

Prepared by and Return to:  
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**AMENDMENT TO DECLARATIONS OF COVENANTS AND RESTRICTIONS,  
FOR DEEANN LAKEFRONT ESTATES – 55 AND OLDER COMMUNITY**

This Amendment is made the \_\_\_ day of \_\_\_\_\_, 2020 by DEEANN LAKEFRONT ESTATES HOMEOWNERS ASSOCIATION, INC., a non-profit Florida corporation (“ASSOCIATION”):

WHEREAS, DEEANN ESTATES, INC., a Florida corporation (“Deeann Estates”) imposed certain restrictions on real property it owned and developed in Highlands County, Florida as more fully described in Plat Book 15, Page 53 and Plat Book 15, Page 110, Public Records of Highlands County Florida;

WHEREAS, Deeann Estates recorded Declaration of Covenants and Restrictions for Deeann Lakefront Estates (“Declarations”) at O.R. Book 1090, Page 17, Public Records of Highlands County, Florida;

WHEREAS, Article XIV of the Declarations provides that they could be amended by 75% consent of all Unit Owners;

WHEREAS ASSOCIATION is the successor in interest to Florida National to their rights under the Declarations, in the public records of Highlands County, Florida;

WHEREAS ASSOCIATION desires to amend the Declarations with the consent of over 75% of the Unit Owners such that Deann Lakefront Estates to qualify as Housing for Older Persons under the Federal Fair Housing Act, the Florida Fair Housing Act, the Housing Act for Older Persons Act of 1995 (collectively “the Act”) and the regulations of the United States Department of Housing and Urban Development, as amended from time to time, and any other local, state and federal statutes and regulations pertaining to the Fair Housing Acts.

NOW this Amendment pursuant to the rights conferred in Article XIV and with the approval of at least 75% of the Unit the Declarations are hereby modified as follows:

ARTICLE XVV is hereby inserted:

ARTICLE XVV HOUSING FOR OLDER PERSONS-  
55 YEARS OF AGE OR OLDER COMMUNITY

1. Definitions:
  - a. "Older Person" shall mean persons fifty-five (55) years of age or older.
  - b. "Owner" shall mean and refer to one or more persons or entities who hold the record title to the Property, but excluding in all cases any party holding an interest merely as security for the performance of an obligation.
  - c. "Occupant" shall mean the person living within the Unit either continually or on a periodic basis throughout the year.
2. Use Restrictions and Restrictive Covenants:
  - a. Prohibition Against Minors. In no event shall any person under the age of eighteen (18) years of age reside within any Unit, except that persons under the age of eighteen (18) may be permitted to visit an occupant of a Unit for periods not to exceed thirty (30) days in the aggregate in any calendar year. Such temporary occupancy may be governed by the Rules and Regulations adopted by the Board of Directors for ASSOCIATION.
  - b. Community for Older Persons. At least eighty percent (80%) of the occupied Units shall be occupied by at least one (1) person who is fifty-five (55) years of age or older. The Association and Owners will operate Deeann Lakefront Estates as a community for Older Persons in compliance with the terms and provisions of Act.
3. Age Verification.
  - a. An owner intending to sell, convey, transfer or lease a Unit or any interest in a Unit shall give the Association advanced written notice of such intention. Notice must be received by the Association no more than fifteen (15) days prior to any sale, conveyance, transfer or lease of a Unit or any interest in the Unit. The notice shall include an application for residency by the prospective occupant confirming that at least one person 55 years of age or older will occupy the Unit.
  - b. Upon application for residency, any one or more of the following documents must be provided and are considered reliable documentation of age of the applicants: (i) Driver's license; (ii) Birth Certificate; (iii) Passport; (iv) Immigration Card; (v) Military Identification (vi) Any other state, national or international official documents which contain the date of birth of comparable reliability or (vii) any other certification, affidavit or other documentation that the Association deems reliable in compliance with the Federal Fair Housing Act and the Florida Fair Housing Act. Any one or more of the above may be

requested by the Association to verify age. No owner has the right to sell, convey transfer or lease a Unit or any interest in a Unit without obtaining approval by the Association.

- 4. Policies and Procedures. The Association may establish and maintain additional policies and procedures regarding compliance with the Housing for Older Persons including but not limited to annual surveys, applications for occupancy and advertising.

In WITNESS WHEREOF, DEEANN LAKEFRONT ESTATES HOMEOWNERS ASSOCIATION, INC., a Florida corporation, has caused this Amendment to be executed the day and year first written above.

DEEANN LAKEFRONT ESTATES  
HOMEOWNERS ASSOCIATION, INC.,  
A Florida corporation,

\_\_\_\_\_  
Witness Name: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Witness Name: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF HIGHLANDS

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_, as President of Deeann Lakefront Estates Homeowners Association, Inc, a Florida corporation on behalf of the corporation. He is personally known to me or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public

JOINDER CONSENT TO AMENDEDMENT OF DECLARATION OF RESTRICTIONS FOR DEEANN LAKEFRONT ESTATES – 55 AND OLDER COMMUNITY

The following Properties Owners within DEEANN LAKEFRONT ESTATES, hereby join and consent to the Amendment to the Declaration of Restrictions.

*Signed, sealed and delivered  
in the presence of:*

UNIT 501

Printed Name: \_\_\_\_\_

\_\_\_\_\_

Printed Name: \_\_\_\_\_

\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

THE FOREGOING instrument was acknowledged before me this \_\_ day of \_\_\_\_\_, 2020,  
by \_\_\_\_\_, ( ) who is  
personally known to me, or ( ) who produced  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public, State of Florida  
Commission Expires:  
Commission No:

(notarial seal)