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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
HJAMES Receipt#824345

Prepared by and return to:
Douglas C. Roland, Esq.
Brickleymer, Smolker & Bolves
500 E. Kennedy Blvd., Suite 200
Tampa, Florida 33602



2006157653

**THIRD AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS FOR CYPRESS FALLS**

WHEREAS, **CENTEX HOMES**, a Nevada general partnership, is the Declarant of the Declaration of Covenants, Conditions, and Restrictions for Cypress Falls recorded as Official Records Instrument Number 2006023093, 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, all of the public records of Sarasota County, Florida (collectively, the "Declaration"); and

WHEREAS, pursuant to Article XX of the Declaration, the Declarant reserved to itself the right to make certain unilateral amendments to the Declaration; and

WHEREAS, it is beneficial to the Owners of property in Cypress Falls to amend the Declaration to provide for certain improvements specified herein.

NOW, THEREFORE, the Declaration is amended as follows:

- I. Exhibit "A" (Land Initially Submitted) is hereby deleted in its entirety and replaced by Exhibit "A" attached hereto and made a part hereof.
- II. Exhibit "B" (Land Subject to Annexation) is hereby deleted in its entirety and replaced by Exhibit "B" attached hereto and made a part hereof.
- III. Except as specifically provided herein, all remaining terms and conditions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has executed this Third Amendment as of the 15th day of Sept., 2006.

CENTEX HOMES,
a Nevada general partnership

WITNESSES:

By: **Centex Real Estate Corporation,**
a Nevada corporation,
its Managing general partner

Candice Smith
Print name: CANDICE SMITH

Karen Abbley
Print name: Karen Abbley


By: [Signature]
Its: Douglas Cohen, Division Manager

Date: 9/1/06
Address: Centex Homes
301 N. Cattlemen Road, Suite 108
Sarasota, FL 34232

[CORPORATE SEAL]

STATE OF Florida
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me this 1st day of Sept., 2006, by Douglas Cohen, as Division Manager, of Centex Real Estate Corporation, a Nevada corporation, Managing general partner of Centex Homes, a Nevada general partnership, on behalf of the corporation and the partnership. He is [] personally known to me or [] has produced _____ as identification.

NOTARY PUBLIC-STATE OF FLORIDA
 Candice N. Bain
Commission # DD502310
Expires: FEB. 14, 2010
Bonded Thru Atlantic Bonding Co., Inc.

Candice N. Bain
NOTARY PUBLIC
[Notary Seal]
Print Name: CANDICE N. BAIN
My Commission Expires: 2-14-06

EXHIBIT "A"

Land Initially Submitted

ALL THOSE TRACTS OR PARCELS OF LAND shown on that certain plat of **Cypress Falls Phase 1A, a Subdivision**, recorded in Plat Book 45, Pages 39 and 39A through 39O, inclusive, of the Public Records of Sarasota County, Florida, as such property may be replatted from time to time or as such plat may be revised or amended ("Plat").

TOGETHER WITH:

ALL THOSE TRACTS OR PARCELS OF LAND shown on that certain plat of **Cypress Falls Phase 1B, a Subdivision**, recorded in Plat Book 45, Pages 40 and 40A through 40D, inclusive of the Public Records of Sarasota County, Florida, as such property may be replatted from time to time or as such plat may be revised or amended ("Plat").

TOGETHER WITH:

ALL THOSE TRACTS OR PARCELS OF LAND shown on that certain plat of **Cypress Falls Phase 1C, a Subdivision**, recorded in Plat Book 46, Pages 15 and 15A through 15T, inclusive of the Public Records of Sarasota County, Florida, as such property may be replatted from time to time or as such plat may be revised or amended ("Plat").

TOGETHER WITH:

ALL THOSE TRACTS OR PARCELS OF LAND shown on that certain plat of **Cypress Falls Phase 1D, a Subdivision**, recorded in Plat Book 46, Pages 16 and 16A through 16M, inclusive of the Public Records of Sarasota County, Florida, as such property may be replatted from time to time or as such plat may be revised or amended ("Plat").

TOGETHER WITH:

ALL THOSE TRACTS OR PARCELS OF LAND shown on that certain plat of **Cypress Falls Phase 1E, a Subdivision**, recorded in Plat Book 46, Pages 17 and 17A through 17F, inclusive of the Public Records of Sarasota County, Florida, as such property may be replatted from time to time or as such plat may be revised or amended ("Plat").

EXHIBIT "B"

Land Subject to Annexation

PARCEL "B"

DESCRIPTION: 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 18, 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 17I, 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 Northeast corner of said LAKESIDE PLANTATION, also being POINT "F" of said plat; thence along the Northerly boundary of said LAKESIDE PLANTATION, as monumented, the following four (4) courses: 1) N.75°28'28"W., 2441.86 feet to POINT "E" of said plat; 2) N.89°42'50"W., 681.55 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.08°31'42"E., 142.59 feet to POINT "C" of said plat; 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.16°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°06'16"E., 232.60 feet); thence N.06°25'04"W., 140.00 feet to a point on a curve; thence Easterly, 462.60 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.58°46'40"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.08°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°56'04" (chord bearing S.40°28'02"W., 324.90 feet) to a point of tangency; thence S.33°00'00"W., 738.32 feet to a point of curvature; thence Southerly, 485.28 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.16°38'40"W., 478.72 feet) to a point of tangency; thence S.00°17'19"W., 1331.06 feet to the POINT OF BEGINNING.

Containing 87.039 acres, more or less.

TOGETHER WITH:

EXHIBIT "B" Continued

PARCEL "C"

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 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 17I, 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

EXHIBIT "B" continued

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 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; 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 the property described on Exhibit "A";

TOGETHER WITH:

Any parcel of land located within a five-mile radius of the perimeter boundaries of the above-described property or the property described on Exhibit "A".

Note to clerk and title examiners:

This Declaration is not intended to create an encumbrance on title to the property described on this Exhibit "B." Such title may be encumbered only with the consent of the owner by filing a Supplemental Declaration in accordance with Article IX.