

**AMENDMENT TO THE DECLARATION OF GENERAL PROTECTIVE COVENANTS AND  
RESTRICTIONS OF ORANGE TREE**

WHEREAS, Amnon Golan, Trustee of that certain Land Trust Agreement, dated January 27, 1986, and recorded in Official Records Book 1347, Page 2331 of the Public Records of Collier County, Florida, as amended (the "Land Trust"), recorded a Declaration of General Protective Covenants and Restrictions of Orange Tree in Official Records Book 1310, Page 1536, of the Public Records of Collier County, Florida (the "Declaration"), submitting the property described therein, known as Orange Tee, to the restrictive covenants and restrictions provided therein; and

WHEREAS, Roberto Bollt, as Successor Trustee of the Land Trust, as Declarant, joined by Orange Tree Homeowner's Association, Inc. (the "Association"), recorded an Amendment to Declaration of General Protective Covenants and Restrictions of Orange Tree to remove the Orange Blossom Rach Parcels as defined therein, in Official Records Book 4867, Page 2848 of the Official Records of Collier County, Florida (the "First Amendment"); and

WHEREAS, Section 2.9 of the Declaration provides that Article II of the Declaration may be amended from time to time through the Bylaws; and

WHEREAS, Section 11.05 of the Declaration provides that the Declaration may be amended with the consent of two-thirds (2/3rd) of the membership of the Association; and

WHEREAS, in accordance with the Bylaws and Declaration, the Members have approved, by the affirmative vote of at least two-thirds (2/3) of the membership of the Association at a duly noticed Special Meeting of the Membership of the Association, the amendment to the Declaration as more particularly stated below.

NOW THEREFORE, undersigned, being the duly elected and acting President and Secretary of the Association, do hereby certify that the following amendments to the Declaration have been approved by an affirmative vote of at least two-thirds (2/3) of the membership of the Association, and, further, that the Association has complied with the notice and meeting requirements set forth in the Bylaws of the Association. Except as provided below, all other terms and provisions of the Declaration remain unchanged.

1. Section 2.02 is hereby amended as follows:

**[Note: Deleted language is ~~stricken through~~; new language is underlined]**

Section 2.02 Classes of Voting Rights.

The COMMUNITY shall have two classes of voting membership:

Class A. Class A Members shall be all OWNERS, with the exception of the DECLARANT when it is a Class B Member, who shall have voting rights as provided below for each Plot owned.

Class B. The Class B Member shall be the DECLARANT who shall have voting rights as provided below for each Plot owned. Each ~~p~~Plot owned shall

include all property set forth in the attached legal description whether or not DECLARANT actually develops such property subsequent hereto.

The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

- (a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership, or
- (b) on October 1, ~~2016~~2023, or such earlier date as DECLARANT in its sole discretion establishes by recorded instrument executed by DECLARANT.

WITNESSES:

ORANGE TREE HOMEOWNER'S ASSOCIATION, INC.,  
a Florida corporation not for profit

Virginia A. Goeke  
Print: Virginia A. Goeke

Stefanie Marker  
Print: Stefanie Marker

By: Stephen G. Lowitz  
Stephen G. Lowitz, President

Virginia A. Goeke  
Print: Virginia A. Goeke

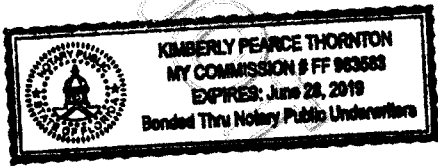
Stefanie Marker  
Print: Stefanie Marker

Attest: Roberto Bollt  
Roberto Bollt, Secretary

NOTARIES ON THE FOLLOWING PAGE

State of Florida )  
County of COLLIER )

Acknowledged before me this \_\_\_\_ day of September, 2016, by Stephen G. Lowitz as President of Orange Tree Homeowner's Association, Inc., a Florida corporation not for profit, (X) who is personally known to me, OR ( ) who has produced the following identification



Kimberly Pearce Thornton

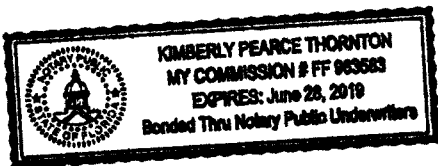
(Notary Public Signature)

Printed Name: KIMBERLY PEARCE THORNTON

Commission Expires: \_\_\_\_\_

State of Florida )  
County of COLLIER )

Acknowledged before me this \_\_\_\_ day of September, 2016, by Roberto Bollt as Secretary of Orange Tree Homeowner's Association, Inc., a Florida corporation not for profit, (X) who is personally known to me, OR ( ) who has produced the following identification



Kimberly Pearce Thornton

(Notary Public Signature)

Printed Name: KIMBERLY PEARCE THORNTON

Commission Expires: \_\_\_\_\_