposes or as to the conditions thereof, shall be effective unless an instrument signed by MEMBERS entitled to cast two-thirds (2/3) of the votes irrespective of class of membership has been recorded, agreeing to such dedication, transfer, purpose or condition, and unless written notice of the proposed agreement and action thereunder is sent to every MEMBER at least ninety (90) days in advance of any action taken. The rights and easement of enjoyment created hereby shall further by subject to the right of the Board of Directors of the ASSOCIATION to promulgate reasonable rules and regulations concerning the use of the Common Property and the conduct thereon of the MEMBERS, their family members, guests, tenants, and invitees.

3. Except as amended by this instrument, the Declaration shall remain in full force and effect as originally executed and subsequently amended.

IN WITNESS WHEREOF, the DEVELOPER has caused this instrument to be executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

ENGLE HOMES/ORLANDO, INC.
a Florida corporation

Joanne Reid
(Signature)
Printed Name: JOANNE REID

By: William T. Carmichael
WILLIAM T. CARMICHAEL

Diane Williams
(Signature)
Printed Name: Diane Williams

Title: PRESIDENT
Address: 3504 LAKE LYNDIA DR, STE 170
ORLANDO, FL 32817

OR Bk 5327 Pg 2972
Orange Co FL 1997-0334902

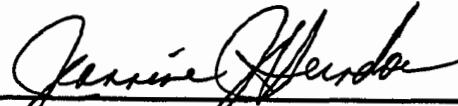
(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DIAMOND COVE was acknowledged before me this 11TH day of SEPT, 1997, by WILLIAM T. CARMICHAEL, as PRESIDENT

_____ of ENGLE HOMES/ORLANDO, INC., a Florida corporation, on behalf of the corporation. He [] is personally known to me or [] has produced _____ as identification.

(Notarial Seal)



NOTARY PUBLIC / STATE OF FLORIDA
Jeannine J. Herndon
Print Name: _____ MY COMMISSION # CC594774 EXPIRES
Commission No.: _____ January 11, 2001
My Commission Expires: _____ BONDED THRU TROY FAIR INSURANCE, INC.

OR Bk 5327 Pg 2973
Orange Co FL 1997-0334902

COPY

JOINDER AND CONSENT OF MASTER ASSOCIATION

As the Master Association identified in the Declaration described in the Amendment to which this Joinder and Consent is attached, BUENAVISTA WOODS HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, whose address is P.O. Box 2206, 124 East Colonial Drive, Orlando, FL 32802, hereby joins into execution of the foregoing Amendment and confirms its consent to the Amendment as provided under Article XI, Section 5 of the said Declaration.

IN WITNESS WHEREOF, BUENAVISTA WOODS HOMEOWNERS ASSOCIATION, INC., has caused this Joinder and Consent to the Amendment to be executed in its name as of the day and year indicated below.

Signed, sealed and delivered
in the presence of:

BUENAVISTA WOODS HOMEOWNERS
ASSOCIATION, INC., a Florida
not-for-profit corporation

Kathleen Keller
(Signature)
Printed Name: Kathleen Keller

By: [Signature]
SHNEUR ELGAR, President

(Signature)
Printed Name: _____

Address: P. O. Box 2206
Orlando, FL. 32802

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF ORANGE

OR Bk 5327 Pg 2974
Orange Co FL 1997-0334902
Recorded - Martha O. Haynie

The foregoing instrument was acknowledged before me this 11th day of Sept.,
1997, by SHNEUR ELGAR, as President of BUENAVISTA WOODS
HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, on behalf of the
corporation. He [X] is personally known to me or [] has produced _____
_____ as identification.

(Notarial Seal)



Kathleen J. Keller
NOTARY PUBLIC, STATE OF FLORIDA

Print Name: Kathleen J. Keller
Commission No.: CC 617066
My Commission Expires: 4-1-2001