

PREPARED BY AND RETURN TO:
JAY STEVEN LEVINE LAW GROUP
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(561) 627-3585

**CERTIFICATE OF AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF
BLUE CYPRESS GOLF & RV RESORT, AN RV CONDOMINIUM BY AMENDING THE
BY-LAWS OF BLUE CYPRESS GOLF & RV RESORT CONDOMINIUM
ASSOCIATION, INC., WHICH ARE AN EXHIBIT TO THE DECLARATION OF
CONDOMINIUM**

WHEREAS, the Declaration of Condominium of Blue Cypress Golf & RV Resort was recorded in Official Record Book 320, at Page 741, Public Records of Okeechobee County, Florida;

WHEREAS, Section 8.1 of the By-Laws provides that the By-Laws may be amended by the affirmative vote of not less than 60% of the voting interests of all members of the Association;

WHEREAS, at membership meetings held on November 13, 2010 and as reconvened on December 14, 2010, not less than 60% of the voting interests of all members of the Association approved of the text of the proposed amendments to the By-Laws in the particulars as set forth in Exhibit "1" to this certificate;

WHEREAS, on October 25, 2010, the Board of Directors of the Association unanimously approved of the proposed amendments to the By-Laws as set forth in Exhibit "1" to this certificate;

WHEREAS, the certificate of the amendment and Exhibit "1" shall be filed in the Public Records of Okeechobee County, Florida.

NOW, THEREFORE, the Declaration of Condominium of Blue Cypress Golf & RV Resort are hereby amended by amending the By-Laws in the particulars as stated in Exhibit "1" attached hereto; these amendments shall run with the real property known as Blue Cypress Golf & RV Resort, An RV Condominium, and shall be binding on all parties having any right, title, or interest in the said real property or any part thereof, their heirs, successors, assigns, tenants, guests and visitors, and except as otherwise amended hereby, shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENTS

I HEREBY CERTIFY that the amendments attached to this Certificate have been approved by the votes required by the By-Laws.

DATED this 4 day of January, 2011.

Exhibit "1"

**AMENDMENTS TO THE BY-LAWS OF BLUE CYPRESS GOLF & RV RESORT
CONDOMINIUM ASSOCIATION, INC.**

As used herein the following shall apply:

A. Words in the text which are lined through with hyphens (---) indicate deletions from the present text.

B. Words in the text which are underlined indicate additions to the present text.

1. Sections 2.6, 2.7, 2.8, 3.2, 5.2 and 5.3 of the By-Laws shall be amended to read as follows:

[2.6]

"2.6 NOTICE OF MEMBERS' MEETINGS

Written notice of each membership meeting shall state the purpose of the meeting and the date, time and place of the meeting. Notice shall be mailed to each member at said member's last address as it appears on the Association records, hand delivered, or electronically transmitted at least fourteen (14) days prior to the meeting and shall be posted in a conspicuous place on the condominium property at least fourteen (14) continuous days prior to the meeting. **THE RIGHT OF THE ASSOCIATION TO PROVIDE ELECTRONIC TRANSMISSION OF NOTICE TO AN OWNER IS CONTINGENT UPON THE OWNER CONSENTING TO SUCH FORM OF NOTICE IN WRITING, WHICH CONSENT MAY BE REVOKED AT ANY TIME BY THE OWNER. THE PROVISIONS OF THE ADMINISTRATIVE RULES ON THIS SUBJECT, AS AMENDED FROM TIME TO TIME, SHALL APPLY.**

ANNUAL MEETING. Notice of the annual meeting shall be included with the "second notice of election". ~~not less than thirty (30) nor more than sixty (60) days before said meeting.~~

STATUTORY ELECTION MEETINGS. ~~Notice of statutory election meetings shall be given not less than thirty (30) more than forty (40) days before each statutory election meeting.~~ The "first notice of election" must be mailed, hand delivered or electronically transmitted as above no less than sixty (60) days before a scheduled election. The "second notice of election shall be mailed, hand delivered or electronically transmitted no less than fourteen (14) days prior to the election.

SPECIAL MEETINGS. Notice of special meetings shall be mailed, hand delivered or electronically transmitted as for member meetings as stated above, given not less than fourteen (14) nor more than thirty (30) days before each special meeting. Such ~~notice~~ notices shall be sufficient for the meeting and any adjournment thereof. If any member shall transfer his condominium unit after notice it shall not be necessary to notify the new member(s). Any member may waive notice of any meeting either before, during or after the meeting."

[2.7]

"2.7 DESIGNATED VOTERS

The owner(s) of each condominium unit collectively have one (1) vote for each such unit. To exercise said vote, the owner(s) of each unit shall designate the person authorized to vote, as follows: Any owner named on the deed may automatically be deemed the designated voter.

a. If a unit is owned by one (1) individual, who *is sui juris*, he shall be deemed a designated voter. If the owner is a minor, or *is otherwise incompetent*, his/her legal guardian shall be deemed the designated voter.

b. If a unit is owned by husband and wife, either may vote as long as their name is on the deed. ~~they shall designate one of themselves. If the designated voter does not attend a meeting, then his/her spouse, if present, shall be deemed a designated voter, and entitled to vote in his/her place.~~

c. If a unit is owned by a corporation, then the President of the corporation shall be deemed the designated voter. However, the corporation, through any authorized officer, may designate any other officer as its designated voter.

d. If a unit is owned by any other legal entity, then said entity shall, through its authorized representative or officer, designate a trustee, partner, or other interested person, as its designated voter.

e. If a unit is jointly owned, any of then the owners may vote as long as their name is on the deed. ~~shall designate one individual who would be qualified as aforesaid, if the unit was not joint owned. If the owners of a unit fail to designate a voter as hereinabove provided, then said unit's vote will not be counted until a proper designation is made.~~

A voting certificate is not required."

[2.8]

"2.8 ~~METHOD OF DESIGNATING A VOTER AND~~ VOTER DESIGNATION BOOK

~~Other than deemed designations, a designation must be in writing, signed by each owner, or its authorized officer or representative. Designations will be accepted before, or at, each meeting; through the roll call. If a quorum is present the meeting shall proceed, and no further designations shall be accepted for that meeting. Each designation shall be effective until a new designation is received for the same unit, or until said unit's ownership is transferred or conveyed. The Secretary shall keep a Voter Designating Designation Book, arranged by unit members being numbers in a binder(s) containing all designations, and a numerical list of designated voters (including deemed designated voters)~~

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[3.2]

"3.2 NUMBER OF DIRECTORS AND ELECTION OF DIRECTORS

~~Initially, the Board shall consist of three (3) Directors. At the first annual meeting after the Developer's membership has terminated, the number of Directors constituting the Board shall automatically increase to five (5). Thereafter, these Bylaws may be amended to increase or decrease the number of Directors by meeting called for that purpose; provided that the number of Directors shall never be less than three. If increased, the new Directors shall immediately be elected. The Board shall consist of five (5) Directors. Beginning with the 2011 annual and election meeting, five (5) Board members will be elected. The three (3) candidates with the greatest number of votes will receive two (2) year terms; the remaining two (2) candidates will receive one (1) year terms. At that meeting, if there are five (5) or fewer candidates running for the Board, then the candidates shall decide among themselves how to allocate the two (2) and one (1) year terms; if they are unable to agree by thirty (30) days prior to the date of the meeting, then there shall be an election and balloting held to determine the two (2) and one (1) year terms for the candidates. Thereafter, two (2) Directors will be elected in even numbered years and three (3) Directors will be elected in odd numbered years, for two (2) year terms. If at the time of the election there is less than a total of five (5) Directors elected or serving on the Board, then such shortage shall be considered a vacancy to be filled by the Board for the two (2) year term. Each Director shall serve until his successor has been elected or appointed or until his or her prior resignation or removal. These By-Laws may be amended to increase or decrease the number of Directors by meeting called for that purpose; provided that the number of Directors shall never be less than three. If increased, the new Directors shall immediately be elected."~~

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[5.2]

"5.2 BOARD'S PROPOSED BUDGET

The Board shall adopt a proposed annual budget in the form of proposed by the President prior to the mailing, hand-delivering or electronic transmission of a copy of the proposed budget to each member."

[5.3]

"5.3 NOTICE TO MEMBERS OF PROPOSED BUDGET

The Board shall mail, hand-deliver or electronically transmit a copy of the proposed budget to each member, together with the Notice of Special Budget Meeting, at least fourteen (14) days prior to the meeting according to By-Law 2.6. ~~not less than thirty (30) nor more than sixty (60) days before said meeting.~~ Any member may waive the requirement that Notice of the Special Budget Meeting be mailed to him or her."

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**CERTIFICATE OF AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF
BLUE CYPRESS GOLF & RV RESORT, AN RV CONDOMINIUM AND THE BY-LAWS
OF BLUE CYPRESS GOLF & RV RESORT CONDOMINIUM ASSOCIATION, INC.,
WHICH ARE AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM**

WHEREAS, the Declaration of Condominium of Blue Cypress Golf & RV Resort was recorded in Official Record Book 320, at Page 741, Public Records of Okeechobee County, Florida;

WHEREAS, pursuant to Section 7.2 of the Declaration of Condominium, the Declaration may be amended by the affirmative vote of not less than 80% of the voting interests of all members of the Association;

WHEREAS, Section 8.1 of the By-Laws provides that the By-Laws may be amended by the affirmative vote of not less than 80% of the voting interests of all members of the Association;

WHEREAS, at membership meetings held on March 22, 2010 and as reconvened on May 3, 2010, not less than 80% of the voting interests of all members of the Association approved of the text of the proposed amendments to the Declaration and By-Laws in the particulars as set forth in Exhibits "1" and "2" to this certificate;

WHEREAS, on April 12, 2010, the Board of Directors of the Association unanimously approved of the proposed amendments to the Declaration and By-Laws as set forth in Exhibits "1" and "2" to this certificate;

WHEREAS, the certificate of the amendment and Exhibits "1" and "2" shall be filed in the Public Records of Okeechobee County, Florida.

NOW, THEREFORE, the Declaration of Condominium of Blue Cypress Golf & RV Resort and the By-Laws are hereby amended in the particulars as stated in Exhibits "1" and "2" attached hereto; these amendments shall run with the real property known as Blue Cypress Golf & RV Resort, An RV Condominium, and shall be binding on all parties having any right, title, or interest in the said real property or any part thereof, their heirs, successors, assigns, tenants, guests and visitors, and except as otherwise amended hereby, shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENTS

I HEREBY CERTIFY that the amendments attached to this Certificate have been approved by the votes required by the Declaration of Condominium and By-Laws.

Exhibit "1"

**AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF BLUE CYPRESS
GOLF & RV RESORT, AN RV CONDOMINIUM**

As used herein the following shall apply:

A. Words in the text which are lined through with hyphens (---) indicate deletions from the present text.

B. Words in the text which are underlined indicate additions to the present text.

1. **Section 7.2 of the Declaration of Condominium shall be amended to read as follows:**

~~"7.2 Amendments Allowed. This Declaration of Condominium may be amended by the affirmative vote of eighty per cent (80%) sixty percent (60%) of all votes of the resort site owners. Prior to the time at which the Developers' membership terminates, the Developers may amend the Declaration as stated in: (i) Section 718.104(4)(e) of the Florida Statutes regarding the survey of the land; or (ii) Section 718.403 of the Florida Statutes regarding phases. The Developers reserve the right to change the configuration or size of any condominium unit (resort site) prior to sale. The Developers reserve the right given in Section 718.301(3); specifically, while the Developers hold units for sale in the ordinary course of business, none of the following actions may be taken without approval in writing by the Developers: (a) Assessment of the developer as a unit owner for capital improvements; and (b) Any action by the association that would be detrimental to the sales of units by the developer; however, an increase in assessments for common expenses without discrimination against the developer shall not be deemed to be detrimental to the sales of units.~~

The effective date of an amendment to this Declaration, the Articles of Incorporation, or the By-Laws, shall be the date of recording same in the public records of Okeechobee County, Florida. Amendments to the Rules and Regulations do not have to be so recorded."

5-20-10

Exhibit "2"

**AMENDMENT TO THE BY-LAWS OF BLUE CYPRESS GOLF & RV RESORT
CONDOMINIUM ASSOCIATION, INC.**

As used herein the following shall apply:

A. Words in the text which are lined through with hyphens (----) indicate deletions from the present text.

B. Words in the text which are underlined indicate additions to the present text.

1. Section 8.1 of the By-Laws shall be amended to read as follows:

~~"8.1. Amendments Allowed. These By-Laws may be amended by the affirmative vote of 80% 60% of all votes of the Association after the Developer's membership terminates. Until then, these By-Laws may be amended by a majority vote of the Board. However, if there is an omission or error in these By Laws, the Association may correct such error or omission by a majority vote of the Board, even though the Developer's membership has terminated, provided that no such amendment will materially or adversely affect property rights of unit owners, unless the affected unit owners consent in writing."~~

5-20-10