

This instrument prepared by
and after recording return to:
David J. Coviello
Shutts & Bowen LLP
200 South Biscayne Boulevard, Ste. 4100
Miami, FL 33131

FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS (this “**First Amendment**”) is made this ___ day of _____, 2026 by GULFVIEW BLVD OWNER LLC (“**Gulfview**”) whose address is 233 S. Wacker Drive, Suite 4700, Chicago, IL 60606.

WITNESSETH:

WHEREAS, Gulfview is the successor-developer to the Developer under that certain Declaration of Covenants and Restrictions in favor of the City of Clearwater, Florida (the “**City**”) dated July 12, 2006 and recorded on July 19, 2006, in Official Records Book 15252, Page 435, of the Public Records of Pinellas County, Florida (the “**Declaration**”); and

WHEREAS, Gulfview desires to amend certain terms and provisions of the Declaration as set forth herein.

NOW, THEREFORE, for and in consideration of the foregoing premises, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Gulfview hereby amends the Declaration as follows:

1. **Recitals.** The foregoing recitals are true and correct and are incorporated herein by this reference as fully set forth below.
2. **Capitalized Terms.** Capitalized terms not otherwise defined herein shall have the meanings ascribed thereto in the Declaration.
3. **Use.** Section 2.1.1(i) of the Declaration is deleted in its entirety and restated as follows:

No Hotel Unit shall be occupied by the Unit Owner or any other occupant for more than 30 consecutive days per stay. When such Hotel Units are not being occupied by their respective owners, the Hotel Units shall be made available for rental as overnight accommodations as defined in the Clearwater Community Development Code. Consistent with the referenced definition of overnight accommodations and the provisions of that certain Second Amended and Restated Development Agreement recorded in Official Records Book 13996, Page 2409 of the Public Records of Pinellas County, Florida, as may be amended, nothing herein shall preclude the Hotel Units from being owned and operated as a interval ownership/timeshare use.

4. **Governing Law/Enforcement/Binding Effect.** This First Amendment shall be governed and enforced in accordance with the laws of the State of Florida and shall be binding upon

(CITY OF CLEARWATER SIGNATURE PAGE)

Countersigned:

CITY OF CLEARWATER, FLORIDA,
a Florida municipal corporation.

Bruce Rector
Mayor
Date: _____

By: _____
Jennifer Poirrier
City Manager
Date: _____

Approved as to form:

Attest:

Matthew J. Mytych, Esq.
Assistant City Attorney
Date: _____

Rosemarie Call
City Clerk
Date: _____