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Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
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This instrument was prepared by  
and after recording return to:  
Steven M. Falk, Esq.  
Roetzel & Andress, LPA  
850 Park Shore Drive  
Naples, Florida 34103  
(239) 649-6200

\_\_\_\_\_  
(space above this line for recording data)

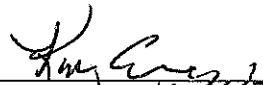
**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR WINDSOR PARK**

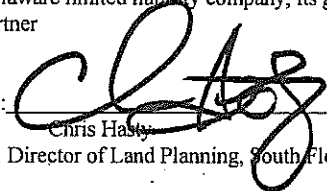
THIS AMENDMENT is executed by **DIVOSTA HOMES, L.P.**, a Delaware limited partnership (the "Developer"). On December 14, 2009, the Developer recorded a Declaration of Covenants, Conditions and Restrictions for Windsor Park in Official Records Book 23593, at Page 1287, *et. seq.*, of the Public Records of Palm Beach County, Florida (the "Declaration"). In Article XVIII, Section 1 of the Declaration, the Developer reserved the right to amend said instrument. NOW THEREFORE, pursuant to the reserved rights recited above, the Developer hereby amends the Declaration as set forth in Exhibit "A" hereto.

IN WITNESS WHEREOF, the Developer has executed this Amendment effective as of the day and year written below.

Witnesses: **DIVOSTA HOMES, L.P.**, a Delaware limited partnership

By: DiVosta Homes Holdings, LLC, a Delaware limited liability company, its general partner

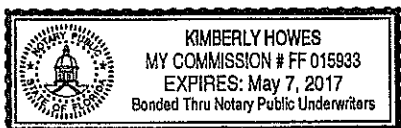
  
Witness Name: Kim K. Erntz

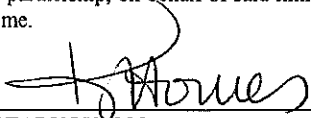
By:   
Chris Hasty  
Its: Director of Land Planning, South Florida Division

  
Witness Name: Kimberly L. Howes

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 9<sup>TH</sup> day of MARCH, 2015, by Chris Hasty, as Director of Land Planning, South Florida Division, on behalf of DiVosta Homes Holdings, LLC the general partner of DiVosta Homes, L.P., a Delaware limited partnership, on behalf of said limited liability company and limited partnership. He is personally known to me.



  
NOTARY PUBLIC  
Name: \_\_\_\_\_  
(type or print)  
My Commission Expires: \_\_\_\_\_

(SEAL)

CONSENT AND JOINDER

ABACOA PROPERTY OWNERS' ASSEMBLY, INC.

ABACOA PROPERTY OWNERS' ASSEMBLY, INC., does hereby consent to and join in the foregoing Amendment to Declaration of Covenants, Conditions and Restrictions for Windsor Park.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and the seal of Abacoa Property Owners' Assembly, Inc.

In the Presence of:

ABACOA PROPERTY OWNERS' ASSEMBLY, INC.

[Signature]  
Printed name: Beth Kelso.

[Signature] (seal)  
By: [Signature]  
Print Name: SCOTT HEDGE  
Its: President

[Signature]  
Printed name: BARBARA BRETAN

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

The foregoing instrument was acknowledged before me this 26 day of March, 2015, by Scott Hedge as President of Abacoa Property Owners' Assembly, Inc. He is () personally known to me or produced \_\_\_\_\_ as identification.

[Signature]  
Notary Public, State of Florida  
Print Name \_\_\_\_\_  
Serial No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

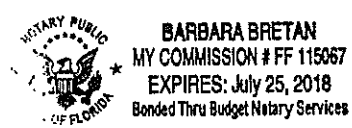


EXHIBIT "A"

Additional language indicated by underlining.  
Deleted language indicated by ~~hyphens~~.

Article IV of the Declaration is amended as follows:

ARTICLE IV

MEMBERSHIP AND VOTING RIGHTS

[Section 1 not amended]

2. Association. As a member of the Association, the Owner shall be governed by the Articles and the By-Laws; and shall be entitled to one (1) vote for each Unit owned. The rights and privileges of membership may be exercised by a Member or the Member's spouse, subject to the provisions of this Declaration and the By-Laws. The membership rights of a Unit owned by a corporation, limited liability company, trust, or partnership or other entity other than a natural person shall be exercised by any officer, director, manager, managing member, trustee or partner, as the case may be ~~the individual designated by the Owner in a written instrument provided to the secretary of the Association.~~ Provided, however, the Developer shall retain the right to appoint a majority ~~all~~ of the directors of the Board of Directors of the Association until the Transfer Date.

[Section 3 not amended]

4. Elections of Directors. Notwithstanding anything to the contrary contained in this Declaration, the Articles of Incorporation or the By-Laws, the following shall govern all elections in which Members other than the Developer elect one (1) or more Directors. In such elections, Directors shall be elected by secret ballot (using a double envelope system). Prior to such elections, the Association shall solicit candidates and any eligible person may place his or her name in nomination, in accordance with those procedures established by the Board of Directors. If the number of candidates exceeds the number of seats to be filled, an election shall be required. After indicating the name(s) of the candidate(s) for which the Member has voted, the ballot must be placed in an inner envelope with no identifying markings and mailed or delivered to the Association in an outer envelope bearing identifying information reflecting the name of the Member, the property address for the Unit for which the vote is being cast, and the signature of the Member casting that ballot. If the eligibility of the Member to vote is confirmed and no other ballot has been submitted for that Unit, the inner envelope shall be removed from the outer envelope bearing the identification information, placed with the ballots which were personally cast, and opened when the ballots are counted. A nominating committee and nominations from the floor are prohibited. If more than one (1) ballot is submitted for a Unit, the ballots for that Unit shall be disqualified. Any vote by ballot received after the closing of the balloting may not be considered. Directors shall be elected by a plurality of the votes cast by eligible voters. In the election of Directors, there shall be appurtenant to each Unit as many votes for Directors as there are Directors to be elected, but no Unit may cast more than one (1) vote for any candidate, it being the intent hereof that voting for Directors shall be non-cumulative.

Effective upon the date the Members other than the Developer elect a Director pursuant to Section 720.307(2), Florida Statutes, there shall be four (4) Directors, three (3) of whom shall be appointed by the Developer and the fourth elected by the Members other than the Developer. The Director elected by the Members other than the Developer shall be elected for a term expiring at the 2016 annual meeting. At all subsequent annual meetings prior to the Transfer Date, the Members other than the Developer shall elect one (1) Director to serve a one (1) year term, provided that such term shall not extend past the Transfer Date.

The number of Directors shall increase to five (5) on the Transfer Date. On the Transfer Date, the candidates who are elected shall serve one (1) year terms. Notwithstanding the foregoing, the Developer shall be entitled to appoint at least one (1) member of the Board of Directors as long as the Developer holds for sale in the ordinary course of business at least five percent (5%) of the Units in all phases of Windsor Park. A Director's term will end at the annual election at which his successor is to be duly elected, unless he sooner resigns or is recalled.

Except with respect to Directors appointed by the Developer, all Directors shall be Members or spouses of Members. However, if a Unit is owned by a corporation, partnership, limited liability company, trust, or other entity other than a natural person, any officer, director, partner, manager, managing member, or trustee, as the case may be, shall be eligible to serve as a Director. A person who is delinquent in the payment of any fee, fine or other monetary obligation to the Association for more than ninety (90) days is not eligible for Board membership. A person who has been convicted of any felony in Florida or in a United States District or Territorial Court, or has been convicted of any offense in another jurisdiction which would be considered a felony if committed in Florida, is not eligible for Board membership unless such felon's civil rights have been restored for at least five (5) years as of the date on which such person seeks election to the Board of Directors. The validity of any action by the Board of Directors is not affected if it is later determined that a Director is ineligible for Board of Directors membership. A Director or officer charged by information or indictment with a felony theft or embezzlement offense involving the Association's funds or property is removed from office. The Board of Directors shall fill the vacancy according to general law until the end of the period of the suspension or the end of the Director's term of office, whichever occurs first. However, if the charges are resolved without a finding of guilt or without acceptance of a plea of guilty or nolo contendere, the Director or officer shall be reinstated for any remainder of his or her term of office. A Member who has such criminal charges pending may not be appointed or elected to a position as a Director or officer. Within ninety (90) days after being elected or appointed to the Board of Directors, each Director shall certify in writing to the Secretary that he or she has read the Declaration, Articles of Incorporation, Bylaws and current written rules and policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the Members. Within ninety (90) days after being elected or appointed to the Board of Directors, in lieu of such written certification, the newly elected or appointed Director may submit a certificate of having satisfactorily completed the educational curriculum administered by an education provider approved by the Division of Florida Condominiums, Timeshares and Mobile Homes within one year before or ninety (90) days after the date of election or appointment. The written certification or educational certificate is valid for the uninterrupted tenure of the Director on the Board of Directors. A Director who does not timely file the written certification or educational certificate shall be suspended from the Board of Directors until he or she complies with the requirements set forth above. The Board of Directors may temporarily fill the vacancy during the period of suspension. The Association shall retain each Director's written certification or educational certificate for inspection by the Members for five (5) years after the Director's election. However, the failure to have such written certification or educational certificate on file does not affect the validity of any Board of Directors' action.



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office with redactions, if any as required by law.

THIS 2nd DAY OF April, 2015  
SHARON R. BOCK  
CLERK & CONTROLLER

By \_\_\_\_\_  
DEPUTY CLERK