

CERTIFICATE OF AMENDMENT  
TO  
THE DECLARATION OF COVENANTS  
FOR  
FAIRFIELD AT BOCA

THIS CERTIFICATE OF AMENDMENT TO THE DECLARATION OF COVENANTS FOR FAIRFIELD AT BOCA is made this 8<sup>th</sup> day of October, 1992, by the President and Secretary, respectively, of FAIRFIELD AT BOCA ASSOCIATION, INC., a Florida not-for-profit corporation (the "Master Association").

W I T N E S S E T H :

WHEREAS, the DECLARATION OF COVENANTS FOR FAIRFIELD AT BOCA has been filed in Official Records Book 4758, Page 1304, and amendments thereto were recorded at Official Records Book 4980, Page 1731; Official Records Book 5224, Page 1503; Official Records Book 5611, Page 975; Official Records Book 6412, Page 309; and Official Records Book 7100, Page 1701, all of the foregoing being recorded in the Public Records of Palm Beach County, Florida (collectively, the "Declaration"); and

WHEREAS, Class B membership under the Declaration and the rights of Developer under the Declaration have terminated, pursuant to the terms of Article V of the Declaration; and

WHEREAS, the Master Association is the entity authorized to manage and operate the property submitted to the Declaration, pursuant to Article III thereof; and

WHEREAS, the attached Amendment to the Declaration has been properly enacted pursuant to Article VIII, Section 8.1 of the Declaration; and pursuant to the Articles of Incorporation of the Master Association (the "Articles of Incorporation"); and the Bylaws of the Master Association (the "Bylaws"); and

WHEREAS, it is not the intention of this Amendment to the Declaration to disturb the priority of any interest in any lands encumbered by the Declaration, or any interest subject to the management responsibilities of the Master Association, whether such interest is in the nature of ownership or in the nature of security for an obligation;

NOW, THEREFORE, the President and Secretary of the Master Association hereby certify the following:

1. The above recitations are true and correct, and are incorporated herein as if fully set forth below.
2. A meeting of the members called for the purpose of amending the Declaration was duly noticed and held on the 19<sup>th</sup> day

This instrument was prepared by  
and should be returned to:  
Larry Z. Glickman, Esquire  
SACHS & SAX, P.A.  
Post Office Box #810037  
Boca Raton, Florida 33481-0037

of September, 1992, in accordance with the Declaration and the Bylaws of the Master Association.

3. That at said meeting, the members of the Master Association affirmatively voted to adopt the following Amendment to the Declaration:

(a) Article I, Section 1.4 of the Declaration shall be, and it hereby is, amended to read in its entirety as follows:

Section 1.4 Members: Collectively, the Members herein as described in the Articles of Incorporation for the Master Association. In the event of any conflict between the rights and duties of Members, as described herein and as described in the Articles of Incorporation for the Master Association, this Declaration shall control.

(b) Article III, Section 3.1, General Purpose, of the Declaration shall be, and it hereby is, amended by adding the following new subclause (6) as follows:

. . . ; (6) providing for the dissemination of television and radio signals to the Owners by means of a satellite dish or cable television system, and the like; and (7)  
...

(c) Article III, Section 3.1, General Purpose, of the Declaration shall be, and it hereby is, amended by adding a new subsection 3.1.1 as follows:

3.1.1 In furtherance of the powers granted under this Section 3.1, and pursuant to the powers granted to the Master Association under Article IV of the Articles of Incorporation of the Master Association, the Master Association shall be the sole and exclusive agent of the Owners with respect to all matters concerning the Declaration of Covenants and Restrictions for Trails East recorded at Official Records Book 3155, Page 507 in the Public Records of Palm Beach County, Florida (the "Trails East Declaration"), including, but not limited to, representation of the Owners pursuant to the Articles of Incorporation and Bylaws of Trails East Property Owners' Association, Inc. ("Trails East"). In particular, the Master Association is empowered enter into any agreement on behalf of the Owners, including, but not limited to, amendments to any of the aforesaid documents. In addition, the Master Association is expressly granted the power to modify the assessment procedure pursuant to the Trails East Declaration, in order to provide a uniform method of assessment and collection procedure thereunder. The Master Association may enter into the settlement of any and all claims on behalf of all Owners with respect to claims now or hereafter existing between any Owners and the Trails East Association.

(d) Article III, Section 3.4 of the Declaration shall be, and it hereby is, amended to read in its entirety as follows:

Section 3.4 Date of Commencement of Annual Assessments: The annual Assessment for each Parcel shall begin upon the conveyance of an improved (as that term is defined in Article III, Section 3.7 below) Parcel to a Member. The first annual Assessment for each Parcel shall be made for the balance of the fiscal year of the Master Association. The first annual Assessment shall be due and payable in advance, in the installments and at the place established by the Master Association at the time of its conveyance.



This Section 4.3 is hereby deleted effective the date of the recordation of this Amendment in the Public Records of Palm Beach County, Florida.

(j) Article V, Section 5.1 of the Declaration shall be, and it hereby is, amended to read in its entirety as follows:

Section 5.1 Members. The Members shall be all Owners of Parcels.

(k) Article V, Sections 5.2 and 5.3; Article VI, Sections 6.1 and 6.2; and Article VII of the Declaration shall be, and they hereby are, amended by adding a sentence at the end of each such Section as follows:

[5.2] This Section 5.2 is hereby deleted effective the date of the recordation of this Amendment in the Public Records of Palm Beach County, Florida.

[5.3] In addition, Subassociations shall provide for the maintenance of streets, landscaping, and adequate insurance within the subdivision, and shall have assessment and lien powers therefor.

[6.1] This Section 6.1 is hereby deleted effective the date of the recordation of this Amendment in the Public Records of Palm Beach County, Florida.

[6.2] This Section 6.2 is hereby deleted effective the date of the recordation of this Amendment in the Public Records of Palm Beach County, Florida.

[Article VII] This Article VII is hereby deleted effective the date of the recordation of this Amendment in the Public Records of Palm Beach County, Florida.

(l) Article VIII, Section 8.1 of the Declaration shall be, and it hereby is, amended to read in its entirety as follows:

**ARTICLE VIII  
GENERAL PROVISIONS**

Section 8.1 Duration. The Covenants shall run with and bind the land subject to these Covenants and shall remain in effect, inure to the benefit of and be enforceable by the Association, the Members, the Owners or any of them, their respective legal representatives, heirs, successors and assigns for a term of 20 years. Thereafter, the covenants will be automatically extended for additional 20 year periods unless terminated by the Members as provided herein. The Covenants can be changed, modified, amended, altered or terminated only by a duly recorded written instrument executed by the President and Secretary of the Master Association upon affirmative vote of two-thirds (2/3) of the Members.

(m) Article VIII, Sections 8.5 and 8.6 of the Declaration shall be, and they hereby are, amended by adding a sentence at the end of each such Section as follows:

[8.5] This Section 8.5 is hereby deleted effective the date of the recordation of this Amendment in the Public Records of Palm Beach County, Florida.

[8.6] This Section 8.6 is hereby deleted effective the date of the recordation of this Amendment in the Public Records of Palm Beach County, Florida.

