

SECOND AMENDMENT TO COMMERCIAL LEASE

This Second Amendment (“**Amendment**”) to the Commercial Lease by and between the **Heritage Harbor Golf & Country Club Community Association, Inc.**, a Florida not-for-profit corporation (the “**Lessor**”) and the **Heritage Harbor Community Development District** (the “**Lessee**”) dated June 26, 2003, as amended by the First Amendment to Commercial Lease dated July 17, 2003 (collectively, the “**Lease**”) is made as of the 18 day of ~~November~~, 2007 by and between the Lessor and the Lessee.

Background Information

The purpose of this Amendment is to add the upper pool deck and an office area to the Premises leased by the Lessor to the Lessee.

Operative Provisions

Now therefore, in consideration of the mutual covenants contained in this Amendment, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Amendment of Section 1 of the Lease.** Section 1 of the Lease is hereby deleted and replaced with the following:

1. **Lease of Premises.** In consideration of the mutual promises, covenants and conditions herein contained, and the rent reserved by Lender, Lessor hereby leases, lets and demises unto Lessee, and Lessee hereby rents of and from Lessor, the following:


That certain approximately 4,407 square foot restaurant and banquet hall, 155 square foot office, 4,834 square foot cart barn, 789 square foot pro shop, and the upper pool deck (collectively the “**Premises**”) (together with all furniture, fixtures and other non-perishable property located within the Premises as set forth on **Exhibit A-2** attached hereto) all contained within the Clubhouse and recreational facilities having an address of 19502 Heritage Harbor Parkway, Lutz, Florida 33558 (the “**Clubhouse Facilities**”) as legally described on **Exhibit A** attached hereto, which Premises are located within the development known as Heritage Harbor (the “**Community**”) legally described in **Exhibit B**, attached hereto, and which Premises are identified in the sketch or diagram shown in **Exhibit A-3** attached hereto

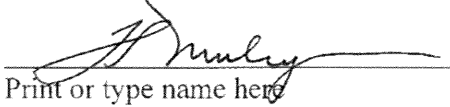
together with easements and improvements appurtenant thereto, but subject to easements, restrictions and other matters of record. The actual locations, numbers, sizes and dimensions of all improvements, landscaping and parking areas may deviate from the descriptions thereof shown on the Exhibits hereto. LESSEE ONLY HAS A LEASEHOLD INTEREST IN THE PREMISES AND HAS NO OWNERSHIP INTEREST WHATSOEVER IN THE CLUBHOUSE FACILITIES OR THE PREMISES.

2. Exhibit A-3 attached hereto is incorporated into and made a part of the Lease.
3. **Capitalized Terms.** All initially capitalized terms not defined herein shall have the meaning set forth in the Lease, except that "**Lease**" shall mean the Lease, the First Amendment to Commercial Lease and this Amendment, together with all amendments and modifications hereof.
4. **Conflicts.** In the event there is a conflict between this Amendment and the Lease, this Amendment shall control. Whenever possible, this Amendment and the Lease shall be construed as a single document. Except as modified hereby, the Lease shall remain in full force and effect.

EXECUTED on the day and date first written above.

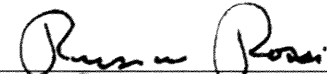
Witnesses:


John Riccianni
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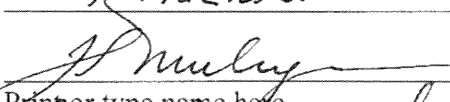
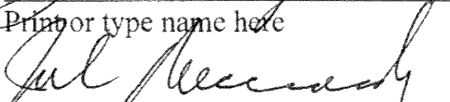
T. MULRYAN

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LESSOR

**Heritage Harbor Golf & Country Club
 Community Association, Inc.,**
 a Florida not-for-profit corporation

By: 
 Name: Russ W Rossi
 Title: Hon President
 Date: 12/18/07

Witnesses:

T. MULRYAN

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John Riccianni
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LESSEE

**Heritage Harbor Community
 Development District**

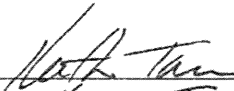
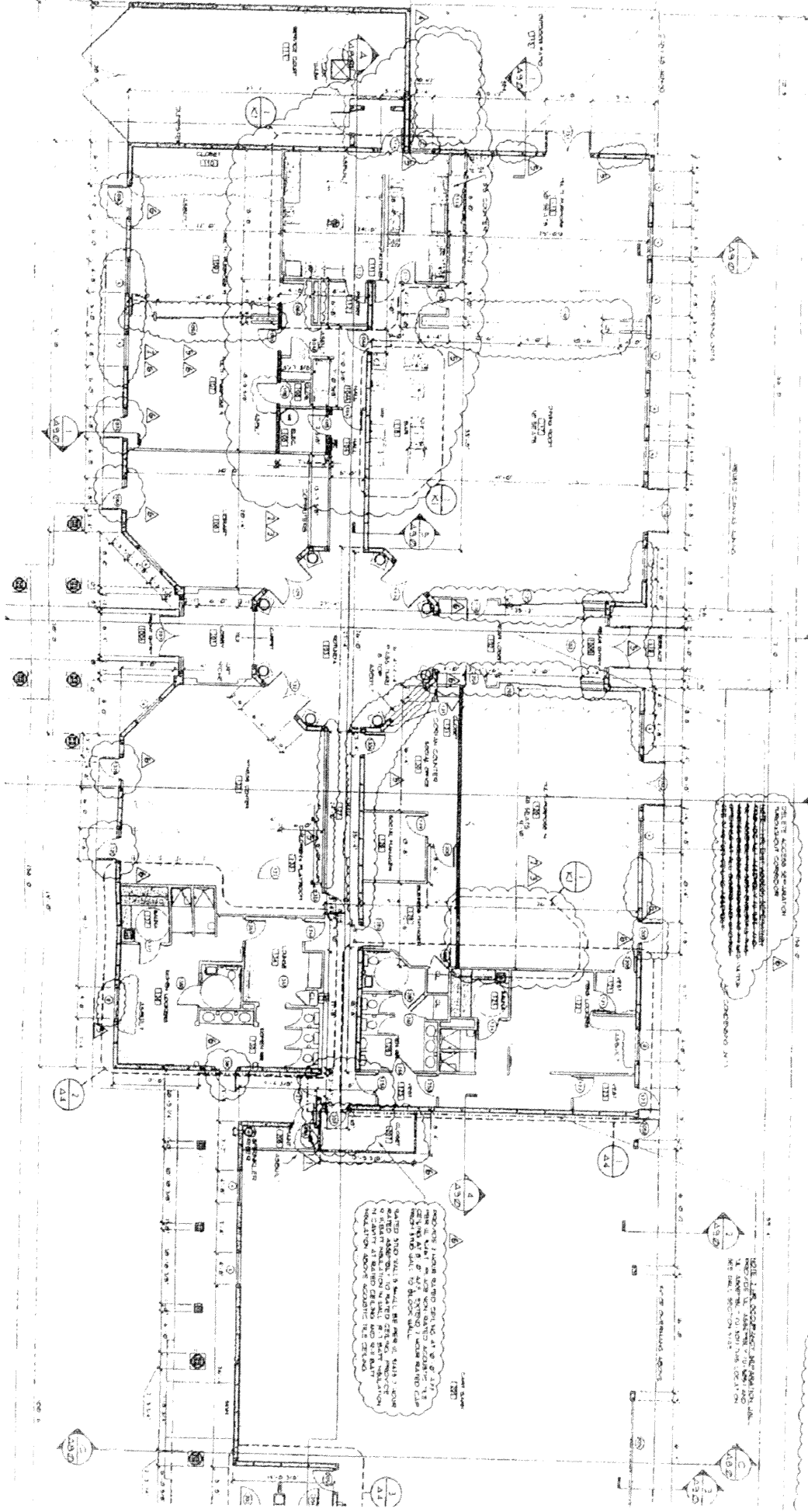
By: 
 Name: KEITH TACK
 Chairman, Board of Supervisors

EXHIBIT A-3



NOTE: THIS DRAWING IS A REVISION OF THE PREVIOUS EDITION AND SHOULD BE USED IN CONJUNCTION WITH THE PREVIOUS EDITIONS.

REVISIONS:

NO.	DATE	DESCRIPTION
1	10/1/58	ISSUED FOR PERMIT
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SECTION MARKERS:

A-A, B-B, C-C, D-D, E-E, F-F, G-G, H-H, I-I, J-J, K-K, L-L, M-M, N-N, O-O, P-P, Q-Q, R-R, S-S, T-T, U-U, V-V, W-W, X-X, Y-Y, Z-Z

WINDOW ELEVATIONS:

W1, W2, W3, W4, W5, W6, W7, W8, W9, W10, W11, W12, W13, W14, W15, W16, W17, W18, W19, W20, W21, W22, W23, W24, W25, W26, W27, W28, W29, W30, W31, W32, W33, W34, W35, W36, W37, W38, W39, W40, W41, W42, W43, W44, W45, W46, W47, W48, W49, W50, W51, W52, W53, W54, W55, W56, W57, W58, W59, W60, W61, W62, W63, W64, W65, W66, W67, W68, W69, W70, W71, W72, W73, W74, W75, W76, W77, W78, W79, W80, W81, W82, W83, W84, W85, W86, W87, W88, W89, W90, W91, W92, W93, W94, W95, W96, W97, W98, W99, W100