

**Prepared by and record and return to:**

John T. Dekle, Esq.  
KB Home  
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**FIRST AMENDMENT TO DECLARATION OF CONDITIONS, COVENANTS,  
EASEMENTS AND RESTRICTIONS FOR AVALON AT LEHIGH WOODS**

**This First Amendment to Declaration of Conditions, Covenants, Easements and Restrictions for Avalon at Lehigh Woods** (this "Amendment") is made as of April 26, 2007 by **KB Home Gold Coast LLC**, a Delaware limited liability company ("Declarant") whose address is 1610 W. International Speedway Blvd, Daytona Beach, Florida 32114.

**RECITALS**

**WHEREAS** the Declarant caused to be recorded that certain Declaration of Conditions, Covenants, Easements and Restrictions for Avalon at Lehigh Woods in Official Records Book 1433, Page 57 of the Public Records of Flagler County, Florida (the "Declaration");

**WHEREAS** Section 10.3(C) of the Declaration provides that the Declarant may amend the Declaration to correct errors provided that there exists Class B membership in the Association; and

**WHEREAS** as of the date of this Amendment there still exists Class B membership in the Association and Declarant desires to amend the Declaration to correct a scrivener's error.

**NOW THEREFORE**, the Declarant hereby makes the following amendment to the Declaration.

1. Recitals. The recitals set forth above are true and correct and incorporated herein by reference.
2. Capitalized Terms. Capitalized terms used but not defined herein shall have the meanings assigned to them in the Declaration.
3. Residence. Section 6.34 of the Declaration is hereby deleted and replaced with the following:

Residence. Each Residence constructed on a Lot shall have a minimum 1,300 square feet of heated and cooled living area.

- 4. Declarant Certification. Pursuant to Section 10.3(C) of the Declaration, the Declarant hereby certifies that (i) in the reasonable opinion of Declarant, the correction of the scrivener's error made herein does not materially and adversely affect substantial property rights of Lot Owners and (ii) the provisions of Section 10.3(C) of the Declaration have been complied with.
- 5. Remainder of Declaration. Except as modified herein, the Declaration remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the date first set forth above.

Signed, sealed and delivered in the presence of:

By: [Signature]  
 Name: Carl Hammond

By: [Signature]  
 Name: [Signature]

KB HOME GOLD COAST LLC, a Delaware limited liability company

By: [Signature]  
 Name: Fred Wyborcki  
 Title: President

STATE OF FLORIDA )  
COUNTY OF Volusia )

I HEREBY CERTIFY that on the 26<sup>th</sup> day of April, 2007, before me personally appeared Fred Wyborcki the President of KB HOME Gold Coast LLC, a Delaware limited liability company on behalf of the company. He or she is personally known to me or has produced \_\_\_\_\_ as identification.

 Angela Royal  
 My Commission DD284647  
 Expires January 25, 2008

[Signature]  
 NOTARY PUBLIC, STATE OF FLORIDA  
 My commission expires:

[SEAL]