

This instrument was prepared by and after recording return to:
Steven M. Falk, Esq.
Falk Law Firm, P.A.
7400 Tamiami Trail North, Suite 103
Naples, Florida 34108
(239) 596-8400

**FORTIETH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR WINDING CYPRESS**

THIS instrument is executed by DIVOSTA HOMES, L.P., a Delaware limited partnership (the "Developer"). On November 25, 2014, the Declarant recorded the Declaration of Covenants, Conditions and Restrictions for Winding Cypress in O.R. Book 5097, Page 2640, of the Public Records of Collier County, Florida (the "Declaration"). Developer reserved the right in Section 14.6 of the Declaration to amend the Declaration in order to subject additional land to said instrument. NOW THEREFORE, Developer hereby amends the Declaration as set forth below.

Exhibit "A-1" to the Declaration is hereby amended by the addition of Lots 186 and 194, Winding Cypress Phase 2, according to the plat thereof recorded in Plat Book 60, Page 73 and Lots 297, 298, 359, 362, 378 and 391, Winding Cypress Phase 2 Replat, all of the Public Records of Collier County, Florida and all of which shall be subject to the terms of the Declaration.

IN WITNESS WHEREOF, Developer has executed this instrument 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

By: [Signature]
Scott Brooks
Its: Director-Land Development
Southwest Florida Division

[Signature]
Witness Name: LAURA A. RAY

[Signature]
Witness Name: [Signature]

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 19th day of July, 2019, by Scott Brooks, as Director-Land Development, Southwest Florida Division, of DiVosta Homes Holdings, LLC, the General Partner of DiVosta Homes, L.P., a Delaware limited partnership. He is personally known to me.



[Signature]
NOTARY PUBLIC
Name: LAURA A. RAY
(type or print)
My Commission Expires: 7/13/2023



Crystal K. Kinzel
Clerk of the Circuit Court and Comptroller

Official Receipt

<u>Customer</u>	<u>Deputy Clerk</u>	<u>Clerk Office Location</u>
Auri Burnham SIMPLIFILE LC 5072 N 300 W PROVO, UT 84604-5652	Linda S Morocco linda.morocco@collierclerk.com (239) 252-7242	Collier County Govt. Center Building LA, 2nd Floor 3315 Tamiami Trl E Ste 102 Naples, Florida 34112-4901

1 Document Recorded

<u>DOC TYPE</u>	<u>INSTRUMENT</u>	<u>BOOK</u>	<u>PAGE</u>	<u>AMOUNT</u>
Restrictions	5742484	5654	2196	\$10.00
TOTAL AMOUNT DUE				\$10.00
Deposit Account#: S-41050				(\$10.00)
BALANCE DUE				\$0.00

Note:

7/22/2019 4:09:07 PM Linda S Morocco: Batch Name: 177500

Disclaimer: All transactions are subject to review/verification. The Clerk reserves the right to correct for clerical errors and to assess or refund charges as needed.