

Prepared by and return to:
Steven J. Adamczyk, Esq.
Varnum, LLP
999 Vanderbilt Beach Rd. Ste 300
Naples, FL 34108
239-241-7384

**CERTIFICATE OF AMENDMENT TO
AMENDED AND RESTATED ARTICLES OF INCORPORATION, AND
AMENDED AND RESTATED BYLAWS, AND
THE AMENDED AND RESTATED DECLARATION OF
RESTRICTIONS AND COVENANTS
OF
CYPRESS PINES PROPERTY OWNERS ASSOCIATION, INC.**

I HEREBY CERTIFY that the following amendments to the Amended and Restated Articles of Incorporation, and the Amended and Restated Bylaws, and Amended and Restated Declaration of Restrictions and Covenants of Cypress Pines Property Owners Association, Inc., were duly approved and adopted by the membership of Cypress Pines Property Owners Association, Inc., (the “Association”) at the duly noticed Meeting of Members on the 28th day of February 2022. Said amendments were approved by a proper percentage of voting interests of the Association.

The Amended and Restated Articles of Incorporation, Amended and Restated Bylaws, and Amended and Restated Declaration of Restrictions and Covenants, and the legal description of the Lee County, Florida real property subject to these amendments are recorded at Instrument Number 2006000101750 of the Public Records of Lee County, Florida.

Additions are underlined. Deletions are stricken through.

I. Articles of Incorporation: The Amended and Restated Articles of Incorporation of Cypress Pines Property Owners Association, Inc., was recorded with the Florida Division of Corporations on March 14, 2006.

1. Section 5.1.2 of the Articles of Incorporation is hereby added in its entirety:

5.1.2 Ownership Limits. No financial interest will own more than two (2) parcels as set forth in Section 13.6 of the Declaration.

II. Bylaws: The Amended and Restated Bylaws of Cypress Pines Property Owners Association, Inc., (the “Bylaws”) was recorded on March 9, 2006, at instrument number 2006000101750 of the Official Records of Lee County, Florida.

1. Section 5.3(d) of the Bylaws is hereby amended as follows.

5.3(d) Elections of Directors – Nominations shall ~~also~~ not be accepted from the floor ~~on~~ the date of the election, so long as required by law.

2. Section 5.4(c) of the Bylaws is hereby added in its entirety to follow subsection (b) as follows:

5.4 Vacancies on the Board –

(C) Directors shall notify the Board’s secretary (or another Director) if unable to attend any Board meeting. If a Director misses three Board meetings without providing notice to the Secretary or another Director, excluding emergencies approved by the Board, the Director shall be deemed to have vacated his or her seat without any further action of the Board. The Board Member will be notified in writing of dismissal and replacement of Board Member will follow the guidelines of 5.4.a.

III. Declaration: The original Declaration of Cypress Pines Property Owners Association, Inc., including the legal description of the Lee County, Florida real property subject to the Declaration, Articles and Bylaws was originally recorded in OR Book 1642, Page 2161 of the Public Records of Lee County, Florida. The Amended and Restated Declaration of Restrictions and Covenants of Cypress Pines Property Owners Association, Inc., (the “Declaration”) was recorded on March 9, 2006, at instrument number 2006000101750 of the Official Records of Lee County, Florida.

1. Section 13.6 of the Declaration is hereby added in its entirety to follow Section 13.5 as follows:

13.6 Maximum Number of Parcels Owned. In order to impart a continuity of residence, limit acquisition of Parcels primarily for institutional or commercial investment purposes, inhibit transiency, avoid the deleterious effects of financial delinquency of a Owner or a large block of Parcels, and safeguard property values, no natural person or artificial entity (including, but not limited to, corporations, limited liability companies, partnerships, or trusts), or any officer, director, member, manager, shareholder general partner, limited partner, beneficiary trustee, or principal thereof, may hold a legal, equitable or contractual interest in more than two (2) Parcels within Cypress Pines (including Condominium Units) at the same time. Neither shall any artificial entity which has officers, directors, shareholders, member, managers, beneficiaries, trustees, or similar persons, in common with any other artificial entity (“affiliated persons or entities”), or individual Owner, as determined in the sole discretion of the Board, hold an interest in more than two (2) Parcels within Cypress Pines at the same time. It is the intention of this section that Owners or financially related persons or entities shall only own a maximum of two (2) Parcels, and that blocks of more than two (2) Parcels shall not be owned by individuals, families, or artificial entities or related parties for investment/rental purposes. The restrictions contained in this section do not apply to an institutional mortgagee’s security interest in Parcels, nor the ability of such institutional mortgagees to acquire title through foreclosure or deed in lieu of foreclosure but shall apply to any conveyance by such institutional mortgagee after acquisition of title by foreclosure or a deed in lieu of foreclosure or otherwise. An institutional mortgagee shall mean any entity that regularly lends money for the financing of the acquisition of real property and is licensed or otherwise legally permitted to do so in the State of Florida. The restrictions contained in this section do not apply to any individual or artificial entity that acquires title to any Condominium Units that have not been issued a Certificate of Occupancy, or other similar document, from the governmental authority

other similar document, from the governmental authority having jurisdiction as of the date of the Condominium Units acquisition. The Board may enact additional rules and regulations as may be necessary or desirable, as deemed by the Board, to clarify, interpret apply or enforce this provision.

WITNESSES:
(TWO)

CYPRESS PINES PROPERTY OWNERS ASSOCIATION, INC.

Diane H. Zigrassi
Signature
DIANE H. ZIGROSSI
Print Name

BY: *Phil Dent*
Phil Dent, Vice President

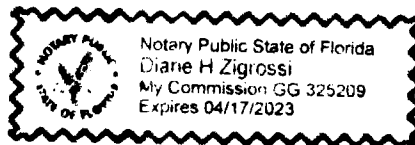
Tim Zigrassi
Signature
TIM ZIGROSSI
Print Name

STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared [] in person or [] virtual attendance, Phil Dent, as Vice President of Cypress Pines Property Owners Association, Inc., who is [] personally known to me or [] has produced his Driver License, as identification, and who executed the foregoing instrument and acknowledged before me that he executed the same.

Sept. WITNESS my hand and official seal in the County and State last aforesaid the 22nd day of 2022.

Diane H. Zigrassi
Notary Public, State of Florida
Print Name: DIANE H. ZIGROSSI



Prepared by and return to:
Steve Adamczyk, Esq.
Goede, Adamczyk, DeBoest & Cross, PLLC
6609 Willow Park Drive, Second Floor
Naples, Florida 34109
239-331-5100

CERTIFICATE OF AMENDMENT
TO THE AMENDED AND RESTATED ARTICLES OF INCORPORATION, AMENDED
AND RESTATED BYLAWS, AND AMENDED AND RESTATED
DECLARATION OF RESTRICTIONS AND COVENANTS
FOR
CYPRESS PINES

I HEREBY CERTIFY that the following amendments to the Amended and Restated Articles of Incorporation of Cypress Pines Property Owners Association, Inc., the Amended and Restated Bylaws of Cypress Pines Property Owners Association, Inc., and the Amended and Restated Declaration of Restrictions and Covenants for Cypress Pines Property Owners Association, Inc. were duly approved and adopted by the membership of Cypress Pines Property Owners Association, Inc., at the duly noticed Annual Meeting of the Members called for that purpose, at which a quorum was present, held on the ____ day of May, 2021.

The original Declaration of Restrictions and Covenants for Cypress Pines including the legal description of the Lee County, Florida real property subject to these amendments is recorded on October 26, 1982, in Official Record Book 1642, Page 2165 *et seq.*, of the Public Records, and was amended and restated as instrument number 2006000101750 of the Public Records of Lee County, Florida.

Additions are underlined
Deletions are ~~stricken~~

1. Section 4.2.5 of the Amended and Restated Articles of Incorporation is hereby amended as follows:

4.2.5 To make and amend reasonable rules and regulations for the transfer, appearance, occupancy, maintenance, conservation and use of the Common Areas and the Parcels and for the health, comfort, safety and welfare of the Owners, and to enact rules, policies, and resolutions pertaining to the operation of the Association, subject to any limitations contained in the Declaration.

2. Section 15 of the Amended and Restated Bylaws is hereby amended as follows:

15. Rules and Regulations. The Board of Directors may, from time to time, adopt, amend, waive, or add to the rules and regulations governing the transfer, appearance, occupancy, maintenance, and use of Common Areas and parcels, subject to any limitations contained in the Declaration, and to enact rules,

policies, and resolutions pertaining to the operation of the Association, and architectural standards to the extent permitted by the Declaration.

3. Section 13.1.2 of the Amended and Restated Declaration is hereby amended as follows:

13.1.2 Term, Maximum Occupancy. All leases shall be limited to two permanent occupants per bedroom, plus two. A permanent occupant shall include any person who resides in a Parcel for any period exceeding fourteen days during any calendar year. No Owner may lease less than the entire Parcel or lease or rent their Parcel for a term of period of less than one month, nor more than ~~six months~~ one year so that the high quality of the Community shall be maintained and not become a lodging facility for transients.

[...]

CYPRESS PINES PROPERTY OWNERS ASSOCIATION, INC. A Florida not for profit corporation

Witnesses:

[Signature]
(Signature of Witness #1)

Maria ANAZ ESPINOSA
(Print Name of Witness #1)

[Signature]
(Signature of Witness #2)

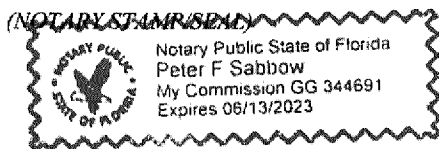
Diana Rosado-Laboy
(Print Name of Witness #2)

[Signature]
By: John Thistle, President

STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, by means of [] physical presence or [] online notarization, appeared John Thistle, as President of Cypress Pines Property Owners Association, Inc. who is personally known to me or has produced his Driver's License as identification and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 5th day of May 2021.



[Signature] (SEAL)
Notary Public for the State of Florida
Print Name: Peter Sabbow
My Commission Expires: 06-13-2023