

5/17/99  
S. J. CO  
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STATE OF ALABAMA  
COUNTY OF BALDWIN

**AMENDMENT TO DECLARATION OF RESTRICTIONS AND COVENANTS**

**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 this 23rd day of February, 1999, by **CYPRESS BAY, INC.**, a Florida 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 470484 in 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:

State of Alabama, Baldwin County  
To certify this instrument was filed  
and taxes collected on:  
1999 March - 2 3:13PM  
Instrument Number 481035 Pages 3  
Recording 7.50 Mortgage  
Deed Min Tax  
Index DP 1.00  
Archive  
Adrian T. Johns, Judge of Probate

481035

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

3. 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  
April D. King  
Linda Aligood  
Linda Aligood

**CYPRESS BAY, INC.,  
a Florida Corporation**

BY: Eric J. Nickelsen  
Eric J. Nickelsen, Vice President

ATTEST:

John S. Carr  
John S. Carr, Secretary

(Corporate Seal)



STATE OF Florida  
COUNTY OF Escambia

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 23rd day of February, 1999.

Linda Aligood  
NOTARY PUBLIC, STATE OF FLORIDA

(NOTARIAL SEAL)



STATE OF Florida  
COUNTY OF 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 Secretary and with full authority, executed the same voluntarily for and as the act of said corporation.

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

*Linda Aligood*  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA  
(NOTARIAL SEAL)

THIS INSTRUMENT PREPARED BY:  
GERALD L. BROWN, ESQUIRE  
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(850) 433-6581



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