

# Amendment to Declaration

This instrument prepared by and after recording return to:

Robert M. Poppell, Esquire  
Maguire, Voorhis & Wells, P.A.  
Two South Orange Avenue  
Orlando, Florida 32801

----- [SPACE ABOVE THIS LINE FOR RECORDING DATA] -----

AMENDMENT TO DECLARATION OF  
RESTRICTIONS ON REAL ESTATE FOR WOODBURY PARK

KNOW ALL MEN BY THESE PRESENTS:

That Whitemark at Woodbury, Inc., a Florida corporation, whose address is 257 Plaza Drive, Suite D, Oviedo, Florida 32756 ("Developer"), in accordance with Article 7, Section 7.2 of the Declaration of Restrictions on Real Estate for Woodbury Park, recorded in Official Records Book 5161, Page 3242, Public Records of Orange County, Florida (the "Declaration"), hereby amends and modifies said Declaration as set forth below. Capitalized terms used herein without definition shall have the same meaning given such term in the Declaration.

1. So long as there is a Class B membership, the following actions require the prior approval of the Federal Housing Administration or the Veteran's Administration: Annexation of additional properties, dedication to the public of Common Areas, and amendment of the Declaration.

2. Notwithstanding anything to the contrary contained in Subsection 2.2.2 of the Declaration, if ingress or egress to any residence is through a Common Area, any conveyance or encumbrance of such area is subject to the Lot Owner's easement.

3. The first sentence of Subsection 3.2.1 "Class A" is hereby deleted and replaced with the following:

Class A members shall be all owners, except the Developer until such time as the Class B membership is converted to Class A membership, and shall be entitled to one vote for each Lot owned.

4. Notwithstanding anything to the contrary contained in Subsection 3.2.2 of the Declaration, the Class B membership shall

cease and convert to Class A membership upon the earlier of the following:

A. Such time as seventy-five percent (75%) of the Lots are owned by persons other than the Developer, or

B. On October 10, 2006.

5. Notwithstanding anything to the contrary contained in Paragraph 7.3 "Enforcement" of the Declaration, all of the terms, provisions, covenants and restrictions of the Declaration may be enforced by either the Developer, the Association, or any Owner.

IN WITNESS WHEREOF, said Developer has caused this instrument to be executed this 23<sup>rd</sup> day of December, 1996.

WHITEMARK AT WOODBURY, INC., a Florida corporation

[Signature]  
Print Name: CHRIS BROCKMAN

By: [Signature]  
Name: KATHERINE L. WHEAT  
Title: President

[Signature]  
Print Name: JERRY R. DOWDY

OR 24 3176 01 2889  
Orange Co FL 5890292

STATE OF FLORIDA

Recorded - Martha D. Havnia

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 23rd day of December, 1996, by KATHERINE L. WHEAT, as PRESIDENT of Whitemark at Woodbury, Inc., a Florida corporation, on behalf of the corporation. Said person (check one)  is personally known to me,  produced FLA DRIVER'S LICENSE as identification.

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



CHRISTOPHER C BROCKMAN  
My Commission CC415672  
Expires Oct. 23, 1998  
Bonded by HAI  
800-422-1555