

2- This Instrument Prepared By/Return To:
CHRISTOPHER J. SHIPLEY, ESQ., CPA
Law Offices of Robert F. Vason, Jr., P.A.
501 East Fifth Avenue
Mount Dora, Florida 32757-5623
Telephone: (352) 383-4151
Our File Number: 04-7844

Parcel Identification Numbers:

21-19-26-027500000B01; 21-19-26-027500000B02;
21-19-26-027500000B03; 21-19-26-027500000B04;
21-19-26-027500000B05; 21-19-26-027500000B06;
21-19-26-027500000H01; 21-19-26-027500000H02;
21-19-26-027500000H03; 21-19-26-027500000H04;
21-19-26-027500000H05; 21-19-26-027500000I01;
21-19-26-027500000I02; 21-19-26-027500000I03;
21-19-26-027500000I04; and 21-19-26-027500000I05.

SPACE ABOVE RESERVED FOR RECORDING DATA

CFN 2005019900
Bk 02756 Pgs 0864 - 871; (8pgs)
DATE: 02/10/2005 08:41:15 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 69.50

**THIRD AMENDMENT TO THE DECLARATION OF CONDOMINIUM
OF CYPRESS COVE, A CONDOMINIUM**

This Third Amendment to the Declaration of Condominium of Cypress Cove, a Condominium, is executed this 9th day of February, 2005, by Cypress Cove Management Association, Inc., a Florida non-profit corporation (hereinafter referred to as "Association").

WITNESSETH:

WHEREAS, the Declaration of Condominium for Cypress Cove, a Condominium, was recorded February 7, 1986, in Official Records Book 866, pages 883, *et seq.*, of the Public Records of Lake County, Florida (hereinafter referred to as the "Original Declaration"); and

WHEREAS, a Certificate of Surveyor was executed and sealed by Billy Earl Owens, PLS, Fla. Cert. No. 3522, Owens' Land Surveying, and was attached to the Original Declaration as Exhibit A1; and

WHEREAS, the condominium units and all other improvements to be constructed on the property of Cypress Cove, a condominium, were set forth in detail and attached as Exhibits A2 through A7 of the Original Declaration; and

WHEREAS, the Original Declaration was amended by the First Amendment to

Declaration of Condominium of Cypress Cove, a Condominium, recorded on September 15, 1986, in Official Records Book 890, pages 880, *et seq.*, Public Records of Lake County, Florida, for the purpose of submitting to condominium ownership Phase III, Sections I and II of the lands described in the Exhibits A1 through A7 of the Original Declaration (hereinafter referred to as “First Amendment”); and

WHEREAS, the Original Declaration and First Amendment were supplemented by an Addendum to First Amendment recorded May 19, 1987, in Official Records Book 920, page 242, *et seq.*, Public Records of Lake County, Florida (hereinafter referred to as “Addendum to First Amendment”); and

WHEREAS, the First Amendment was amended by the Amendment to First Amendment to Declaration of Condominium of Cypress Cove, a Condominium, recorded January 4, 1988, in Official Records Book 948, pages 375, *et seq.*, Public Records of Lake County, Florida, for the purpose of correcting a scrivener’s error (hereinafter referred to as “Amendment to First Amendment”); and

WHEREAS, the First Amendment was further supplemented by the Second Addendum to First Amendment to Declaration of Condominium of Cypress Cove, a Condominium, recorded July 14, 1988, in Official Records Book 972, pages 1378, *et seq.*, Public Records of Lake County, Florida (hereinafter referred to as “Second Addendum to First Amendment”); and

WHEREAS, the Original Declaration was amended by the Second Amendment to Declaration of Condominium of Cypress Cove, a Condominium recorded October 27, 1988, in Official Records Book 985, pages 1655, *et seq.*, Public Records of Lake County, Florida; and

WHEREAS, the Association is the fee simple owner of the following undeveloped condominium parcels, to wit:

CONDOMINIUM PARCELS 1B, 2B, 3B, 4B, 5B, 6B, 1H, 2H, 3H, 4H, 5H, 1I, 2I, 3I, 4I, AND 5I OF CYPRESS COVE, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM AND ALL EXHIBITS THERETO RECORDED IN THE OFFICIAL RECORD BOOK 866, PAGE 883, ET SEQ., PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND ALL AMENDMENTS THERETO, TOGETHER WITH ALL APPURTENANCES THEREUNTO APPERTAINING ACCORDING TO THE SAID DECLARATION OF CONDOMINIUM; and

WHEREAS, a resolution was proposed by the Association pursuant to which the plot plan for the lands described in the Exhibits A1 through A7 of the Original Declaration as that plot plan relates to the aforesaid undeveloped condominium parcels owned by the Association and locates the improvements to be constructed thereon, would be amended as described in the attached composite Exhibit "A" (hereinafter referred to as the "Amended Plot Plan") and the undeveloped condominium parcels described in the Amended Plot Plan together with all appurtenances thereunto appertaining would thereafter be sold to a person or business entity desiring to construct and develop the condominium parcels contemplated by the Amended Plot Plan; and

WHEREAS, the aforesaid resolution was adopted on October 28, 2004, by a unanimous vote of the entire membership of the Board and Directors of the Association and by a vote of not less than seventy-five percent (75%) of the votes of the entire membership of the Association.

NOW, THEREFORE, upon the recordation of this Third Amendment to the Declaration of Condominium of Cypress Cove, a Condominium, in the Public Records of Lake County, Florida, be it adopted that:

1. The plot plan and location of improvements to be constructed for Buildings "B", "H", and "I" depicted on Exhibit A5 of the Original Declaration are amended as described in the Amended Plot Plan, i.e., Exhibits "A1" and "A2" attached hereto and incorporated herein by reference.

2. The number of undeveloped condominium parcels owned by the Association is reduced from sixteen (16) to fourteen (14) resulting in the total number of condominium parcels subject to the Original Declaration being reduced from forty-six (46) to forty-four (44).

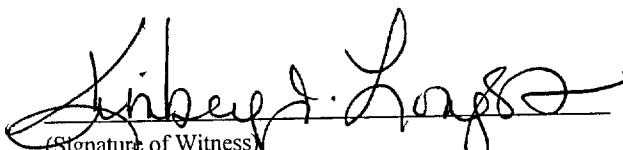
3. The Association does hereby grant, release, and quit-claim to the record owners of each condominium parcel an undivided interest in the land, property, and appurtenances heretofore pertaining to the two (2) condominium parcels no longer to be developed, to wit, condominium parcels 6B and 5I.

4. The percentages of common expense, common surplus, and common property and elements attributable to each condominium parcel are hereby changed pursuant to the method and formula for calculating such as set forth in Paragraph 1.4, and the sub-paragraphs thereunder, of the Original Declaration.

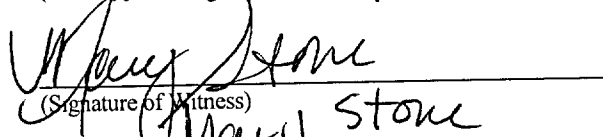
IN WITNESS WHEREOF, Cypress Cove Management Association, Inc., a Florida non-profit corporation, has caused this Amendment to be executed in its name and on behalf of the entire membership of the Association by its properly authorized officers and its corporate seal to be affixed thereto this 9th day of February, 2005.

**SIGNED, SEALED, AND DELIVERED:
IN THE PRESENCE OF:**

**CYPRESS COVE MANAGEMENT
ASSOCIATION, INC.**, a Florida non-profit
corporation

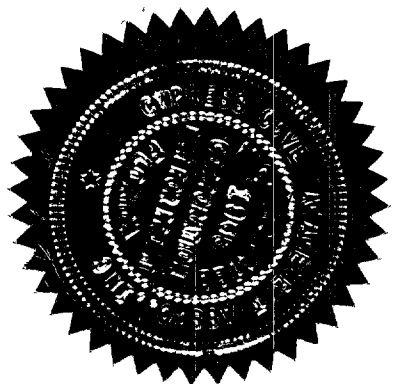

(Signature of Witness)

Kimberly T. Longest
(Print/Type Name of Witness)


(Signature of Witness)

Mary Stone
(Print/Type Name of Witness)


By: **WILBERT LANKIN**, President
Post Office Box 840
Tavares, Florida 32778-0840



ATTEST:

Shari Silas

By: SHARI SILAS, Secretary

Post Office Box 840

Tavares, Florida 32778-0840

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 9 day of February, 2005, by **WILBERT LANKIN**, as President of Cypress Cove Management Association, Inc., a Florida non-profit corporation,

() who is personally known to me and did not take an oath.

(✓) who has produced Florida driver license number L525-883-24-296-0 as identification and did take an oath stating he was indeed the person set forth herein.

Mary Stone

NOTARY PUBLIC - State of Florida

My Commission Expires:



**CORPORATE RESOLUTION
OF
CYPRESS COVE MANAGEMENT ASSOCIATION, INC.**

WHEREAS, WILBERT LANKIN is President of Cypress Cove Management Association, Inc., and by virtue of said appointment is authorized to execute any and all documents on behalf of Cypress Cove Management Association, Inc. necessary to effectuate the sale of property in accordance with that certain Contract dated January 19, 2005 between Cypress Cove Management Association, Inc., as Seller, and Shamrock Homes, Inc., as Buyer.

WHEREAS, the following resolution has been approved by the Board of Directors of Cypress Cove Management Association, Inc.:

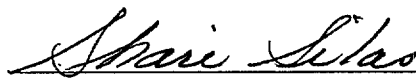
1. BE IT RESOLVED, that it is in the best interest of the corporation to sell property in Lake County, Florida, as outlined in that certain Contract dated January 19, 2005 between Cypress Cove Management Association, Inc., as Seller, and Shamrock Homes, Inc., as Buyer.

NOW, THEREFORE, the foregoing Resolution is hereby adopted and the proper officers of this corporation are hereby authorized, empowered and directed to take such action as may be necessary or desirable to carry out such Resolution.

Dated this 9th day of February, 2005.



WILBERT LANKIN, President



SHARI SILAS, Secretary

