

**THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:**

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STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 18.50

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR LIBERTY SQUARE**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR LIBERTY SQUARE ("First Amendment") is made and entered into this 4th day of February, 2016, by GBR PROPERTIES, INC., an Oklahoma for profit corporation, whose post office address is 3114 East 81st Street, Tulsa, OK 74137 (the "Declarant").

WITNESSETH

WHEREAS, Declarant is the Declarant under that certain Declaration of Covenants, Conditions, and Restrictions for Liberty Square recorded February 27, 2008 in Official Records Book 7563, Page 624, Public Records of Polk County, Florida ("Declaration"), as such rights assigned to Declarant by virtue of that certain Warranty Deed recorded October 29, 2010 in Official Records Books 8249, Page 32, Public Records of Polk County, Florida;

WHEREAS, Article 18.1 of the Declaration provides that the Declarant shall have, until the termination of the Class "B" Control Period, the authority to unilaterally amend the Declaration provided that such amendments does not materially adversely affect title to any Lot;

WHEREAS, the Declarant desires to amend the Declaration as more fully set forth below; and

WHEREAS, the amendment proposed herein does not materially adversely affect title to any Lot.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:

1. **Recitals.** The above-mentioned Recitals are hereby incorporated and made a part of this Amendment as if more fully set forth herein.

2. **Amendment.** The Declarant having authority to make such amendments, modifies the Declaration as follows (additions are indicated by underlining; deletions are indicated by ~~strikeouts~~):

a. Article 6.3(a) shall be amended as follows:

Class "A" Members shall have one equal vote for each Lot they own, except that there is only one vote per Lot. No vote shall be exercised for any such property which is exempt from assessment under Section 8.8.

~~In any situation where there is more than one Owner of a Lot, the vote for such may be exercised as the by either of the co-Owners determine among themselves and advise the Secretary of the Association in writing prior to the vote being taken. Absent such advice. Notwithstanding the foregoing, the Lot's vote shall be suspended if more than one Person seeks to exercise it.~~

3. Effect of this Amendment. Except as modified by, all other terms and provisions of the Declaration shall remain applicable, unchanged, and in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this First Amendment to Declaration of Covenants, Conditions, and Restrictions for Liberty Square to be executed as of the date set forth adjacent to its signature below.

WITNESSES

DECLARANT

GBR PROPERTIES, INC., an Oklahoma for-profit corporation

Jaime Perkins
Print Name: Jaime Perkins

Russell A. Richardson
Print Name: Russell A. Richardson
As-Its: CEO

Kathryn Barnett
Print Name: Kathryn Barnett

STATE OF Oklahoma)
COUNTY OF Wasa)

This instrument was acknowledged before me on this the 4th day of February, 2016 by Russell A. Richardson as Executive Vice President of GBR PROPERTIES, INC., an Oklahoma for profit corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.

My Commission Expires: 7/01/19

Jaime Perkins
Notary Public in and for the State of Oklahoma
Print Name: Jaime Perkins

