

10/13/2016 3:55 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

CSC

Receipt # 2036240

Prepared by and return to:
David P. Barker, Esq.
Roetzel & Andress, LPA
200 South Orange Ave
SunTrust Center, Suite 1000
Orlando, FL 32801
(407) 835-8553

**AMENDMENT AND SUPPLEMENTAL DECLARATION TO
DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS FOR CYPRESS FALLS AT THE WOODLANDS**

WHEREAS, CENTEX HOMES, a Nevada general partnership ("**Centex**"), is the Declarant of the Declaration of Covenants, Conditions, and Restrictions for Cypress Falls recorded as Official Records Instrument Number 2005167077, as amended by that certain First Amendment recorded as Official Records Instrument Number 2006023930, and that certain Second Amendment recorded as Official Records Instrument Number 2006135650, and that certain Third Amendment recorded September 1, 2006 at Official Records Instrument Number 2006157653, and that certain Certificate of Amendment recorded December 20, 2013, at Official Records Instrument Number 2013169417, all of the Public Records of Sarasota County, Florida (collectively, the "**Declaration**"), which Declaration governs the real property described in Exhibit A to the Declaration ("**Cypress Falls Phase 1**");

WHEREAS, pursuant to Section 9.1 of the Declaration, Centex has the right to subject all or any portion of the property described in Exhibit B to the Declaration to the provisions of the Declaration by the recording of a Supplemental Declaration executed by Centex describing the property being subjected to the Declaration, and upon obtaining the consent of the property owner;

WHEREAS, pursuant to Section 9.3 of the Declaration, any Supplemental Declaration may supplement, create exceptions to, or otherwise modify the terms of the Declaration as it applies to the subject property in order to reflect the different character and intended use of such property;

WHEREAS, BUFFALO-NORTHPORT ASSOCIATES II, LLC, a Florida limited liability company ("**BNA**"), owns of certain real property more particularly described in **Exhibit 1** attached hereto ("**Cypress Falls Phase 2**"), which real property is located within a five (5) mile radius of the perimeter boundaries of Cypress Falls Phase 1;

WHEREAS, Centex and BNA desire to extend the scheme, coverage and operative effect of the Declaration to the real property more particularly described in **Exhibit 2** attached hereto (the "**Additional Property**") consisting of the portions of Cypress Falls Phase 2 in order to reflect the different character and intended use of Cypress Falls Phase 2, and BNA consents to the annexation of the Additional Property to the Declaration;

WHEREAS, pursuant to Article XX of the Declaration, Centex also reserved to itself the right to make certain unilateral amendments to the Declaration, and Centex hereby desires to unilaterally amend the Declaration to reflect that BNA will be the Declarant under the Declaration with respect to Cypress Falls Phase 2 and that Centex will be the Declarant under the Declaration with respect to Cypress Falls Phase 1; and

WHEREAS, it is beneficial to the Owners of the property in Cypress Falls to amend the Declaration to change, amend and modify the Declaration in the manner hereinafter set forth and to supplement the Declaration to provide for the annexation of the Property to the Declaration.

NOW, THEREFORE, the Declaration is amended and supplemented as follows:

1. Extension of Declaration to Additional Property. Pursuant to the provisions of Section 9.1 of the Declaration, BNA hereby declares and confirms that Additional Property is and shall be subjected to the scheme, coverage and operative effect of, and shall be held, sold, conveyed, encumbered, leased, rented, used, occupied and improved subject to the easements, covenants, conditions, restrictions, reservations, liens, charges and other terms and obligations set forth in the Declaration, and the Declaration is hereby amended and supplemented to include the Additional Property.

2. Defined Terms. The term "Declarant", as defined in Section 2.1 of the Declaration, is hereby revised and amended to read in its entirety as follows:

"Declarant": Centex Homes, a Nevada general partnership, shall be the Declarant and shall have all of the rights, benefits, duties and obligations of Declarant set forth in the Declaration with respect to those lands described on Exhibit A to the Declaration ("**Cypress Falls Phase 1**"). Buffalo-Northport Associates II, LLC, a Florida limited liability company shall be the Declarant and shall have all the rights, benefits, duties and obligations of Declarant set forth in the Declaration with respect to those lands described on Exhibit 1 attached hereto ("**Cypress Falls Phase 2**"); but subject to the limitations set forth in that certain Partial Assignment and Acceptance of Assignment of Declarant's Rights by and between Centex and BNA of even date herewith. Whenever the term Declarant is used in this Declaration, the Articles or Bylaws of the Association, it shall always be deemed to include any successor or assign as developer of all or any portion of the Community that is designated as Declarant in a recorded instrument which the immediately preceding Declarant executes. On all matters, Declarant may act through any of its Affiliates. Any Person who at any time holds the rights of Declarant hereunder and subsequently transfers or assigns the rights of Declarant to another Person shall be known as a "**Predecessor Declarant**" and, unless otherwise agreed in writing, shall be entitled to the rights of a Predecessor Declarant established in this Declaration. Whether or not specifically stated, a Predecessor Declarant shall be afforded the same protection with respect to matters arising from actions taken during its tenure as Declarant as the predecessor Declarant would have if it were still Declarant.

3. Association Finances. All Owners of any Lots platted in the Additional Property shall be members of the Association, and the responsibility to pay and the allocation of assessments for Lots in the Additional Property shall be in accordance with Article VIII of the Declaration; provided, however, that the obligation to pay said assessments will become due on all lots in the Additional Property upon the recording of the plat creating such lots. Upon platting, the owner(s) of lots created by such plat within the Additional Property will pay assessments as provided in Article VIII of the Declaration to be used as provided in the Declaration and will have the rights afforded to members of the Association in the Declaration; provided, that the assessments paid by Centex or any property owners in Cypress Falls Phase 1 shall not be increased as a direct result of inclusion of such new lots. From and after the recording of a plat of all or a portion of the Additional Property, each Owner of a Lot located in the Additional Property shall become obligated to pay assessments as provided in Article VIII of the Declaration.

4. Restriction on Residential Units. Together, all lands annexed to this Declaration as Cypress Falls Phase 2 shall have no more than three hundred forty nine (349) residential units.

5. Architectural Guidelines. Pursuant to Section 4.3 of the Declaration, Centex, as Declarant, has prepared, and hereby adopts and promulgates, the Architectural Guidelines for the Additional Property, copies of which are attached hereto as **Exhibit 3**. Notwithstanding anything set forth in the Declaration to the contrary, the Architectural Guidelines can only be amended upon the mutual approval of the Declarant as to the Cypress Falls Phase 1 Property and the Declarant as to the Cypress Falls Phase 2 Property, or their respective permitted successors and assigns under the terms and provisions of the Declaration. Further, no variance from compliance with the Architectural Guidelines can

be granted under Section 4.5 of the Declaration as to the Cypress Falls Phase 2 Property unless approved by Centex, or its permitted successor or assign, in its capacity as the Declarant under the terms and provisions of the Declaration.

6. Common Area Contribution. Prior to the issuance by the applicable Governmental Authority of the tenth (10th) certificate of occupancy for a home built on the Additional Property (“**10th CO Date**”), the then current owner of the Additional Property (excluding Centex) shall pay to Cypress Falls HOA the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) (“**Common Area Contribution**”) to be used by the Cypress Falls HOA to construct additional tennis courts, sports courts, a fire pit or general clubhouse refurbishment. To secure payment of the Common Area Contribution, Cypress Falls HOA shall have the right to a lien on the Additional Property if such Common Area Contribution is not timely paid by the then current owner (excluding Centex). Notwithstanding the foregoing, if Centex is the owner of the Additional Property on the 10th CO Date, then such Common Area Contribution shall be satisfied by Centex through Centex’s construction of improvements to the common areas and facilities of the Additional Property, as Declarant under the Declaration, at a value to the Cypress Falls HOA of at least One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00). In such event, Centex shall commence construction of the improvements to the common areas and the facilities of the Additional Property no later than the 10th CO Date.

7. Expansion of the Community. Nothing in this Amendment and Supplemental Declaration shall be construed to require Centex to submit additional lands to the Declaration.

8. Declaration Unmodified. It is the express intention of the parties hereto that, except as changed and modified by this Amendment and Supplemental Declaration, each and every one of the terms and provisions of the Declaration shall remain in full force and effect as originally written. Accordingly, nothing contained in this Amendment and Supplemental Declaration shall be construed to alter, affect, or impair the charge or encumbrance, or otherwise diminish the operation or effect of those terms and provisions of the Declaration which were not expressly and specifically changed, amended, and modified hereby.

9. Successors and Assigns. This Amendment and Supplemental Declaration shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

10. Exhibits. All exhibits attached to this Amendment and Supplemental Declaration are incorporated herein by this reference.

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IN WITNESS WHEREOF, this Amendment and Supplemental Declaration has been executed by the parties hereto in the manner and form sufficient to bind them as of the 7th day of ~~September~~ ^{October}, 2016

WITNESSES:

CENTEX HOMES, a Nevada general partnership

By: CENTEX REAL ESTATE CORPORATION,
a Nevada corporation, managing general partner

Laura A. Ray
Print Name: LAURA A. RAY
Christine Fitz
Print Name: Christine Fitz

By: Richard McCormick
Name: Richard McCormick
Title: Division President

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this 7th day of ~~September~~ ^{OCTOBER}, 2016, by RICHARD MCCORMICK, as DIV. PRESIDENT, of Centex Real Estate Corporation, the Managing General Partner of Centex Homes, a Nevada general partnership, for and on behalf of the corporation and general partnership. He [] is personally known to me or [] has produced _____ as identification.

Laura A. Ray
Print Name: LAURA A. RAY
Notary Public - State of Florida
Commission Number: _____
Commission expires: _____

[Notary Seal]



WITNESSES:

[Signature]
Signature
Lynne A. Van Fleet
Print Name

[Signature]
Signature
MARIA L. MAGUIRE
Print Name

BUFFALO-NORTHPORT ASSOCIATES II,
LLC, a Florida limited liability company
By: Blackrock Investors VIII, LLC,
a Delaware limited liability company
By: [Signature]
Name: E. John Wagner II
Title: Asst. Secretary

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 4th day of ~~September~~ October, 2016, by E. John Wagner II as Assistant Secretary of Buffalo-Northport Associates II, LLC, a Florida limited liability company, on behalf of the company. (S)He is personally known to me or produced _____ as identification.

[Signature]
NOTARY PUBLIC
Print Name: _____
My Commission Expires: _____

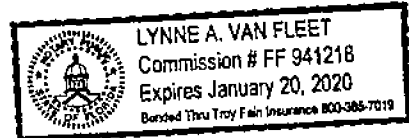


Exhibit 1 to Amendment

Legal Description of Cypress Falls Phase 2 Property

CYPRESS FALLS PHASES 2A AND 2B

PARCEL "C"

A PARCEL OF LAND LYING IN SECTIONS 7, 8, 17, AND 18. TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, RUN THENCE ALONG THE SOUTH BOUNDARY OF AFORESAID SECTION 17, ALSO BEING THE SOUTH BOUNDARY OF LAKESIDE PLANTATION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 41, PAGES 17 THROUGH 171, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AS MONUMENTED, S.89°42'45"E., 1240.05 FEET TO THE SOUTHEAST CORNER OF SAID LAKESIDE PLANTATION, ALSO BEING POINT "G" OF SAID PLAT; THENCE ALONG THE EAST BOUNDARY OF SAID LAKESIDE PLANTATION, AS MONUMENTED, N.00°16'52"E., 1554.64 FEET TO THE NORTHEAST CORNER OF SAID LAKESIDE PLANTATION, ALSO BEING POINT "F" OF SAID PLAT, FOR A POINT OF BEGINNING; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LAKESIDE PLANTATION, AS MONUMENTED, THE FOLLOWING TWO (2) COURSES: 1) N.75°28'28"W., 2441.86 FEET TO POINT "E" OF SAID PLAT; 2) N.89°42'50"W., 581.55 FEET TO THE NORTHEAST CORNER OF PLANTATION BOULEVARD, ACCORDING TO SAID LAKESIDE PLANTATION; THENCE N.00°17'19"E., 614.83 FEET; THENCE S.89°42'41"E., 25.00 FEET; THENCE N.34°29'00"E., 87.56 FEET; THENCE N.49°55'00"E., 52.85 FEET; THENCE N.65°21'00"E., 52.85 FEET; THENCE N.80°47'00"E., 48.71 FEET; THENCE S.89°42'06"E., 58.41 FEET; THENCE N.00°17'54"E., 131.68 FEET; THENCE N.09°00'23"W., 40.61 FEET; THENCE N.28°37'18"W., 30.65 FEET; THENCE N.50°36'31"W., 16.39 FEET; THENCE N.86°29'01"W., 85.62 FEET; THENCE N.37°31'19"W., 76.11 FEET; THENCE N.76°01'45"W., 35.24 FEET; THENCE N.36°56'24"W., 113.02 FEET; THENCE N.00°17'19"E., 207.06 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 47.20 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 750.00 FEET AND A CENTRAL ANGLE OF 03°36'20" (CHORD BEARING N.02°05'29"E., 47.19 FEET); THENCE N.53°41'02"E., 108.27 FEET; THENCE N.74°14'09"E., 42.99 FEET; THENCE N.56°11'41"E., 74.72 FEET; THENCE N.17°02'45"E., 75.14 FEET; THENCE N.16°30'24"W., 77.52 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 27.07 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 77°33'00" (CHORD BEARING N.22°16'06"E., 25.05 FEET) TO A POINT OF TANGENCY; THENCE N.61°02'36"E., 49.61 FEET; THENCE N.13°30'00"W., 77.77 FEET; THENCE N.14°00'00"E., 73.87 FEET; THENCE N.35°30'00"E., 64.55 FEET; THENCE N.57°00'00"E., 70.74 FEET; THENCE N.82°30'00"E., 85.97 FEET; THENCE S.88°21'23"E., 52.67 FEET; THENCE N.32°59'11"E., 67.74 FEET; THENCE N.17°55'00"E., 62.11 FEET; THENCE N.23°39'00"E., 92.64 FEET; THENCE N.57°00'00"W., 135.01 FEET TO A POINT OF CURVATURE; THENCE WESTERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING S.78°00'00"W., 35.36 FEET); THENCE N.33°00'00"E., 180.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 299.75 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AND A CENTRAL ANGLE OF 14°56'04" (CHORD BEARING N.40°28'02"E., 298.90 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, 425.09 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 44°17'02" (CHORD BEARING N.25°47'33"E., 414.59 FEET); THENCE S.86°20'58"E., 131.70 FEET; THENCE N.29°41'38"E., 30.36 FEET; THENCE N.20°59'08"E., 44.80 FEET; THENCE N.23°23'14"W., 123.88 FEET; THENCE N.62°36'17"W., 25.79 FEET; THENCE S.78°10'41"W., 106.81 FEET TO A POINT ON A CURVE; THENCE NORTHERLY, 170.03 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 17°42'44" (CHORD BEARING N.22°21'58"W., 169.35 FEET) TO A POINT OF TANGENCY; THENCE N.31°13'20"W., 26.07 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A

CENTRAL ANGLE OF 90°00'00" (CHORD BEARING N.13°46'40"E., 35.36 FEET) TO A POINT OF TANGENCY; THENCE N.58°46'40"E., 15.36 FEET TO A POINT OF CURVATURE; THENCE EASTERLY. 730.99 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 141.26 FEET AND A CENTRAL ANGLE OF 56°30'08" (CHORD BEARING N.87°01'44" E., 701.73 FEET) TO A POINT OF TANGENCY; THENCE S.64°43'12"E., 359.67 FEET TO A POINT OF CURVATURE; THENCE EASTERLY, 953.18 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1560.00 FEET AND A CENTRAL ANGLE OF 35°00'31" (CHORD BEARING S.82°13'28"E., 938.43 FEET) TO A POINT OF TANGENCY; THENCE N.80°16'17"E., 861.81 FEET TO A POINT OF CURVATURE; THENCE EASTERLY, 356.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 465.00 FEET AND A CENTRAL ANGLE OF 43°56'11" (CHORD BEARING S.77°45'38"E., 347.90 FEET) TO A POINT OF TANGENCY; THENCE S.55°47'32" E., 153.39 FEET TO A POINT OF CUSP; THENCE WESTERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING S.79°12'28" W., 35.36 FEET) TO A POINT OF TANGENCY; THENCE S.34°12'28"W., 58.08 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, 103.74 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 225.00 FEET AND A CENTRAL ANGLE OF 26°25'06" (CHORD BEARING S.47°25'01"W., 102.83 FEET); THENCE S.12°06'15"E., 208.05 FEET; THENCE N.69°51'47"E., 114.78 FEET; THENCE N.26°38'53"E., 37.40 FEET; THENCE N.46°59'18"E., 41.88 FEET; THENCE N.55°18'42"E., 37.05 FEET ; THENCE N.32°11'57"E., 40.04 FEET; THENCE N.41°07'05"E., 55.16 FEET; THENCE N.00°27'23"W., 32.07 FEET; THENCE S.55°47'32"E., 82.02 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 124.63 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 870.00 FEET AND A CENTRAL ANGLE OF 08°12'28" (CHORD BEARING S.59° 53'46"E., 124.52 FEET); THENCE S.26°00'00"W., 2025.54 FEET; THENCE S.19°30'00"W., 1772.13 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

CYPRESS FALLS PHASE 1A

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 18, RUN THENCE ALONG THE NORTH BOUNDARY OF THE NORTHEAST ¼ OF SAID SECTION 18, N88°39'50"W., 834.76 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY, 239.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 24°56'20" (CHORD BEARING S08°49'08"E., 237.51 FEET) THE POINT OF BEGINNING; THENCE S.86°20'58"E., 454.21 FEET; THENCE S.00°47'00"W., 424.01 FEET; THENCE S.85°53'01"E., 63.78 FEET; THENCE S.79°08'59"E., 63.78 FEET; THENCE S.72°27'12"E., 63.77 FEET; THENCE S.89°07'36"E., 43.45 FEET; THENCE S.50°00'00"E., 290.00 FEET; THENCE S.56°59'30"E., 190.00 FEET; THENCE S.10°00'00"E., 330.25 FEET; THENCE S.20°00'00"E., 560.42 FEET; THENCE S.05°00'27"W., 134.28 FEET; THENCE S.03°00'00"W., 154.00 FEET; THENCE N.87°00'00"W., 70.50 FEET; THENCE S.03°00'00"W., 110.00 FEET; THENCE S.35°39'04"W., 135.66 FEET; THENCE N.46°24'39"W., 580.36 FEET; THENCE S88°51'05"W., 397.30 FEET; THENCE N.80°23'00"W., 124.00 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY, 12.80 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 05°51'59" (CHORD BEARING S.12°32'59"W., 12.79 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHERLY, 31.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 875.00 FEET AND A CENTRAL ANGLE OF 02°03'01" (CHORD BEARING S.16°30'29"W., 31.31 FEET); THENCE N.72°28'00"W., 248.97 FEET; THENCE N.89°42'41"W., 842.38; THENCE N.00°17'19"E., 60.85 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 47.20 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 750.00 FEET AND A CENTRAL ANGLE OF 03°36'20" (CHORD BEARING N.02°05'29"E., 47.19 FEET); THENCE N.53°41'02"E., 108.27 FEET; THENCE N74°14'09"E., 42.99 FEET; THENCE N.56°11'41"E., 74.72 FEET; THENCE N.17°02'45"E., 75.14 FEET; THENCE N.16°30'24"W., 77.52 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 27.07 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 77°33'00" (CHORD BEARING N.22°16'06"E., 25.05 FEET) TO A POINT OF TANGENCY;

THENCE N.61°02'38"E., 49.61 FEET; THENCE N.13°30'00"W., 77.77 FEET; THENCE N.14°00'00"E., 73.87 FEET; THENCE N.35°30'00"E., 64.55 FEET; THENCE N.57°00'00"E., 70.74 FEET; THENCE N.82°30'00"E., 85.97 FEET; THENCE S.88°21'23"E., 52.67 FEET; THENCE N.32°59'11"E., 67.74 FEET; THENCE N.17°55'00"E., 62.11 FEET; THENCE N23°39'00"E., 92.64 FEET; THENCE N.57°00'00"W., 135.01 FEET TO A POINT OF CURVATURE; THENCE WESTERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING S.78°00'00"W., 35.56 FEET) TO A POINT OF CUSP; THENCE N.33°00'00"E., 180.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 299.75 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AND A CENTRAL ANGLE OF 14°56'04" (CHORD BEARING N.40°28'02"E., 298.90 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, 425.09 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 44°17'02" (CHORD BEARING N.25°47'33"E., 414.59 FEET) TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

CYPRESS FALLS PHASE 1C

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 18, RUN THENCE ALONG THE EAST BOUNDARY OF THE NORTHEAST ¼ OF SAID SECTION 18, S.00°02'59"W., 224.81 FEET TO THE POINT OF BEGINNING; THENCE N.86°47'12"E., 97.06 FEET; THENCE S.51°51'13"E., 433.53 FEET; THENCE S.27°50'41"E., 711.67 FEET; THENCE S.82°30'00"E., 400.00 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY, 17.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3022.00 FEET AND A CENTRAL ANGLE OF 00°20'00" (CHORD BEARING S.07°40'00"W., 17.58 FEET); THENCE S.82°10'00"E., 290.00 FEET; THENCE S.12°50'00"W, 439.78 FEET; THENCE S.12°10'00"E., 633.73 FEET; THENCE S.61°00'00"E., 278.24 FEET; THENCE S.19°30'00"W., 961.28 FEET; THENCE N.48°15'24"W., 1311.79 FEET; THENCE N.46°24'39"W., 132.26 FEET; THENCE N.35°39'04"E., 135.66 FEET; THENCE N.03°00'00"E., 110.00 FEET; THENCE S.87°00'00"E., 70.50 FEET; THENCE N.03°00'00"E., 154.00 FEET; THENCE N.05°00'27"E., 134.28 FEET; THENCE N20°00'00"W., 560.42 FEET THENCE N10°00'00"W., 330.25 FEET; THENCE N.56°59'30"W., 190.00 FEET; THENCE N.50°00'00"W., 290.00 FEET; THENCE N.89°07'36"W., 43.45 FEET; THENCE N.72°27'12"W., 63.77 FEET; THENCE N79°08'59"W., 63.78 FEET; THENCE N.85°53'01"W., 63.78 FEET; THENCE N.00°47'00"E., 424.01 FEE; THENCE N86°47'12"E., 345.18 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

CYPRESS FALLS PHASE 1D

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 18, RUN THENCE ALONG THE EAST BOUNDARY OF THE NORTHEAST ¼ OF SAID SECTION 18, S.00°02'59"W., 2029.41 FEET TO THE POINT OF BEGINNING; THENCE S.46°24'39"E., 95.34 FEET; THENCE S.28°21'37"W., 305.00 FEET; THENCE S.83°24'00"W., 57.33 FEET; THENCE S.80°32'00"W., 57.33 FEET; THENCE N.80°53'10"W., 49.03 FEET; THENCE S59°28'00"W., 171.00 FEET; THENCE N.31°18'25"W., 31.73 FEET; THENCE S.57°55'10"W., 65.06 FEET; THENCE S.63°35'00"W., 57.33 FEET; THENCE S.60°43'00"W., 57.33 FEET; THENCE S.57°51'00"W., 57.33 FEET; THENCE S.54°59'00"W., 57.33 FEET; THENCE S.51°59'30"W., 62.33 FEET; THENCE S.48°52'30"W., 62.33 FEET; THENCE S.45°53'00"W., 57.33 FEET; THENCE S.43°01'00"W., 57.33 FEET; THENCE S40°01'30"W., 62.33 FEET; THENCE S.37°00'15"W., 56.36 FEET; THENCE S.66°50'53"W., 35.05 FEET; THENCE S.88°30'33"W., 49.61 FEET; THENCE WEST, 517.65 FEET; THENCE N.00°17'19"E., 43.48 FEET; THENCE WEST, 170.78 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, 39.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A

CENTRAL ANGLE OF 89°42'41" (CHORD BEARING S.45°08'40"W., 35.27 FEET); THENCE N.00°17'19"E., 277.43 FEET; THENCE S89°42'41"E., 25.00 FEET; THENCE N34°29'00"E., 87.56 FEET; THENCE N 49°55'00"E., 52.85 FEET; THENCE N.65°21'00"E., 52.85 FEET; THENCE N.80°47'00"E., 48.71 FEET; THENCE S.89°42'06"E., 58.41 FEET; THENCE N.00°17'54"E., 131.68 FEET; THENCE N.09°00'23"W., 40.61 FEET; THENCE N.28°37'18"W., 30.65 FEET; THENCE N.50°36'31"W., 16.39 FEET; THENCE N.86°29'01"W., 85.62 FEET; THENCE N.37°31'19"W., 76.11 FEET; THENCE N.76°01'45"W., 35.24 FEET; THENCE N.36°56'24"W., 113.02 FEET; THENCE N.00°17'19"E., 146.21 FEET; THENCE S.89°42'41"E., 842.38 FEET; THENCE S.72°28'00"E., 248.97 FEET TO A POINT ON A CURVE; THENCE NORTHERLY, 31.31 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 875.00 FEET AND A CENTRAL ANGLE OF 02°03'01" (CHORD BEARING N.16°30'29"E., 31.31 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE NORTHERLY, 12.80 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 05°51'59" (CHORD BEARING N.12°32'59"E., 12.79 FEET); THENCE S.80°23'00"E., 124.00 FEET; THENCE N.88°51'05"E., 397.30 FEET; THENCE S.46°24'39"E., 114.91 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS THE FOLLOWING TWO PARCELS:

CYPRESS FALLS PHASE 2A

DESCRIPTION: A PARCEL OF LAND LYING IN SECTIONS 7, 8, 17, AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 17, RUN THENCE ALONG THE NORTH BOUNDARY OF SAID SECTION 17, S.89°28'29"E., 288.89 FEET TO A POINT ON A CURVE ON THE SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD, AS RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 2005275738, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD, THE FOLLOWING FOUR (4) COURSES: 1) EASTERLY, 810.65 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1560.00 FEET AND A CENTRAL ANGLE OF 29°46'25" (CHORD BEARING S.84°50'31"E., 801.56 FEET) TO A POINT OF TANGENCY; 2) N.80°16'17"E., 861.81 FEET TO A POINT OF CURVATURE; 3) EASTERLY, 356.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 465.00 FEET AND A CENTRAL ANGLE OF 43°56'11" (CHORD BEARING S.77°45'38"E., 347.90 FEET) TO A POINT OF TANGENCY; 4) S.55°47'32"E., 153.39 FEET TO A POINT OF CUSP; THENCE WESTERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING S.79°12'28"W., 35.36 FEET) TO A POINT OF TANGENCY; THENCE S.34°12'28"W., 58.08 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, 103.74 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 225.00 FEET AND A CENTRAL ANGLE OF 26°25'06" (CHORD BEARING S.47°25'01"W., 102.83 FEET); THENCE S.12°06'15"E., 208.05 FEET; THENCE N.69°51'47"E., 114.78 FEET; THENCE N.26°38'53"E., 37.40 FEET; THENCE N.46°59'18"E., 41.88 FEET; THENCE N.55°18'42"E., 37.05 FEET; THENCE N.32°11'57"E., 40.04 FEET; THENCE N.41°07'05"E., 55.16 FEET; THENCE N.00°27'23"W., 32.07 FEET TO A POINT ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD, THE FOLLOWING TWO (2) COURSES: 1) S.55°47'32"E., 82.02 FEET TO A POINT OF CURVATURE; 2) SOUTHEASTERLY, 124.63 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 870.00 FEET AND A CENTRAL ANGLE OF 08°12'28" (CHORD BEARING S.59°53'46"E., 124.52 FEET); THENCE S.26°00'00"W., 2025.54 FEET; THENCE S.19°30'00"W., 310.86 FEET TO THE EASTERLYMOST CORNER OF CYPRESS FALLS PHASE 1C, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGE 15, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID CYPRESS FALLS PHASE 1C, THE FOLLOWING NINE (9) COURSES: 1) N.61°00'00"W., 278.24 FEET; 2) N.12°10'00"W., 633.73 FEET; 3) N.12°50'00"E., 439.78 FEET; 4) N.82°10'00"W., 290.00 FEET TO A POINT ON A CURVE; 5)

NORTHERLY, 17.58 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 3022.00 FEET AND A CENTRAL ANGLE OF 00°20'00" (CHORD BEARING N.07°40'00"E., 17.58 FEET); 6) N.82°30'00"W., 400.00 FEET; 7) N.27°50'41"W., 711.67 FEET; 8) N.51°51'13"W., 433.53 FEET; 9) S.86°47'12"W., 442.24 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 45, PAGE 39, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1A, N.86°20'58"W., 322.51 FEET; THENCE N.29°41'38"E., 30.36 FEET; THENCE N.20°59'08"E., 44.80 FEET; THENCE N.23°23'14"W., 123.88 FEET; THENCE N.62°36'17"W., 25.79 FEET; THENCE S.78°10'41"W., 106.81 FEET TO A POINT ON A CURVE ON THE EASTERLY RIGHT-OF-WAY LINE OF PLANTATION BOULEVARD, AS RECORDED IN THE AFORESAID OFFICIAL RECORDS INSTRUMENT NO. 2005275738, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES: 1) NORTHERLY, 170.03 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 17°42'44" (CHORD BEARING N.22°21'58"W., 169.35 FEET) TO A POINT OF TANGENCY; 2) N.31°13'20"W., 26.07 FEET TO A POINT OF CURVATURE; 3) NORTHERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING N.13°46'40"E., 35.36 FEET) TO A POINT OF TANGENCY, ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD, THE FOLLOWING FOUR (4) COURSES: 1) N.58°46'40"E., 15.36 FEET TO A POINT OF CURVATURE; 2) EASTERLY, 730.99 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 741.26 FEET AND A CENTRAL ANGLE OF 56°30'08" (CHORD BEARING N.87°01'44"E., 701.73 FEET) TO A POINT OF TANGENCY; 3) S.64°43'12"E., 359.67 FEET TO A POINT OF CURVATURE; 4) SOUTHEASTERLY, 142.54 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1560.00 FEET AND A CENTRAL ANGLE OF 05°14'06" (CHORD BEARING S.67°20'15"E., 142.49 FEET) TO THE **POINT OF BEGINNING**.

CONTAINING 78.383 ACRES, MORE OR LESS.

TOGETHER WITH:

CYPRESS FALLS PHASE 2B

DESCRIPTION: A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 17, SAID POINT ALSO BEING ON THE SOUTH BOUNDARY OF LAKESIDE PLANTATION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41, PAGES 17 AND 17A THROUGH 17I, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, RUN THENCE ALONG THE SOUTH BOUNDARY OF SAID SECTION 17 AND SAID SOUTH BOUNDARY OF LAKESIDE PLANTATION, S.89°42'45"E., 1240.05 FEET TO THE SOUTHEAST CORNER OF SAID LAKESIDE PLANTATION; THENCE ALONG THE EAST BOUNDARY OF SAID LAKESIDE PLANTATION, N.00°16'52"E., 1554.64 FEET TO THE NORTHEAST CORNER OF SAID LAKESIDE PLANTATION, SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LAKESIDE PLANTATION, THE FOLLOWING TWO (2) COURSES: 1) N.75°28'28"W., 2441.86 FEET; 2) N.89°42'50"W., 581.55 FEET TO THE SOUTHEAST CORNER OF THE 100 FEET WIDE RIGHT-OF-WAY FOR PLANTATION BOULEVARD, AS RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 2005275738, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID PLANTATION BOULEVARD, N.00°17'19"E., 337.40 FEET TO A POINT OF CURVATURE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CYPRESS FALLS PHASE 1D, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGE 16, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY AND EASTERLY BOUNDARIES OF SAID CYPRESS FALLS PHASE 1D, IN RESPECTIVE ORDER, THE FOLLOWING TWENTY-THREE (23) COURSES: 1) NORTHEASTERLY, 39.14 FEET ALONG THE ARC

OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 89°42'41" (CHORD BEARING N.45°08'40"E., 35.27 FEET) TO A POINT OF TANGENCY; 2) EAST, 170.78 FEET; 3) S.00°17'19"W., 43.48 FEET; 4) EAST, 517.65 FEET; 5) N.88°30'33"E., 49.61 FEET; 6) N.66°50'53"E., 35.05 FEET; 7) N.37°00'15"E., 56.36 FEET; 8) N.40°01'30"E., 62.33 FEET; 9) N.43°01'00"E., 57.33 FEET; 10) N.45°53'00"E., 57.33 FEET; 11) N.48°52'30"E., 62.33 FEET; 12) N.51°59'30"E., 62.33 FEET; 13) N.54°59'00"E., 57.33 FEET; 14) N.57°51'00"E., 57.33 FEET; 15) N.60°43'00"E., 57.33 FEET; 16) N.63°35'00"E., 57.33 FEET; 17) N.57°55'10"E., 65.06 FEET TO A POINT ON A CURVE; 18) SOUTHEASTERLY, 31.73 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 01°32'50" (CHORD BEARING S.31°18'25"E., 31.73 FEET); 19) N.59°28'00"E., 171.00 FEET; 20) S.80°53'10"E., 49.03 FEET; 21) N.80°32'00"E., 57.33 FEET; 22) N.83°24'00"E., 57.33 FEET; 23) N.28°21'37"E., 305.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 45, PAGE 39, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1A, S.46°24'39"E., 370.11 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1C, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGE 15, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1C, THE FOLLOWING TWO (2) COURSES: 1) CONTINUE S.46°24'39"E., 132.26 FEET; 2) S.48°15'24"E., 1311.79 FEET TO THE SOUTHERLYMOST CORNER OF SAID CYPRESS FALLS PHASE 1C; THENCE S.19°30'00"W., 500.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 53.894 ACRES, MORE OR LESS.

TOGETHER WITH:

[LEGAL DESCRIPTION OF PHASE 2 PROPERTY CONTINUES ON NEXT PAGE]

A parcel of land lying in Sections 7 and 18, Township 39 South, Range 22 East, Sarasota County, Florida, and being more particularly described as follows:

COMMENCE at the Southeast corner of said Section 16, Township 39 South, Range 22 East, run thence along the South boundary of Section 17, Township 39 South, Range 22 East, Sarasota County, Florida, also being the South boundary of LAKESIDE PLANTATION, according to the plat thereof recorded in Plat Book 41, Pages 17 through 171, inclusive, of the Public Records of Sarasota County, Florida, as monumented, S.89°42'45"E., 1240.05 feet to the Southeast corner of said LAKESIDE PLANTATION, also being POINT "G" of said plat, thence along the East boundary of said LAKESIDE PLANTATION, as monumented, N00°16'52"E., 1564.64 feet to the Northeast corner of said LAKESIDE PLANTATION, also being POINT "E" of said plat, thence along the Northernly boundary of said LAKESIDE PLANTATION, as monumented, the following four (4) courses: 1) N.75°28'28"W., 2441.85 feet to POINT "E" of said plat; 2) N.89°42'50"W., 581.55 feet to the Northwest corner of PLANTATION BOULEVARD, according to said LAKESIDE PLANTATION for a POINT OF BEGINNING; 3) continue N.89°42'50"W., 1899.25 feet to POINT "D" of said plat, thence N.05°31'42"E., 142.59 feet to POINT "C" of said plat, thence N.32°15'00"E., 218.00 feet; thence N.05°30'00"E., 50.00 feet, thence N.33°00'00"W., 50.00 feet; thence N.15°30'00"E., 240.00 feet; thence N.21°00'00"W., 240.00 feet, thence N.41°15'00"E., 483.00 feet; thence N.65°30'00"E., 1152.07 feet; thence N.05°00'00"E., 1046.38 feet; thence S.85°22'25"E., 214.54 feet to a point of curvature, thence Easterly, 232.96 feet along the arc of a curve to the left having a radius of 1208.55 feet and a central angle of 11°02'39" (chord bearing N.89°08'16"E., 232.60 feet); thence N.06°25'04"W., 140.00 feet to a point on a curve; thence Easterly, 482.80 feet along the arc of said curve to the left having a radius of 1068.55 feet and a central angle of 24°48'16" (chord bearing N.71°10'48"E., 458.99 feet) to a point of tangency; thence N.56°45'40"E., 254.63 feet to a point of curvature; thence Easterly, 39.27 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing S.76°13'20"E., 35.36 feet) to a point of tangency; thence S.31°13'20"E., 26.07 feet to a point of curvature; thence Southerly, 621.69 feet along the arc of a curve to the right having a radius of 450.00 feet and a central angle of 79°09'24" (chord bearing S.05°21'22"W., 573.42 feet) to a point of reverse curvature; thence Southwesterly, 325.82 feet along the arc of a curve to the left having a radius of 1250.00 feet and a central angle of 14°55'04" (chord bearing S.40°28'02"W., 324.90 feet) to a point of tangency; thence S.33°00'00"W., 736.32 feet to a point of curvature; thence Southerly, 465.28 feet along the arc of a curve to the left having a radius of 850.00 feet and a central angle of 32°42'41" (chord bearing S.15°38'40"W., 478.72 feet) to a point of tangency; thence S.00°17'19"W., 1331.05 feet to the POINT OF BEGINNING.

LESS AND EXCEPT:

CYPRESS FALLS PHASE 1B

A parcel of land lying in Section 18, Township 39 South, Range 22 East, Sarasota County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 18, run thence along the North boundary of the Northeast 1/4 of said Section 18, N.88°39'50"W., 945.25 feet to a point on a curve, thence Southerly, 586.25 feet along the arc of a curve to the right having a radius of 450.00 feet and a central angle of 74°38'39" (chord bearing S.10°36'44"W., 545.86 feet), to a point of reverse curvature; thence Southwesterly, 325.82 feet along the arc of a curve to the left having a radius of 1250.00 feet and a central angle of 14°58'04" (chord bearing S.40°28'02"W., 324.90 feet) to a point of tangency; thence S.33°00'00"W., 50.00 feet to the POINT OF BEGINNING; thence continue, S.33°00'00"W., 685.32 feet to a point of curvature; thence Southerly, 465.28 feet along the arc of a curve to the left having a radius of 850.00 feet and a central angle of 32°42'41" (chord bearing S.15°38'40"W., 478.72 feet) to a point of tangency; thence S.00°17'19"W., 50.00 feet; thence S.86°06'35"W., 364.56 feet; thence N.49°59'46"W., 552.58 feet; thence N.65°30'00"E., 438.63 feet; thence N.68°01'04"E., 172.69 feet; thence S.23°13'55"E., 99.76 feet to a point on a curve, thence Northeastly, 40.84 feet along the arc of a curve to the left having a radius of 78.00 feet and a central angle of 30°00'00" (chord bearing N.48°00'00"E., 40.38 feet) to a point of tangency; thence N.33°00'00"E., 919.23 feet; thence S.57°00'00"E., 162.00 feet to a point of curvature; thence Easterly, 39.27 feet along the arc of a curve to the left having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing N.78°00'00"E., 35.36 feet) to the POINT OF BEGINNING.

LESS AND EXCEPT:

CYPRESS FALLS PHASE 1E

A parcel of land lying in Sections 7 and 18, Township 39 South, Range 22 East, Sarasota County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 18, run thence along the North boundary of the Northeast 1/4 of said Section 18, N.88°39'50"W., 945.25 feet to a point on a curve, said point also being the POINT OF BEGINNING, thence Southerly, 586.25 feet along the arc of a curve to the right having a radius of 450.00 feet and a central angle of 74°38'39" (chord bearing S.10°36'44"W., 545.86 feet) to a point of reverse curvature; thence Southwesterly, 325.82 feet along the arc of a curve to the left having a radius of 1250.00 feet and a central angle of 14°58'04" (chord bearing S.40°28'02"W., 324.90 feet) to a point of tangency; thence S.33°00'00"W., 50.00 feet to a point of curvature; thence Westerly, 39.27 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing S.78°00'00"W., 35.36 feet) to a point of tangency; thence N.57°00'00"W., 162.00 feet; thence S.33°00'00"W., 519.23 feet to a point of curvature; thence Southwesterly, 40.84 feet along the arc of a curve to the right having a radius of 78.00 feet and a central angle of 30°00'00" (chord bearing S.48°00'00"W., 40.38 feet); thence N.23°13'56"W., 99.76 feet; thence N.68°01'04"W., 172.69 feet; thence N.05°00'00"E., 1046.38 feet; thence S.85°22'25"E., 214.54 feet to a point of curvature; thence Easterly, 232.96 feet along the arc of a curve to the left having a radius of 1208.55 feet and a central angle of 11°02'39" (chord bearing N.89°08'16"E., 232.60 feet); thence N.06°25'04"W., 140.00 feet to a point on a curve; thence Easterly, 482.80 feet along the arc of said curve to the left having a radius of 1068.55 feet and a central angle of 24°48'16" (chord bearing N.71°10'48"E., 458.99 feet) to a point of tangency; thence N.56°45'40"E., 254.63 feet to a point of curvature; thence Easterly, 39.27 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing S.76°13'20"E., 35.36 feet) to a point of tangency; thence S.31°13'20"E., 26.07 feet to a point of curvature; thence Southwesterly, 35.44 feet along the arc of a curve to the right having a radius of 450.00 feet and a central angle of 04°30'45" (chord bearing S.28°57'58"E., 35.43 feet) to the POINT OF BEGINNING.

08°59"E., 63.78 feet; thence S.72°27'12"E., 63.77 feet; thence S.89°07'38"E., 43.45 feet; thence S.50°00'00"E., 290.00 feet; thence S.56°59'30"E., 190.00 feet; thence S.10°00'00"E., 330.25 feet; thence S.20°00'00"E., 560.42 feet; thence S.05°00'27"W., 134.26 feet; thence S.03°00'00"W., 154.00 feet; thence N.57°00'00"W., 70.50 feet; thence S.03°00'00"W., 110.00 feet; thence S.35°39'04"W., 135.86 feet; thence N.45°24'38"W., 580.36 feet; thence S88°51'05"W., 387.30 feet; thence N.80°23'00"W., 124.00 feet to a point on a curve; thence Southerly, 12.80 feet along the arc of a curve to the right having a radius of 125.00 feet and a central angle of 65°51'59" (chord bearing S.12°32'59"W., 12.79 feet) to a point of compound curvature; thence Southerly, 31.31 feet along the arc of a curve to the right having a radius of 875.00 feet and a central angle of 02°03'01" (chord bearing S.16°30'29"W., 31.31 feet); thence N.72°28'00"W., 248.97 feet; thence N.89°42'41"W., 842.39 feet; thence N.00°17'19"E., 80.85 feet to a point of curvature; thence Northernly, 47.20 feet along the arc of a curve to the right having a radius of 750.00 feet and a central angle of 03°38'20" (chord bearing N.02°05'29"E., 47.19 feet); thence N.53°41'02"E., 108.27 feet; thence N74°14'08"E., 42.98 feet; thence N.55°11'41"E., 74.72 feet; thence N.17°02'46"E., 75.14 feet; thence N.18°30'24"W., 77.52 feet to a point of curvature; thence Northernly, 27.07 feet along the arc of a curve to the right having a radius of 20.00 feet and a central angle of 77°33'00" (chord bearing N.22°16'08"E., 25.05 feet) to a point of tangency; thence N.61°02'38"E., 48.61 feet; thence N.13°30'00"W., 77.77 feet; thence N.14°00'00"E., 73.67 feet; thence N.35°30'00"E., 64.55 feet; thence N.57°00'00"E., 70.74 feet; thence N.82°30'00"E., 85.97 feet; thence S.86°21'23"E., 52.67 feet; thence N.32°59'11"E., 67.74 feet; thence N.17°55'00"E., 62.11 feet; thence N.23°39'00"E., 92.64 feet; thence N.57°00'00"W., 135.01 feet to a point of curvature; thence Westerly, 39.27 feet along the arc of a curve to the left having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing S.78°00'00"W., 35.56 feet) to a point of cusp; thence N.33°00'00"E., 180.00 feet to a point of curvature; thence Northeastly, 299.75 feet along the arc of a curve to the right having a radius of 1150.00 feet and a central angle of 14°55'04" (chord bearing N.40°28'02"E., 295.90 feet) to a point of reverse curvature; thence Northeastly, 425.09 feet along the arc of a curve to the left having a radius of 550.00 feet and a central angle of 44°17'02" (chord bearing N.25°47'33"E., 414.59 feet) to the POINT OF BEGINNING.

THE ABOVE ALSO BEING DESCRIBES AS FOLLOWS:

CYPRESS FALLS PHASE 2C

DESCRIPTION: A parcel of land lying in Section 18, Township 39 South, Range 22 East, Sarasota County, Florida, and being more particularly described as follows:

Commence at the Southwest corner of Section 17, Township 39 South, Range 22 East, Sarasota County, Florida, said point also being on the South boundary of LAKESIDE PLANTATION, according to the plat thereof as recorded in Plat Book 41, Pages 17 and 17A through 17I, inclusive, of the Public Records of Sarasota County, Florida, run thence along the South boundary of said Section 17 and said South boundary of LAKESIDE PLANTATION, S.89°42'45"E., 1240.05 feet to the Southeast corner of said LAKESIDE PLANTATION; thence along the East boundary of said LAKESIDE PLANTATION, N.00°16'52"E., 1554.54 feet to the Northeast corner of said LAKESIDE PLANTATION; thence along the Northerly boundary of said LAKESIDE PLANTATION, the following five (5) courses: 1) N.75°28'28"W., 2441.85 feet; 2) N.89°42'50"W., 581.55 feet to the Southeast corner of the 100.00 feet wide right-of-way for PLANTATION BOULEVARD, as recorded in Official Records Instrument No. 2005275738, of the Public Records of Sarasota County, Florida; 3) along the South boundary of said right-of-way for PLANTATION BOULEVARD, continue N.89°42'50"W., 100.00 feet to the Southwest corner of said right-of-way for PLANTATION BOULEVARD, said point also being the POINT OF BEGINNING; 4) continue N.89°42'50"W., 1898.25 feet; 5) N.08°31'42"E., 142.59 feet; thence N.32°15'00"E., 318.00 feet; thence N.05°30'00"E., 50.00 feet; thence N.33°00'00"W., 50.00 feet; thence N.18°30'00"E., 240.00 feet; thence N.21°00'00"W., 240.00 feet; thence N.41°15'00"E., 483.00 feet; thence N.65°30'00"E., 713.24 feet to the Westerlymost corner of CYPRESS FALLS PHASE 1B, according to the plat thereof as recorded in Plat Book 45, Page 40, of the Public Records of Sarasota County, Florida; thence along the Southerly boundary of said CYPRESS FALLS PHASE 1B, the following two (2) courses: 1) S.46°59'46"E., 552.56 feet; 2) N.88°06'35"E., 384.56 feet to a point on the Westerly right-of-way line of the aforesaid PLANTATION BOULEVARD; thence along said Westerly right-of-way line of PLANTATION BOULEVARD, S.00°17'19"W., 1281.05 feet to the POINT OF BEGINNING.

Containing 54.989 acres, more or less.

Exhibit 2 to Amendment

Legal Description of Additional Property

CYPRESS FALLS PHASES 2A AND 2B

PARCEL "C"

A PARCEL OF LAND LYING IN SECTIONS 7, 8, 17, AND 18. TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, RUN THENCE ALONG THE SOUTH BOUNDARY OF AFORESAID SECTION 17, ALSO BEING THE SOUTH BOUNDARY OF LAKESIDE PLANTATION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 41, PAGES 17 THROUGH 171, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AS MONUMENTED, S.89°42'45"E., 1240.05 FEET TO THE SOUTHEAST CORNER OF SAID LAKESIDE PLANTATION, ALSO BEING POINT "G" OF SAID PLAT; THENCE ALONG THE EAST BOUNDARY OF SAID LAKESIDE PLANTATION, AS MONUMENTED, N.00°16'52"E., 1554.64 FEET TO THE NORTHEAST CORNER OF SAID LAKESIDE PLANTATION, ALSO BEING POINT "F" OF SAID PLAT, FOR A POINT OF BEGINNING; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LAKESIDE PLANTATION, AS MONUMENTED, THE FOLLOWING TWO (2) COURSES: 1) N.75°28'28"W., 2441.86 FEET TO POINT "E" OF SAID PLAT; 2) N.89°42'50"W., 581.55 FEET TO THE NORTHEAST CORNER OF PLANTATION BOULEVARD, ACCORDING TO SAID LAKESIDE PLANTATION; THENCE N.00°17'19"E., 614.83 FEET; THENCE S.89°42'41"E., 25.00 FEET; THENCE N.34°29'00"E., 87.56 FEET; THENCE N.49°55'00"E., 52.85 FEET; THENCE N.65°21'00"E., 52.85 FEET; THENCE N.80°47'00"E., 48.71 FEET; THENCE S.89°42'06"E., 58.41 FEET; THENCE N.00°17'54"E., 131.68 FEET; THENCE N.09°00'23"W., 40.61 FEET; THENCE N.28°37'18"W., 30.65 FEET; THENCE N.50°36'31"W., 16.39 FEET; THENCE N.86°29'01"W., 85.62 FEET; THENCE N.37°31'19"W., 76.11 FEET; THENCE N.76°01'45"W., 35.24 FEET; THENCE N.36°56'24"W., 113.02 FEET; THENCE N.00°17'19"E., 207.06 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 47.20 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 750.00 FEET AND A CENTRAL ANGLE OF 03°36'20" (CHORD BEARING N.02°05'29"E., 47.19 FEET); THENCE N.53°41'02"E., 108.27 FEET; THENCE N.74°14'09"E., 42.99 FEET; THENCE N.56°11'41"E., 74.72 FEET; THENCE N.17°02'45"E., 75.14 FEET; THENCE N.16°30'24"W., 77.52 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 27.07 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 77°33'00" (CHORD BEARING N.22°16'06"E., 25.05 FEET) TO A POINT OF TANGENCY; THENCE N.61°02'36"E., 49.61 FEET; THENCE N.13°30'00"W., 77.77 FEET; THENCE N.14°00'00"E., 73.87 FEET; THENCE N.35°30'00"E., 64.55 FEET; THENCE N.57°00'00"E., 70.74 FEET; THENCE N.82°30'00"E., 85.97 FEET; THENCE S.88°21'23"E., 52.67 FEET; THENCE N.32°59'11"E., 67.74 FEET; THENCE N.17°55'00"E., 62.11 FEET; THENCE N.23°39'00"E., 92.64 FEET; THENCE N.57°00'00"W., 135.01 FEET TO A POINT OF CURVATURE; THENCE WESTERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING S.78°00'00"W., 35.36 FEET); THENCE N.33°00'00"E., 180.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 299.75 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AND A CENTRAL ANGLE OF 14°56'04" (CHORD BEARING N.40°28'02"E., 298.90 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, 425.09 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 44°17'02" (CHORD BEARING N.25°47'33"E., 414.59 FEET); THENCE S.86°20'58"E., 131.70 FEET; THENCE N.29°41'38"E., 30.36 FEET; THENCE N.20°59'08"E., 44.80 FEET; THENCE N.23°23'14"W., 123.88 FEET; THENCE N.62°36'17"W., 25.79 FEET; THENCE S.78°10'41"W., 106.81 FEET TO A POINT ON A CURVE; THENCE NORTHERLY, 170.03 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 17°42'44" (CHORD BEARING N.22°21'58"W., 169.35 FEET) TO A POINT OF TANGENCY; THENCE N.31°13'20"W., 26.07 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A

CENTRAL ANGLE OF 90°00'00" (CHORD BEARING N.13°46'40"E., 35.36 FEET) TO A POINT OF TANGENCY; THENCE N.58°46'40"E., 15.36 FEET TO A POINT OF CURVATURE; THENCE EASTERLY. 730.99 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 141.26 FEET AND A CENTRAL ANGLE OF 56°30'08" (CHORD BEARING N.87°01'44" E., 701.73 FEET) TO A POINT OF TANGENCY; THENCE S.64°43'12"E., 359.67 FEET TO A POINT OF CURVATURE; THENCE EASTERLY, 953.18 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1560.00 FEET AND A CENTRAL ANGLE OF 35°00'31" (CHORD BEARING S.82°13'28"E., 938.43 FEET) TO A POINT OF TANGENCY; THENCE N.80°16'17"E., 861.81 FEET TO A POINT OF CURVATURE; THENCE EASTERLY, 356.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 465.00 FEET AND A CENTRAL ANGLE OF 43°56'11" (CHORD BEARING S.77°45'38"E., 347.90 FEET) TO A POINT OF TANGENCY; THENCE S.55°47'32" E., 153.39 FEET TO A POINT OF CUSP; THENCE WESTERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING S.79°12'28" W., 35.36 FEET) TO A POINT OF TANGENCY; THENCE S.34°12'28"W., 58.08 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, 103.74 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 225.00 FEET AND A CENTRAL ANGLE OF 26°25'06" (CHORD BEARING S.47°25'01"W., 102.83 FEET); THENCE S.12°06'15"E., 208.05 FEET; THENCE N.69°51'47"E., 114.78 FEET; THENCE N.26°38'53"E., 37.40 FEET; THENCE N.46°59'18"E., 41.88 FEET; THENCE N.55°18'42"E., 37.05 FEET ; THENCE N.32°11'57"E., 40.04 FEET; THENCE N.41°07'05"E., 55.16 FEET; THENCE N.00°27'23"W., 32.07 FEET; THENCE S.55°47'32"E., 82.02 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 124.63 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 870.00 FEET AND A CENTRAL ANGLE OF 08°12'28" (CHORD BEARING S.59° 53'46"E., 124.52 FEET); THENCE S.26°00'00"W., 2025.54 FEET; THENCE S.19°30'00"W., 1772.13 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

CYPRESS FALLS PHASE 1A

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 18, RUN THENCE ALONG THE NORTH BOUNDARY OF THE NORTHEAST ¼ OF SAID SECTION 18, N88°39'50"W., 834.76 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY, 239.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 24°56'20" (CHORD BEARING S08°49'08"E., 237.51 FEET) THE POINT OF BEGINNING; THENCE S.86°20'58"E., 454.21 FEET; THENCE S.00°47'00"W., 424.01 FEET; THENCE S.85°53'01"E., 63.78 FEET; THENCE S.79°08'59"E., 63.78 FEET; THENCE S.72°27'12"E., 63.77 FEET; THENCE S.89°07'36"E., 43.45 FEET; THENCE S.50°00'00"E., 290.00 FEET; THENCE S.56°59'30"E., 190.00 FEET; THENCE S.10°00'00"E., 330.25 FEET; THENCE S.20°00'00"E., 560.42 FEET; THENCE S.05°00'27"W., 134.28 FEET; THENCE S.03°00'00"W., 154.00 FEET; THENCE N.87°00'00"W., 70.50 FEET; THENCE S.03°00'00"W., 110.00 FEET; THENCE S.35°39'04"W., 135.66 FEET; THENCE N.46°24'39"W., 580.36 FEET; THENCE S88°51'05"W., 397.30 FEET; THENCE N.80°23'00"W., 124.00 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY, 12.80 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 05°51'59" (CHORD BEARING S.12°32'59"W., 12.79 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHERLY, 31.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 875.00 FEET AND A CENTRAL ANGLE OF 02°03'01" (CHORD BEARING S.16°30'29"W., 31.31 FEET); THENCE N.72°28'00"W., 248.97 FEET; THENCE N.89°42'41"W., 842.38; THENCE N.00°17'19"E., 60.85 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 47.20 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 750.00 FEET AND A CENTRAL ANGLE OF 03°36'20" (CHORD BEARING N.02°05'29"E., 47.19 FEET); THENCE N.53°41'02"E., 108.27 FEET; THENCE N74°14'09"E., 42.99 FEET; THENCE N.56°11'41"E., 74.72 FEET; THENCE N.17°02'45"E., 75.14 FEET; THENCE N.16°30'24"W., 77.52 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 27.07 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 77°33'00" (CHORD BEARING N.22°16'06"E., 25.05 FEET) TO A POINT OF TANGENCY;

THENCE N.61°02'38"E., 49.61 FEET; THENCE N.13°30'00"W., 77.77 FEET; THENCE N.14°00'00"E., 73.87 FEET; THENCE N.35°30'00"E., 64.55 FEET; THENCE N.57°00'00"E., 70.74 FEET; THENCE N.82°30'00"E., 85.97 FEET; THENCE S.88°21'23"E., 52.67 FEET; THENCE N.32°59'11"E., 67.74 FEET; THENCE N.17°55'00"E., 62.11 FEET; THENCE N23°39'00"E., 92.64 FEET; THENCE N.57°00'00"W., 135.01 FEET TO A POINT OF CURVATURE; THENCE WESTERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING S.78°00'00"W., 35.56 FEET) TO A POINT OF CUSP; THENCE N.33°00'00"E., 180.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 299.75 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AND A CENTRAL ANGLE OF 14°56'04" (CHORD BEARING N.40°28'02"E., 298.90 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, 425.09 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 44°17'02" (CHORD BEARING N.25°47'33"E., 414.59 FEET) TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

CYPRESS FALLS PHASE 1C

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 18, RUN THENCE ALONG THE EAST BOUNDARY OF THE NORTHEAST ¼ OF SAID SECTION 18, S.00°02'59"W., 224.81 FEET TO THE POINT OF BEGINNING; THENCE N.86°47'12"E., 97.06 FEET; THENCE S.51°51'13"E., 433.53 FEET; THENCE S.27°50'41"E., 711.67 FEET; THENCE S.82°30'00"E., 400.00 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY, 17.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3022.00 FEET AND A CENTRAL ANGLE OF 00°20'00" (CHORD BEARING S.07°40'00"W., 17.58 FEET); THENCE S.82°10'00"E., 290.00 FEET; THENCE S.12°50'00"W, 439.78 FEET; THENCE S.12°10'00"E., 633.73 FEET; THENCE S.61°00'00"E., 278.24 FEET; THENCE S.19°30'00"W., 961.28 FEET; THENCE N.48°15'24"W., 1311.79 FEET; THENCE N.46°24'39"W., 132.26 FEET; THENCE N.35°39'04"E., 135.66 FEET; THENCE N.03°00'00"E., 110.00 FEET; THENCE S.87°00'00"E., 70.50 FEET; THENCE N.03°00'00"E., 154.00 FEET; THENCE N.05°00'27"E., 134.28 FEET; THENCE N20°00'00"W., 560.42 FEET THENCE N10°00'00"W., 330.25 FEET; THENCE N.56°59'30"W., 190.00 FEET; THENCE N.50°00'00"W., 290.00 FEET; THENCE N.89°07'36"W., 43.45 FEET; THENCE N.72°27'12"W., 63.77 FEET; THENCE N79°08'59"W., 63.78 FEET; THENCE N.85°53'01"W., 63.78 FEET; THENCE N.00°47'00"E., 424.01 FEE; THENCE N86°47'12"E., 345.18 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

CYPRESS FALLS PHASE 1D

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 18, RUN THENCE ALONG THE EAST BOUNDARY OF THE NORTHEAST ¼ OF SAID SECTION 18, S.00°02'59"W., 2029.41 FEET TO THE POINT OF BEGINNING; THENCE S.46°24'39"E., 95.34 FEET; THENCE S.28°21'37"W., 305.00 FEET; THENCE S.83°24'00"W., 57.33 FEET; THENCE S.80°32'00"W., 57.33 FEET; THENCE N.80°53'10"W., 49.03 FEET; THENCE S59°28'00"W., 171.00 FEET; THENCE N.31°18'25"W., 31.73 FEET; THENCE S.57°55'10"W., 65.06 FEET; THENCE S.63°35'00"W., 57.33 FEET; THENCE S.60°43'00"W., 57.33 FEET; THENCE S.57°51'00"W., 57.33 FEET; THENCE S.54°59'00"W., 57.33 FEET; THENCE S.51°59'30"W., 62.33 FEET; THENCE S.48°52'30"W., 62.33 FEET; THENCE S.45°53'00"W., 57.33 FEET; THENCE S.43°01'00"W., 57.33 FEET; THENCE S40°01'30"W., 62.33 FEET; THENCE S.37°00'15"W., 56.36 FEET; THENCE S.66°50'53"W., 35.05 FEET; THENCE S.88°30'33"W., 49.61 FEET; THENCE WEST, 517.65 FEET; THENCE N.00°17'19"E., 43.48 FEET; THENCE WEST, 170.78 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, 39.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A

CENTRAL ANGLE OF 89°42'41" (CHORD BEARING S.45°08'40"W., 35.27 FEET); THENCE N.00°17'19"E., 277.43 FEET; THENCE S89°42'41"E., 25.00 FEET; THENCE N34°29'00"E., 87.56 FEET; THENCE N 49°55'00"E., 52.85 FEET; THENCE N.65°21'00"E., 52.85 FEET; THENCE N.80°47'00"E., 48.71 FEET; THENCE S.89°42'06"E., 58.41 FEET; THENCE N.00°17'54"E., 131.68 FEET; THENCE N.09°00'23"W., 40.61 FEET; THENCE N.28°37'18"W., 30.65 FEET; THENCE N.50°36'31"W., 16.39 FEET; THENCE N.86°29'01"W., 85.62 FEET; THENCE N.37°31'19"W., 76.11 FEET; THENCE N.76°01'45"W., 35.24 FEET; THENCE N.36°56'24"W., 113.02 FEET; THENCE N.00°17'19"E., 146.21 FEET; THENCE S.89°42'41"E., 842.38 FEET; THENCE S.72°28'00"E., 248.97 FEET TO A POINT ON A CURVE; THENCE NORTHERLY, 31.31 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 875.00 FEET AND A CENTRAL ANGLE OF 02°03'01" (CHORD BEARING N.16°30'29"E., 31.31 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE NORTHERLY, 12.80 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 05°51'59" (CHORD BEARING N.12°32'59"E., 12.79 FEET); THENCE S.80°23'00"E., 124.00 FEET; THENCE N.88°51'05"E., 397.30 FEET; THENCE S.46°24'39"E., 114.91 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS THE FOLLOWING TWO PARCELS:

CYPRESS FALLS PHASE 2A

DESCRIPTION: A PARCEL OF LAND LYING IN SECTIONS 7, 8, 17, AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 17, RUN THENCE ALONG THE NORTH BOUNDARY OF SAID SECTION 17, S.89°28'29"E., 288.89 FEET TO A POINT ON A CURVE ON THE SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD, AS RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 2005275738, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD, THE FOLLOWING FOUR (4) COURSES: 1) EASTERLY, 810.65 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1560.00 FEET AND A CENTRAL ANGLE OF 29°46'25" (CHORD BEARING S.84°50'31"E., 801.56 FEET) TO A POINT OF TANGENCY; 2) N.80°16'17"E., 861.81 FEET TO A POINT OF CURVATURE; 3) EASTERLY, 356.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 465.00 FEET AND A CENTRAL ANGLE OF 43°56'11" (CHORD BEARING S.77°45'38"E., 347.90 FEET) TO A POINT OF TANGENCY; 4) S.55°47'32"E., 153.39 FEET TO A POINT OF CUSP; THENCE WESTERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING S.79°12'28"W., 35.36 FEET) TO A POINT OF TANGENCY; THENCE S.34°12'28"W., 58.08 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, 103.74 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 225.00 FEET AND A CENTRAL ANGLE OF 26°25'06" (CHORD BEARING S.47°25'01"W., 102.83 FEET); THENCE S.12°06'15"E., 208.05 FEET; THENCE N.69°51'47"E., 114.78 FEET; THENCE N.26°38'53"E., 37.40 FEET; THENCE N.46°59'18"E., 41.88 FEET; THENCE N.55°18'42"E., 37.05 FEET; THENCE N.32°11'57"E., 40.04 FEET; THENCE N.41°07'05"E., 55.16 FEET; THENCE N.00°27'23"W., 32.07 FEET TO A POINT ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD, THE FOLLOWING TWO (2) COURSES: 1) S.55°47'32"E., 82.02 FEET TO A POINT OF CURVATURE; 2) SOUTHEASTERLY, 124.63 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 870.00 FEET AND A CENTRAL ANGLE OF 08°12'28" (CHORD BEARING S.59°53'46"E., 124.52 FEET); THENCE S.26°00'00"W., 2025.54 FEET; THENCE S.19°30'00"W., 310.86 FEET TO THE EASTERLYMOST CORNER OF CYPRESS FALLS PHASE 1C, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGE 15, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID CYPRESS FALLS PHASE 1C, THE FOLLOWING NINE (9) COURSES: 1) N.61°00'00"W., 278.24 FEET; 2) N.12°10'00"W., 633.73 FEET; 3) N.12°50'00"E., 439.78 FEET; 4) N.82°10'00"W., 290.00 FEET TO A POINT ON A CURVE; 5)

NORTHERLY, 17.58 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 3022.00 FEET AND A CENTRAL ANGLE OF 00°20'00" (CHORD BEARING N.07°40'00"E., 17.58 FEET); 6) N.82°30'00"W., 400.00 FEET; 7) N.27°50'41"W., 711.67 FEET; 8) N.51°51'13"W., 433.53 FEET; 9) S.86°47'12"W., 442.24 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 45, PAGE 39, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1A, N.86°20'58"W., 322.51 FEET; THENCE N.29°41'38"E., 30.36 FEET; THENCE N.20°59'08"E., 44.80 FEET; THENCE N.23°23'14"W., 123.88 FEET; THENCE N.62°36'17"W., 25.79 FEET; THENCE S.78°10'41"W., 106.81 FEET TO A POINT ON A CURVE ON THE EASTERLY RIGHT-OF-WAY LINE OF PLANTATION BOULEVARD, AS RECORDED IN THE AFORESAID OFFICIAL RECORDS INSTRUMENT NO. 2005275738, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES: 1) NORTHERLY, 170.03 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 17°42'44" (CHORD BEARING N.22°21'58"W., 169.35 FEET) TO A POINT OF TANGENCY; 2) N.31°13'20"W., 26.07 FEET TO A POINT OF CURVATURE; 3) NORTHERLY, 39.27 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" (CHORD BEARING N.13°46'40"E., 35.36 FEET) TO A POINT OF TANGENCY, ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF PANACEA BOULEVARD, THE FOLLOWING FOUR (4) COURSES: 1) N.58°46'40"E., 15.36 FEET TO A POINT OF CURVATURE; 2) EASTERLY, 730.99 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 741.26 FEET AND A CENTRAL ANGLE OF 56°30'08" (CHORD BEARING N.87°01'44"E., 701.73 FEET) TO A POINT OF TANGENCY; 3) S.64°43'12"E., 359.67 FEET TO A POINT OF CURVATURE; 4) SOUTHEASTERLY, 142.54 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1560.00 FEET AND A CENTRAL ANGLE OF 05°14'06" (CHORD BEARING S.67°20'15"E., 142.49 FEET) TO THE **POINT OF BEGINNING**.

CONTAINING 78.383 ACRES, MORE OR LESS.

TOGETHER WITH:

CYPRESS FALLS PHASE 2B

DESCRIPTION: A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 17, SAID POINT ALSO BEING ON THE SOUTH BOUNDARY OF LAKESIDE PLANTATION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41, PAGES 17 AND 17A THROUGH 17I, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, RUN THENCE ALONG THE SOUTH BOUNDARY OF SAID SECTION 17 AND SAID SOUTH BOUNDARY OF LAKESIDE PLANTATION, S.89°42'45"E., 1240.05 FEET TO THE SOUTHEAST CORNER OF SAID LAKESIDE PLANTATION; THENCE ALONG THE EAST BOUNDARY OF SAID LAKESIDE PLANTATION, N.00°16'52"E., 1554.64 FEET TO THE NORTHEAST CORNER OF SAID LAKESIDE PLANTATION, SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LAKESIDE PLANTATION, THE FOLLOWING TWO (2) COURSES: 1) N.75°28'28"W., 2441.86 FEET; 2) N.89°42'50"W., 581.55 FEET TO THE SOUTHEAST CORNER OF THE 100 FEET WIDE RIGHT-OF-WAY FOR PLANTATION BOULEVARD, AS RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 2005275738, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID PLANTATION BOULEVARD, N.00°17'19"E., 337.40 FEET TO A POINT OF CURVATURE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CYPRESS FALLS PHASE 1D, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGE 16, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY AND EASTERLY BOUNDARIES OF SAID CYPRESS FALLS PHASE 1D, IN RESPECTIVE ORDER, THE FOLLOWING TWENTY-THREE (23) COURSES: 1) NORTHEASTERLY, 39.14 FEET ALONG THE ARC

OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 89°42'41" (CHORD BEARING N.45°08'40"E., 35.27 FEET) TO A POINT OF TANGENCY; 2) EAST, 170.78 FEET; 3) S.00°17'19"W., 43.48 FEET; 4) EAST, 517.65 FEET; 5) N.88°30'33"E., 49.61 FEET; 6) N.66°50'53"E., 35.05 FEET; 7) N.37°00'15"E., 56.36 FEET; 8) N.40°01'30"E., 62.33 FEET; 9) N.43°01'00"E., 57.33 FEET; 10) N.45°53'00"E., 57.33 FEET; 11) N.48°52'30"E., 62.33 FEET; 12) N.51°59'30"E., 62.33 FEET; 13) N.54°59'00"E., 57.33 FEET; 14) N.57°51'00"E., 57.33 FEET; 15) N.60°43'00"E., 57.33 FEET; 16) N.63°35'00"E., 57.33 FEET; 17) N.57°55'10"E., 65.06 FEET TO A POINT ON A CURVE; 18) SOUTHEASTERLY, 31.73 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 01°32'50" (CHORD BEARING S.31°18'25"E., 31.73 FEET); 19) N.59°28'00"E., 171.00 FEET; 20) S.80°53'10"E., 49.03 FEET; 21) N.80°32'00"E., 57.33 FEET; 22) N.83°24'00"E., 57.33 FEET; 23) N.28°21'37"E., 305.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 45, PAGE 39, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1A, S.46°24'39"E., 370.11 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1C, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGE 15, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY BOUNDARY OF CYPRESS FALLS PHASE 1C, THE FOLLOWING TWO (2) COURSES: 1) CONTINUE S.46°24'39"E., 132.26 FEET; 2) S.48°15'24"E., 1311.79 FEET TO THE SOUTHERLYMOST CORNER OF SAID CYPRESS FALLS PHASE 1C; THENCE S.19°30'00"W., 500.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 53.894 ACRES, MORE OR LESS.

Exhibit 3 to Amendment

CYPRESS FALLS HOMEOWNERS ASSOCIATION, INC. ARCHITECTURAL GUIDELINES

In accordance with Article 4.3 of the Declaration of Covenants, Conditions and Restrictions for Cypress Falls, the following guidelines have been established to provide guidance for changes affecting the exterior of homes or for new construction by a builder. These guidelines are not the exclusive basis for architectural change decisions and compliance with these guidelines does not guarantee approval. Please remember that other than adding annuals or perennials all changes, additions, and alterations to the exterior of a home must be approved in writing through the Architectural Review Board (ARB).

GENERAL DEVELOPMENT STANDARDS

Construction hours:

General hours of construction operation are 7:00 a.m. to 6:00 p.m., Monday through Saturday. In certain situations, the Architectural Review Board (ARB) may approve additional construction hours and/or may mandate a tighter construction time period.

Commencing Construction:

Approval by the ARB must be obtained prior to taking action (including, but not limited to, clearing and site preparation) indicative of construction commencement.

Damage and Repairs:

Any damage caused by builders, their employees or subcontractors to utility lines, telephone lines, cable lines, water lines, sewer lines, electrical lines, streets, sidewalks, curbs, gutters, drainage ditches, mounding, landscaping, signage or any other items will be repaired by the builder at its sole cost and expense.

Signs:

The Association retains the right to prescribe the type, size, color, etc. of any For Sale or For Rent or Open House signs. To advertise a unit for sale or rent – One sign conspicuously displayed in the front yard or window of the home itself will be considered for approval by the ARB. Signs are not allowed at main entryways, corners, and main collector roads or in County/City rights of way. Open House signs may only be in place during the hours of the Open House; which is established to be Sunday only and within the hours of 1 to 4 p.m.

The sign shall be no larger 3' x 3' and shall be of similar appearance to other signs installed by builder.

NEW CONSTRUCTION APPLICATIONS

Prior to the construction of any new home, builders of homes must submit a Construction Application, in a form required by the Association, to the Architectural Review Board (ARB). The ARB has exclusive jurisdiction over all original construction in properties subject to the Declaration.

When submitting the Construction Application, the home builder must include three (3) sets of the following:

- a. Site Plan (typical if for Master Application)
- b. Floor plans and Elevations (marketing material excepted)
- c. Outline Specs

- d. Landscaping and irrigation plans
- e. Color palette

Master Application - Builder can submit a Master Application for floorplans/models they intend to build on multiple lots at different times. Once approved, the builder will only be required to resubmit for any changes from the original Master Application.

GENERAL LOT STANDARDS

Lot Grading:

Each building pad site must meet the requirements of City of North Port Building Department.

Setback lines:

The applicable governmental setbacks shall apply to as determined by the City of North Port.

LANDSCAPING AND IRRIGATION

The builder's application submitted to the ARB must include a landscaping plan showing the house location and schematic landscape plan including existing areas to be left undisturbed, proposed planting areas, sodded areas and all shrub and tree locations and types.

Landscape Design:

In general, landscaping plans should focus on the front and partial sides (front half) of the homes.

Builders will be encouraged to implement their landscape plans utilizing xeriscape principles through the selection of native plants, trees, and other vegetation and landscape design features that reduce requirements for water, fertilizer and maintenance.

All shrub plantings should be massed in groupings of three or more unless used in shielding outside installations and one or two shrubs is sufficient for proper coverage.

Building edges and long stretches of blank wall need to be enhanced by shrubs and landscaped beds.

The ARB may maintain a listing of the allowable trees, shrubs and plants.

As this is an landscape maintained community, the landscape and irrigation plan must be consistent with the other homes in the community in terms of appearance and ease of maintenance.

Mulch:

All shrubs shall be top-dressed with 3" of Grade "A" cypress or pinebark mulch after watering in. Stone, rock, gravel, crushed brick or similar materials are not allowed as a substitute for mulch for new construction or modifications.

Landscape Rocks:

The use of landscape rocks as a design element for new construction or modifications is not permitted without the approval of the ARB. Any such materials must be used in moderation and must be shown on plans submitted for Architectural Review, Landscape Review or Modifications Review *[as applicable]*.

Sod:

All open portions of road right-of-ways and the Lot shall be sodded, except for conservation areas required to remain natural and mulch beds. To insure a consistent turf color and texture throughout the community, St. Augustine "Floritam" or "Floratine" must be used. Bahia may be used in the rear yard

only if required to meet the Municipal Landscape requirements for minimizing irrigated areas. As part of initial construction, Builder shall be responsible to sod/resod any lake banks abutting a Lot from the Lot boundary to the mean normal water design elevation if needed.

Irrigation:

- Each lot must have an automatic sprinkler system installed which covers the entire lot and landscaped area
- The system needs to be designed to work with and connect to the Cypress Falls irrigation line.
- The system shall be designed to be easily managed from the master irrigation pump station.
- No individual water wells are permitted.
- Irrigation systems shall be designed to minimize over-spray to adjacent properties, sidewalks, streets and driveways.
- Coverage shall include right-of-ways adjoining lots. Sprinkler heads shall be located between the outside edge of the sidewalk and curb.
- Irrigation systems shall utilize an automatic control device and an automatic rain cut off switch.
- Pop-up spray shall be utilized in shrub beds; bubblers for each tree location; and pop-up rotors in sod areas. Drip irrigation may be used in areas immediately adjacent to building walls in tight planters. PVC pipe is to be a class no less that 160 PVC.

Artificial Vegetation and Decorative Embellishments:

No artificial grass, plants or vegetation are permitted on the exterior of a Lot or Structure. Decorative embellishments, readily visible from the street or adjoining Lots, are not permitted including, but not limited to, the following: deers, swans, flamingos, ducks, birdbaths, sculptures, windmills, or similar items.

Landscape Enhancements:

- **Annuals and perennials:** Annuals and perennials are permitted to be planted within existing beds without prior permission. The primary requirement for these types of plants is that they be promptly removed at the end of their useful flowering period. The unit owner is responsible for maintenance of these plantings. You are hereby advised that the Association's irrigation system is not designed to serve additional plantings beyond the original plan, therefore, owner may need to hand water the flowers that are added. No alteration, by the Owner, of any kind is allowed to the irrigation system.
- **Containers and flowerpots:** In general, limiting the use of pots and containers that are visible from the street to one or two to accentuate or accessorize an entrance is desirable. Pots and containers that have neutral finishes are preferable to ones that are painted or glazed. Pots and containers must be removed to safe storage in the event of an impending storm or if the owner is leaving for an extended period of time. Prior ARB approval is required.
- **Other enhancements:** Other landscape enhancements such as birdfeeders, benches, sculptures, trellises, "garden art", etc., all require prior ARB approval. In general, most items should not exceed 30 – 36 inches in height, should be of natural (not painted) finishes, and should not dominate the landscape, but should blend in with the overall texture and theme of the architectural concept. Rarely will more than one such item be approved per lot.

ARCHITECTURAL GUIDELINES

Home Sizes:

All homes must contain at least 1,300 square feet of air conditioned living area.

Home Height:

No home or structure shall exceed 35 feet in building height. Only One or Two-Story homes are permitted.

Exterior Walls:

Exterior walls may be stucco, brick, or stone with other materials allowed only if approved by the ARB. Vinyl, wood, metal or lap siding are prohibited.

Exterior Colors:

The ARB shall have final approval of all exterior color plans and each owner must submit color selection to the ARB prior to commencing. This applies to color of roof, shutters, exterior walls, trim, pavers, etc. The ARB shall consider the extent to which the color plan submitted is consistent with homes in the surrounding area and the extent to which the color plan conforms to the color scheme of and for Cypress Falls.

Earthen tones are recommended. Colors such as white, pastels, pinks, purples, and overly bright colors will not be approved.

Doors:

Quality metal or fiberglass doors and simulated wood are allowable if attractively designed. All door frames must be wood. No screened or iron doors (at entranceways) are allowed in the front elevation of the home.

Guttering:

Guttering needs to be designed in a fashion complimentary of the rest of the home and be of bronze aluminum or painted to match or blend with the home exterior.

Fascias:

Rough sawn spruce type or aluminum fascias shall be used. The ARB will consider other materials but only in specified cases where the suggested materials fit in with the neighborhood and community theme.

Soffits:

Stucco type or aluminum soffits shall be used. The ARB will consider other materials but only in specified cases where the suggested materials fit in with the neighborhood and community theme.

Roof Pitches:

Each home should have a minimum of 5/12 roof pitch. Variations in ridge heights and roof overhangs are encouraged and flat roofs are prohibited.

Overhangs:

Each home should have a minimum of 8" roof overhang. Variations in roof overhangs are encouraged.

Roof Materials and Colors:

Colored concrete or clay tile roofing materials shall be used. The ARB will consider other materials but only in specified cases where the suggested materials fit in with the neighborhood and community theme.

The ARB will closely review roof colors and must see a sample of the material and color chosen with the building application. Every effort should be made to match the existing colors already in the community.

Garage and Garage Doors:

Each home must have a full two-car garage.

The design and color of garage doors needs to fit in with the design of the home. Screened garage doors are prohibited. Carports and non-enclosed garages are also prohibited.

Driveways and Sidewalks:

The following instructions on driveways apply:

- Driveways must be designed to permit proper drainage
- Minimum widths for driveways is 16 feet
- Concrete, brick and concrete paver surfaces are allowed. Neither asphalt nor any loose materials are allowed for driveway or parking area usage.
- Neither entry walls nor entry monuments are allowed at individual home sites.
- Each home must have a sidewalk leading from the driveway to the front door. Concrete, brick or other surfaces approved by the ARB may be used in constructing the sidewalk.
- All driveways shall be maintained in the style originally established by the developer or original builder of the Residence.

Windows and Window Treatments:

The following guidelines apply to windows and window treatments:

- Windows constructed of clear glass are encouraged. Tinted windows are permitted in subtle shades of gray or bronze. No reflective glass may be used.
- Low quality framing, including, but not limited to mill finish aluminum on the exterior of the windows is prohibited unless approved by the ARB.
- Metal shutters are prohibited from being left installed for long periods of time and may only be used when needed for protection against an approaching storm.
- Lexan (clear) storm shutters may be approved by the ARB for those homeowners who do not live in their homes year round but would like to protect their home from storm damage while away. Approval is required.
- Metal awnings are prohibited

Air Conditioners:

No window or wall air conditioner units shall be allowed.

OTHER STRUCTURES

Pools, Pool Cages and Patios:

Any swimming pool to be constructed shall be subject to the requirements of the ARB, which includes, but not limited to, the following:

- Composition to be of material thoroughly tested and accepted by the industry for such construction.
- No above the ground pool shall be permitted
- No screening of pool area may extend beyond a line extended and aligned with the sidewalls of the dwelling;
- Pool screening may not be visible from the street in front of the dwelling;
- Any lighting shall be designed so as to buffer the surrounding residences from the lighting;
- Pool equipment must be buffered from view by the use of plant material; and

- The pool cage structure must be the same color as that of the window framework of the house. (typically bronze)
- Any modification to the irrigation system needed because of the installation of a pool (or Lanai extension) must be done by the Association's landscape maintenance provider and paid for by the owner.

Fencing:

No fence of any kind will be allowed, unless required by H.R.S. to protect the swimming pool.

Play Structures: Not to be allowed.

Mailboxes:

The Association has designated a double posted mailbox by size, type, color and design. Individual changes are not allowed. Mailbox maintenance and replacement shall be the responsibility of the unit owner. Mailboxes must be similar to the ones installed by original builder.

Decorative Walls:

Planter walls, privacy walls, and other decorative walls are allowed only as a part of the original home design and should be shown on floor plans and site plans as well as be complimented by landscaping.

Exterior Lighting:

Exterior lighting to accentuate the appearance of the home and landscaping areas is strongly encouraged. White or clear lights should be used - no colored lights are permitted except for short-term decorative seasonal purposes. Lighting should not impede upon a neighbor's property nor should it disturb any property owner - no bright lights are allowed.

Lights should be shielded from daytime view when possible. Any lights which cause a disturbance must be removed.

Satellite Dishes:

- a) Size: Satellite dishes designed to receive direct broadcast satellite service, which are one meter or less in diameter, may be installed. Dishes larger than one meter are prohibited.
- b) Location: Satellite dishes shall be installed solely on individually owned property as designated on the recorded deed. Satellite dishes shall not encroach upon Common Areas or any other owners' property. Satellite dishes shall be located in a place shielded from view from the street or from other lots to the maximum extent possible; provided, however, that nothing in this rule would require installation in a location from which an acceptable quality signal may not be received. This section does not permit installation on Common Property, even if an acceptable quality signal may not be received from an individually owned lot. To the extent practicable, without impairing the receipt of an acceptable quality signal or violating the provisions of the preceding paragraphs, satellite dishes must be installed in a location where their visibility is minimal to individuals using Common driveways, streets, walkways, parking areas and near by lots.
- c) Installation: All installations shall be completed so that they do not damage the Common Areas of the Association or the lots of any other resident, or void any warranties of the Association or other owners, or in any way impair the integrity of the buildings on

Common Areas or individual lots. Roof and rear or sidewall mountings shall be installed in such a way as to prevent any water intrusion. Proper sealing of each installation must be performed at the time of installation.

- d) Exterior cabling should be:
 - i) installed in conduit painted to match the color of the building, and
 - ii) mounted to the homeowner's side or rear wall, in such a manner to prevent any water intrusion. Owners are responsible for all costs associated with the satellite dish, including, but not limited to, costs to place (or replace), repair, maintain, and move or remove satellite dishes; repair damages to the Common Property, other lots, and any other property damaged by the installation, maintenance or use of satellite dishes; pay medical expenses incurred by persons injured by installation, maintenance, or use of satellite dishes; reimburse residents or the Association for damages caused by installation, maintenance or use of satellite dishes. Satellite dishes must be secured so that they do not jeopardize the soundness or safety of any other owner's structure or the safety of any person at or near satellite dishes, including damage from wind velocity based upon a unique location or during a hurricane.
- e) Maintenance: Owners shall not permit their satellite dishes to fall in to disrepair or to become safety hazards. Owners shall be responsible for dish maintenance and repair. Owners shall be responsible for repainting or replacement if the exterior surface of satellite dishes deteriorates.
- f) Safety: Satellite dishes shall be installed and secured in a manner that complies with all applicable codes, including hurricane and windstorm, safety ordinances, city and state laws and regulations, and in accordance with manufacturer's instructions. The owner, prior to installation, shall provide the Association with a copy of any applicable governmental permit. All contractors responsible for installation shall be licensed and insured. Unless the above-cited codes, safety ordinances, laws and regulations require a greater separation, satellite dishes shall not be placed within two feet of electrical power lines (above ground or buried) and in no event shall satellite dishes be placed where they may come into contact with electrical power lines. The purpose of this requirement is to prevent injury or damage resulting from contact with power lines. In order to prevent electrical and fire damage, satellite dishes shall be permanently and effectively grounded.
- g) Appearance: Satellite dishes must be painted to match the color of the structure to which it is installed as long as paint does not impair or degrade the quality of the signal beyond acceptable standards. Satellite dishes may not obstruct a driver's view of an intersection or street.
- h) Number: No more than one satellite dish of each provider may be installed by an owner.
- i) Notice: Any owner desiring to install a satellite dish must complete a notification form and submit to the Architectural Review Board. If the installation conforms to all of the above rules and regulations, the installation may begin immediately upon approval. If the installation is other than routine for any reason, owners and the Board of Directors must establish a mutually convenient time to meet to discuss installation methods. Non-owner tenants may install satellite dishes on a lot with written permission of the homeowner/landlord. A copy of this permission must be furnished with the notification statement.
- j) Enforcement: Should this policy be violated, the Association may bring action for declaratory relief with the FCC or any Court of competent jurisdiction after notice and an opportunity to be heard. In the event the Court or FCC determines that a violation occurred, the Association shall impose a fine of \$ 50.00. If the violation is not corrected

within a reasonable length of time, additional fines of \$ 10.00 per day will be imposed for each day that the violation continues. To the extent permitted by law, the Association shall be entitled to reasonable attorney's fees, costs and expenses incurred in the enforcement of this policy.

In addition to the provisions contained in this manual, builders must follow the terms and conditions of the Cypress Falls Association documents including the Declaration, the Bylaws and the Articles of Incorporation.

Any builder or homeowner may apply for a variance request if any provisions of this manual seem inappropriate for construction of a specific home. It is up to the builder or homeowner to prove that the variance is appropriate. Any variance requests granted does not mean or imply the granting of a similar request on any other homes.