STATE OF ALABAMA

COUNTY OF BALDWIN

AMENDMENT TO DECLARATION OF RESTRICTIONS AND COV

OF

CYPRESS BAY SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS, that this Amendment to Declaration of Restrictions and Covenants of Cypress Bay Subdivision is made, adopted, published and declared _, 1999, by CYPRESS BAY, INC., a Florida this 23rd day of February corporation, hereinafter referred to as "Developer";

WITNESSETH:

WHEREAS, the undersigned Developer is the owner of the real property known as Cypress Bay Subdivision as shown on the Plat recorded at Slide 1861A and 1861 B in the records of the Office of Judge of Probate of Baldwin County, Alabama ("the Plat"), (sometimes hereinafter referred to as the "Subdivision"); and

WHEREAS, Developer is desirous of amending the Declaration of Restrictions and Covenants of Cypress Bay Subdivision as recorded under Document Number 470484in MISC 0102 at page 1009 through 1020 in the Office of Judge of Probate of Baldwin County, Alabama, pursuant to paragraph 20 of said Declaration of Restrictions and Covenants of Cypress Bay Subdivision; and

WHEREAS, Cypress Bay, Inc. is the owner of all of the lots located in Cypress Bay Subdivision;

NOW, THEREFORE, Developer, does hereby amend the Declaration of Restrictive Covenants of Cypress Bay Subdivision as follows:

- 1. That the Recitals set forth hereinabove are incorporated herein by this reference.
- 2. That paragraph 19 entitled "OWNERS ASSOCIATION" shall be amended by deleting the fourth paragraph thereof which states "Assessments as to each lot shall not begin prior to January 1, 2000" and in lieu thereof the following sentence shall be inserted:

"Assessments as to each lot shall not begin prior to January 1, 1999".

 Except as provided hereinabove, the Declaration of Restrictions and Covenants of Cypress Bay Subdivision shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer, by and through its duly authorized Officers, have caused this instrument to be executed as of the day and year first above written.

Witnesses:

April D. King

Linda Oligged

Winda Aligood

ATTEST:

CYPRESS BAY, INC., a Florida Corporation

Eric J. Nickelsen, Vice Presiden

John S. Carr, Secretary

STATE OF Florida
COUNTY OF Escambia

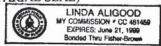
(Corporate Seal)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Eric J. Nickelsen, whose name as Vice President of CYPRESS BAY, INC., a Florida corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such Vice President and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand this the 23rday of February, 1999

NOTARY PUBLIC, STATE OF FLORIDA

(NOTARIAL SEAL)



STATE OF	Florida
COUNTY O	F Escambia

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that John S. Carr, whose name as Secretary of CYPRESS BAY, INC., a Florida corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such <u>Secretary</u> and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand this the 23rday of February , 1999.

MOTARIA PUBLIC, STATE OF FLORIDA (NOTARIAL SEAL)

THIS INSTRUMENT PREPARED BY: GERALD L. BROWN, ESQUIRE Emmanuel, Sheppard & Condon Post Office 1271 Pensacola, Florida 32596 (850) 433-6581



J. SERS/Bit/OPEN.wpd/Cyperss Bay hos amend wpd