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#1

**CERTIFICATE OF AMENDMENT OF DECLARATION OF COVENANTS AND  
RESTRICTIONS**

**FOR  
CYPRESS LANDING**

THE UNDERSIGNED being the President and Secretary of CYPRESS LANDING ASSOCIATION, INC., a Florida non-profit corporation, does hereby certify that the attached Amendments to the Declaration of Covenants and Restrictions and Articles of Incorporation and Bylaws for Cypress Landing Association, Inc., originally recorded in Official Record Book 4282, at Page 1445, et. seq., of the Public Records of Lee County, Florida were duly approved, adopted and enacted by the affirmative vote of the proper percentage of voting interests in the Association at a members meeting called for that purpose at which a quorum was present held on the 23<sup>rd</sup> day of February, 2013. Dated this \_\_\_\_ day of May 2013.

**WITNESSES:**

(Sign) Vanna Short

(Print) Vanna Short

(Sign) Brandy Davenport

(Print) Brandy Davenport

**CYPRESS LANDING ASSOCIATION,  
INC.**

BY: Edgar L. Girard  
**President of the Association**  
**Edgar Girard**

**STATE OF FLORIDA  
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this 11th day of May 2013 by Edgar Girard, as President of CYPRESS LANDING ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.

**NOTARY PUBLIC:**

Amy Pankow  
**STATE OF FLORIDA (SEAL)**

My Commission Expires: 2/23/17



**WITNESSES:**

(Sign) Vanna Short

(Print) Vanna Short

(Sign) Brandy Davenport

(Print) Brandy Davenport

**CYPRESS LANDING ASSOCIATION,  
INC.**

BY: Steven Birkenhauer  
**Secretary of the Association**  
**Steven Birkenhauer**

**STATE OF FLORIDA  
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of May 2013 by Steven Birkenhauer, as Secretary of CYPRESS LANDING ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.

**NOTARY PUBLIC:**

Amy Pankow  
STATE OF FLORIDA (SEAL)

My Commission Expires: 2/23/17



AMENDMENTS TO DECLARATION, ARTICLES AND BYLAWS  
FOR  
CYPRESS LANDING

NOTE: Language being added is underlined and language be deleted is struck through.

Amendment to Declaration:

14.1 This DECLARATION may be amended upon the approval of not less than at least 191 votes 2/3 of the OWNERS voting in person or by proxy at a duly called meeting of the members, except that if any provision of this DECLARATION requires more than a 2/3 vote of the OWNERS to approve any action, such provision may not be amended to require a lesser vote, and may not be deleted, without the same number of votes required to approve such action. ~~In addition, so long as DECLARANT has the right to appoint a majority of the directors of the Association as provided in the ARTICLES, this DECLARATION may be amended from time to time, by DECLARANT and without the consent of the ASSOCIATION or any OWNER, and no amendment may be made by the OWNERS without the written joinder of DECLARANT. Such right of DECLARANT to amend this DECLARATION shall specifically include, but shall not be limited to, (i) amendments adding any property which will be developed in a similar manner as the SUBJECT PROPERTY, or deleting any property from the SUBJECT PROPERTY which will be developed differently than the SUBJECT PROPERTY (provided that any such amendment shall require the joinder of the owners of such property or any portion thereof if the owners are different than DECLARANT, and further provided that DECLARANT shall not have the obligation to add any property to or delete any property from the SUBJECT PROPERTY), and (ii) amendments required by any INSTITUTIONAL LENDER or governmental authority in order to comply with the requirements of same.~~ In order to be effective, any amendment to this DECLARATION must first be recorded in the public records of the county in which the SUBJECT PROPERTY is located, and in the case of an amendment made by the OWNERS, such amendment shall contain a certification by the President and Secretary of the ASSOCIATION that the amendment was duly adopted.

Amendment to Articles of Incorporation:

11.3 At such meeting, a vote of the members entitled to vote thereon shall be taken on the proposed amendment. The proposed amendment shall be adopted upon receiving the affirmative vote of at least 191 votes 2/3 of the OWNERS voting, in person or by proxy at a duly called meeting of the members, ~~of the votes of the entire membership of the ASSOCIATION.~~

Amendment to Bylaws:

9.3.1 A resolution for the adoption of the proposed amendment shall be adopted by not less than the affirmative vote of at least 191 votes of the OWNERS and voting, in person or by proxy at a duly called meeting of the members ~~a majority of the votes of the entire membership of the ASSOCIATION.~~