

**FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS
AND PROTECTIVE COVENANTS FOR CYPRESS LAKE BUSINESS PARK**

This First Amendment to the Declaration of Restrictions and Protective Covenants for Cypress Lake Business Park (hereinafter "CLBP"), dated October 30, 2007, and recorded as Instrument No. 200712024903 and as Official Records Book 1135, Page 1444, in the Public Records of Columbia County, Florida, (the "Declaration") is hereby made this 4th day of September, 2014, by Daniel Crapps and Richard C. Cole, as Trustees, of the Cypress Lake Land Trust, dated July 23, 1985, sometimes referred to as the "Cypress Land Trust," and who are referred to in the Declaration and this First Amendment to the Declaration as the "Developer" of the real property subject to the Declaration, which property is more particularly described in Exhibit "A" (the "Property") specifying that this Declaration shall constitute a covenant running with the land and that the Declaration and this First Amendment to Declaration of Restrictions and Protective Covenants for CLBP ("First Amendment") shall be binding upon the undersigned and upon all persons acquiring title through the undersigned. Such Declaration and the restrictions and covenants therein, as hereby amended, shall be for the benefit and limitation upon all present and future owners of the Property.

WHEREAS, the Developer desires that the said Property above described be made subject to reservations and restrictions for the mutual benefits and protection of Developer and persons and entities that may hereafter purchase or acquire any interest in said Property or any portion thereof; and

WHEREAS, pursuant to paragraph 19 of the Declaration the Developer reserved and retained the sole right to amend the Declaration for the purpose of making additional covenants and restrictions which are not inconsistent with and which do not lower the standard of the Declaration set forth therein; and

WHEREAS, the Developer holds title to the Property subject to the Declaration and this First Amendment, including, but not limited to, all property as described in Exhibit "A", except for the parcel described in Exhibit "B", which parcel is also part of the Property subject to the Declaration; and property described in Exhibit "B" is exempt from First Amendment to Declaration.

NOW, THEREFORE, in consideration of the premises, the Developer does hereby declare said Property, to be subject to the following restrictions, reservations and conditions and binding upon the Developer, and all persons acquiring title through the undersigned, their grantees, executors, heirs, successors and assigns, to wit:

Paragraphs 28 and 29 are hereby added to the Declaration as follows:

28. No nephrology outpatient services and no renal replacement services, including but not limited to, hemodialysis service, peritoneal dialysis services and management of acute and home dialysis services (hereinafter "Nephrology and Renal Related Medical Services") shall be permitted on the Property other than Lots 1, 2 and 3 as shown by the Plat of the CLBP.

29. No Ambulatory Surgery Center, also known as an Outpatient Surgery Center or as a Same Day Surgery Center (hereinafter collectively, an "ASC"), providing the following outpatient surgical services: general surgery, gastroenterology, urology, ophthalmology, plastic surgery, or cardiology shall be permitted on the Property other than Lot 4 as shown by the Plat of the CLBP, and "Lot C" as more particularly described in Exhibit "C" attached hereto and Lots 1, 2 and 3.

30. In the event the Contracts for Sale and Purchase of Lots 1, 2 and 3 of the CLBP, dated August 28, 2013 and May 27, 2014, respectively, do not close on or before January 1, 2016, such that a deed is issued to the purchaser or its assigns by that date, the exclusion of Lots 1, 2 and 3 of the CLBP from the restriction in favor of Amere Property, LLC, as described in clause #29, shall terminate. Further, the First Amendment shall thereafter be amended by the Developers to remove the restriction contained herein relating to Nephrology and Renal Related Medical Services from all of property described in Exhibit "A".

All other terms and conditions of the Declaration as not herein modified or amended shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 15 day of September, 2014.

Signed, sealed and delivered In the Presence of:

DEVELOPERS:

Cypress Lake Land Trust

BY: *Daniel Crapps*
Daniel Crapps, as Trustee

Witness: *Lisa Hicks*

Printed Name: LISA HICKS

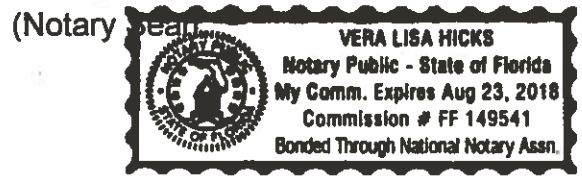
Witness: *Mary Lyons*

Printed Name: MARY LYONS

STATE OF FLORIDA
COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 12 day of September, 2014 by Daniel Crapps, as Trustee, under the provisions of a certain unrecorded trust dated July 23, 1985, sometimes referred to as the "Cypress Lake Land Trust" personally known to me or, if not personally known to me, who produced PK for identification and who did not take an oath.

Vera Lisa Hicks
Notary Public



Cypress Lake Land Trust

BY: *Richard C. Cole*
Richard C. Cole, as Trustee

Witness: *Lisa Hicks*

Printed Name: LISA HICKS

Witness: *Mary Lyons*

Printed Name: MARY LYONS

STATE OF FLORIDA
COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 15 day of September, 2014 by Richard C. Cole, as Trustee, under the provisions of a certain unrecorded trust dated July 23, 1985, sometimes referred to as the "Cypress Lake Land Trust" personally DL known to me or, if not personally known to me, who produced _____ for identification and who did not take an oath.

Vera Lisa Hicks
Notary Public

(Notary Seal)

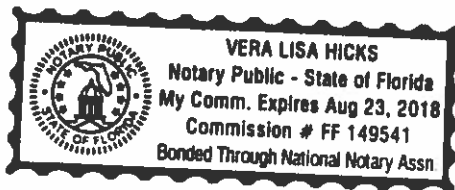


Exhibit "A"

PART OF THE NORTH 1/2 OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 16 EAST, COLUMBIA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 1, BLOCK C, CYPRESS LAKE, A SUBDIVISION ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGES 74 AND 74A OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA, AND RUN THENCE S 87°43'16" W, ALONG THE NORTH LINE OF SAID CYPRESS LAKE, 848.80 FEET TO THE NORTH LINE OF CYPRESS LAKE PHASE 2, A SUBDIVISION ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 32 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA; THENCE N 67°00'07" W, ALONG SAID NORTH LINE, 423.32 FEET TO THE EAST LINE OF CYPRESS LAKE PHASE 3, A SUBDIVISION ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 80 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA; THENCE N 28°50'54" W, ALONG SAID EAST LINE, 169.34 FEET; THENCE N 06°03'53" E, STILL ALONG SAID EAST LINE, 828.67 FEET TO THE NORTH LINE OF SAID CYPRESS LAKE PHASE 3 AND THE NORTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 33; THENCE N 88°18'28" E, ALONG THE NORTH LINE OF SAID SE 1/4 OF NW 1/4, 272.25 FEET TO THE WEST LINE OF NW 1/4 OF NE 1/4; THENCE N 06°42'26" E, ALONG SAID WEST LINE, 153.31 FEET TO THE SOUTHERLY RIGHT OF WAY OF WEST U.S. HIGHWAY 90 AND TO A POINT ON A CURVE; THENCE RUN EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY ALONG THE ARC OF SAID CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 5799.60 FEET, A CENTRAL ANGLE OF 08°27'27", A CHORD BEARING AND DISTANCE OF S 62°28'48" E 552.20 FEET, AN ARC DISTANCE OF 552.41 FEET TO A POINT OF TANGENCY; THENCE S 65°12'40" E, ALONG SAID SOUTHERLY RIGHT OF WAY, 938.41 FEET TO THE WEST RIGHT OF WAY OF SW SWEETBREEZE DRIVE; THENCE S 13°27'38" W, ALONG SAID WEST RIGHT OF WAY, 30.81 FEET; THENCE S 24°46'56" W, ALONG SAID WEST RIGHT OF WAY, 221.11 FEET TO A POINT OF A CURVE; THENCE RUN SOUTHERLY ALONG SAID WEST RIGHT OF WAY ALONG THE ARC OF SAID CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 12°16'28", A CHORD BEARING AND DISTANCE OF S 31°02'07" W 42.76 FEET, AN ARC DISTANCE OF 42.85 FEET; THENCE S 37°04'14" W, ALONG SAID WEST RIGHT OF WAY, 442.87 FEET TO THE POINT OF BEGINNING.

Exhibit "B"

PART OF THE SW 1/4 OF THE NE 1/4, SECTION 33, TOWNSHIP 3 SOUTH, RANGE 16 EAST, COLUMBIA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 14, CYPRESS LAKE PHASE 3, A SUBDIVISION ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 80 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA; THENCE N 88°18'28" E, ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID CYPRESS LAKE PHASE 3 AND THE NORTH LINE OF THE SE 1/4 OF NW 1/4 OF SAID SECTION 33, 204.36 FEET; THENCE N 06°44'47" E, 192.79 FEET TO THE SOUTHERLY RIGHT OF WAY OF WEST U.S. HIGHWAY 90; THENCE S 59°25'30" E, ALONG SAID SOUTHERLY RIGHT OF WAY, 38.39 FEET TO A POINT OF A CURVE; THENCE RUN EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY ALONG THE ARC OF SAID CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 5799.80 FEET, A CENTRAL ANGLE OF 03°20'03", A CHORD BEARING AND DISTANCE OF S 81°04'26" E 337.44 FEET, AN ARC DISTANCE OF 337.49 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY ALONG SAID CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 5799.80 FEET, A CENTRAL ANGLE OF 02°28'04", A CHORD BEARING AND DISTANCE OF S 83°58'30" E 249.77 FEET, AN ARC DISTANCE OF 249.79 FEET TO A POINT OF TANGENCY; THENCE S 85°12'40" E, ALONG SAID SOUTHERLY RIGHT OF WAY, 161.85 FEET TO A POINT ON A CURVE; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 107°08'30", A CHORD BEARING AND DISTANCE OF S 28°21'30" W 80.46 FEET, AN ARC DISTANCE OF 93.50 FEET TO A POINT OF REVERSE CURVE; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 49°59'41", A CHORD BEARING AND DISTANCE OF S 00°12'55" E 16.90 FEET, AN ARC DISTANCE OF 17.45 FEET; THENCE S 24°48'56" W, 199.42 FEET TO A POINT OF A CURVE; THENCE RUN SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING AND DISTANCE OF S 69°48'56" W 28.28 FEET, AN ARC DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY; THENCE N 65°13'04" W, 393.69 FEET; THENCE N 24°46'56" E, 320.48 FEET TO THE POINT OF BEGINNING.

Exhibit "C"

LEGAL DESCRIPTION:

Lot #4 Cypress Lake Business Park as recorded in Plat Book #9, Pages #112 and #113 of the Public Records of Columbia County, Florida situated in Section 33, Township 3 South, Range 16 East of said County.

Together with the following described parcel: Part of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 33, Township 3 South, Range 16 East, Columbia County, Florida being more particularly described as follows: For POINT OF BEGINNING commence at the Southeast corner of Lot #4 Cypress Lake Business Park as recorded in Plat Book 9, Pages #112 and #113 of the Public Records of said County, thence run North 28 degrees 41 minutes 22 seconds East along the East line of said Lot #4 Cypress Lake Business Park a distance of 181.29 feet to the South right-of-way line of Northwest Prosperity Place and the Northeast corner of said Lot #4 Cypress Lake Business Park; thence run South 75 degrees 50 minutes 52 seconds East along said South right-of-way line a distance of 161.53 feet; thence run South 27 degrees 16 minutes 55 seconds West a distance of 207.54 feet; thence run North 66 degrees 23 minutes 28 seconds West a distance of 162.09 feet to the POINT OF BEGINNING.

Containing 1.41 Acres, More or Less