

This Instrument Prepared By
and Should Be Returned To:
Carey L. Hill, Esquire
Giles & Robinson, P.A.
390 N. Orange Ave., Suite 800
Orlando, Florida 32801

Orange Co FL 1999-0136796
033099 03:25:51pm
OR Bk 5715 Pg 3523
Rec 24.00

**FIRST AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF
FIELDSTREAM - PHASE I**

THIS AMENDMENT, made this 26th day of March, 1999 by LAKE UNDERHILL DEVELOPMENT CORPORATION, a Florida corporation (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant did cause that certain Declaration of Covenants, Conditions, and Restrictions of Fieldstream ("Restrictions") dated January 16, 1998 to be executed and recorded in Official Records Book 5423, Page 1707 through 1744, Public Records of Orange County, Florida;

WHEREAS, Article X did authorize the Declarant to make amendments to the Restrictions;

NOW, THEREFORE, Declarant hereby amends the Restrictions in the following manner;

1. Article IX, Section 4. Annexation is hereby revised and amended to read as follows:

"So long as there is Class B membership and so long as Declarant wishes to maintain its FHA/VA approval status, the following actions require the prior approval of FHA/VA: annexation of additional properties, dedication of common area and amendment to the Declaration."

2. Article IX is hereby revised and amended to add the following:

"Section 5. Mortgaging Common Area. So long as construction and initial sale of residential units continues in the Fieldstream - Phase I development, the Association may not mortgage or convey the common area.

3. Article X. Is hereby revised and amended to read as follows:

"The approval of at least three fourths (3/4) of the total votes of the Association, including three fourths (3/4) of the total votes held by members other than Declarant is required to amend the Declaration, except that (a) Developer may amend unilaterally the Declaration in order to make modifications to the Declaration that are non-substantial in nature and do not materially or adversely affect the interests of lots owners or other affected parties and (b) until the turnover meeting, Developer may modify the Declaration with respect to the portions of the property owned by Developer, and (c) if the affirmative vote required for approval of action under the specific provision to be amended is a higher or lower percentage, then such higher or lower percentage shall be required to approve amendment of that provision.

4. Article of Incorporation and Bylaws.

The Articles of Incorporation and the Bylaws of the Association (Exhibits "A" and "B" to the Declaration) have been amended and revised as set forth on Exhibits "A" and "B" to this First Amendment to Declaration of Covenants, Conditions and Restrictions of Fieldstream - Phase I.

WITNESSES:

LAKE UNDERHILL DEVELOPMENT CORPORATION,
a Florida corporationJulie C. Hiner
Print Name: JULIE C. HINER

By:

Carey L. Hill
Carey L. Hill, as Its: Vice PresidentAnn Brookhouse
Print Name: Ann BrookhouseDated: March 26, 1999STATE OF FLORIDA
COUNTY OF ORANGEOR Bk 5715 Pg 3924
Orange Co FL 1999-0136796

March 1999, by CAREY L. HILL, as Vice-President of LAKE UNDERHILL DEVELOPMENT CORPORATION, a Florida corporation. Said person did/did not take an oath and (check one) ☒ is personally known to me, ☐ produced a drivers' license (issued by a state of the United States within the last five (5) years) as identification, or ☐ produced other identification, to wit:

Ann Brookhouse
Notary Public
Print Name Ann Brookhouse
Commission No.: _____
My Commission Expires: _____

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EXHIBIT "A"

ARTICLES OF AMENDMENT
OF

FIELDSTREAM HOMEOWNERS ASSOCIATION, INC.

OR Bk 5715 Pg 3925
Orange Co FL 1999-0136796

1. The name of the corporation is Fieldstream Homeowners Association, Inc..
2. Article V(f) of the Articles of Incorporation of Fieldstream Homeowners Association, Inc. is hereby amended to read as follows:

ARTICLE V
POWERS OF THE ASSOCIATION

- "(f) Participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional residential property and Common Area; provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3rds) of the vote of each class of members at a duly called meeting of the Association, except as otherwise provided in Article II of the Declaration. Annexation of additional properties, mergers and consolidations, mortgaging of Common Area, dissolution and amendment of the Articles, requires prior approval of HUDVA as long as there is a Class B membership;"

3. Article IX of the Articles of Incorporation of Fieldstream Homeowners Association, Inc. is hereby amended to add the following:

"If the Association is dissolved, the assets shall be dedicated to a public body, or conveyed to a non-profit organization with similar purposes."

4. The foregoing amendment was adopted by the Board of Directors and a majority of the Members of this Corporation on March 26, 1999. The number of votes cast in favor of these Articles of Amendment was sufficient for the approval by such holders.

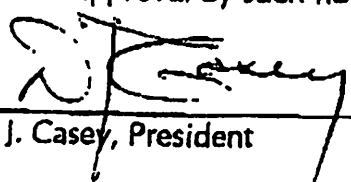

Dennis J. Casey, President

EXHIBIT "B"

**WRITTEN CONSENT OF DIRECTORS AND MEMBERS OF
FIELDSTREAM HOMEOWNERS ASSOCIATION, INC.
a Florida corporation not-for-profit
IN LIEU OF A SPECIAL MEETING**

DR Bk 5715 Pg 3926
Orange Co FL 1999-0136796

The undersigned, constituting all of the directors and a majority of the votes of the members of Fieldstream Homeowners Association, Inc., a Florida corporation not-for-profit (the "Corporation"), consent to and adopt the following resolution, effective on the date set forth below:

BE IT RESOLVED that Article XIII, Section 1 of the Bylaws of Fieldstream Homeowners Association, Inc. be amended to read as follows:

"ARTICLE XIII

AMENDMENT OF BYLAWS

Section 1. These By-Laws may be amended, altered or rescinded at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy provided, however, until such time that Class B Membership in the Association ceases, as set forth in the Declaration and Articles of Incorporation of the Association, these By-Laws may be amended by a majority of the Directors. Provided, however, as long as there are Class B Members, any amendment requires the prior approval of FHAVA."

BE IT FURTHER RESOLVED that any officer of the corporation is authorized to execute any and all documents necessary to consummate this transaction.

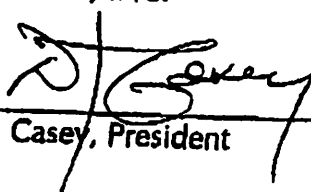
As required by Florida Statutes, the Directors and Members will cause this

written consent to be delivered to the Corporation's secretary within 60 days after the date set forth below.

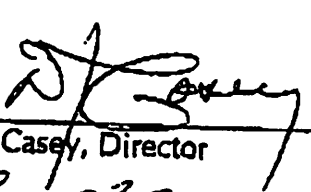
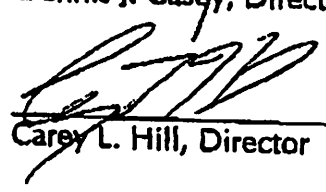
CONSENT

OR Bk 5715 Pg 3927
Orange Co FL 1999-0136796

We, the undersigned, being all of the directors and a majority of the members in Fieldstream Homeowners Association, Inc., do hereby consent to the above Resolutions which authorizes the corporation to amend the Bylaws of the Corporation.

FIELDSTREAM HOMEOWNERS
ASSOCIATION, INC.Dated: March 26, 1999
Dennis J. Casey, President

Member


Dennis J. Casey, Director
Carey L. Hill, Director
Suzan Russell, Director