

This Instrument Prepared By:

Juan E. Rodriguez, Esquire
SALOMON, KANNER, DAMIAN & RODRIGUEZ, P.A.
80 S.W. 8th Street
Suite 2550
Miami, Florida 33130

**THIRD AMENDMENT TO DECLARATION
OF COVENANTS, RESTRICTIONS, CONDITIONS AND EASEMENTS
OF CATALINA AT WINKLER**

This Third Amendment to Declaration of Covenants, Restrictions, Conditions and Easements of Catalina at Winkler (the "Third Amendment") is made and entered into this 17th day of January, 2012, by D. R. Horton, Inc., a Delaware corporation ("Declarant").

Whereas, the Declaration of Covenants, Restrictions, Conditions and Easements of Catalina at Winkler (the "Declaration") was recorded in Official Records Book 4787, at Page 2258 of the Public Records of Lee County, Florida, by Declarant.

Whereas, the Declaration was amended by Amendment to Declaration of Covenants, Restrictions, Conditions and Easements of Catalina at Winkler recorded under Instrument Number 2006000073618 of the Public Records of Lee County, Florida (the "First Amendment").

Whereas, the Declaration was further amended by Second Amendment to Declaration of Covenants, Restrictions, Conditions and Easements of Catalina at Winkler recorded under Instrument Number 2008000006857 of the Public Records of Lee County, Florida (the "Second Amendment").

Whereas, pursuant to Article XIV, Section 4 of the Declaration, so long as there is a Class B Membership, the Declaration may be amended by Declarant.

Whereas, Class B Membership is still in existence.

Now, Therefore, the following Amendment is made by Declarant, as follows:

1. Article XIV, Section 22 is added to the Declaration as follows:

Rights of D.R. Horton, Inc. D.R. Horton, Inc. ("Horton") shall have full rights of ingress and egress to and through, and over and about the Property, including the Common Area, during such period of time as Horton is engaged in any construction or improvement work on or within

the Property, and the Horton shall further have an easement thereon for the purpose of storage of materials, vehicles, tools, equipment, etc., which are being utilized in such development or construction and for the use and maintenance of signs, banners, and the like being used in connection with the sale or promotion of the Property, or any portion thereof. No Owner, his guests, employees, servants, agents and invitees nor the Association shall in any way interfere or hamper Horton, its agents, servants, employees, invitees, successors or assigns, in connection with such construction, development, promotion or sales activity.

3. Except as amended herein, the Declaration, as amended by the First Amendment and Second Amendment is hereby ratified and confirmed.

In Witness Whereof, D. R. Horton, Inc. has executed this Third Amendment to Declaration this ___ day of January, 2012.

Signed, sealed and delivered in the presence of:

D. R. Horton, Inc.,
a Delaware corporation

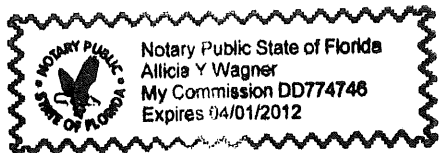
James Ratz
Name: James Ratz
Teressa M Hart
Name: Teressa M Hart

By [Signature]
Name: Jonathon Pentecost
Title: Vice President

STATE OF FLORIDA)
) SS.:
COUNTY OF Lee)

The foregoing instrument was acknowledged before me this 17th day of January, 2011, by Jonathon Pentecost, as Vice President of D. R. Horton, Inc., a Delaware corporation, and on behalf of said corporation. Said Jonathon Pentecost is personally known to me and/or has produced a _____ as identification.

My Commission Expires: _____
Name: Alicia Y. Wagner
Notary Public, State of Florida at Large



JOINDER

Catalina at Winkler Homeowners' Association, Inc., a not-for-profit Florida corporation, whose mailing address is 1245 South Military Trail, Suite 100, Deerfield Beach, Florida 33442, hereby approves and joins in the Third Amendment to Declaration of Covenants, Restrictions, Conditions and Easements of Catalina at Winkler, and agrees to be bound by the terms thereof and will comply with and perform the terms and conditions of the Third Amendment to Declaration.

In Witness Whereof, Catalina at Winkler Homeowners' Association, Inc. has executed this Joinder on this 17th day of January, 2011.

Signed, sealed and delivered
presence of:

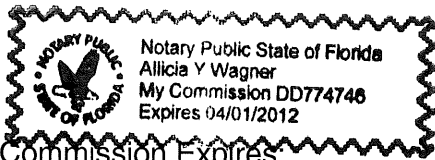
Catalina at Winkler Homeowners
Association, Inc., a not-for-profit Florida
Corporation

James Ratz
Name: James Ratz
Jessie M Hart
Name: Jessie M Hart

By: [Signature]
Name: Jill Hoffman Meeks
Title: President
(Corporate Seal)

STATE OF FLORIDA)
):SS.
COUNTY OF Lee)

The foregoing instruction was acknowledged before me this 17th day of January, 2011, by Jill Hoffman Meeks, as President of Catalina at Winkler Homeowners' Association, Inc., a not-for-profit Florida corporation, on behalf of said Corporation. Said Jill Hoffman Meeks is personally known to me and/or has produced _____ as identification.



Alicia Y Wagner
Name: Alicia Y Wagner
Notary Public, State of Florida at Large