

AMENDMENT OF DECLARATION OF RESTRICTION

WHEREAS, THE Declarant, INDIAN TRAIL VILLAS, INC., a Florida Corporation entered into a Declaration of Restrictions on June 10, 1981, and

WHEREAS, the Declarant, wishes to amend said Declaration of Restrictions pursuant to Article XIV, Section 3 in order to correct scrivener's errors and to clarify the ambiguities, and

NOW, THEREFORE, the Declarant hereby declares that said Declaration of Restrictions as filed on August 5, 1981 in O.R. Book 3574, Page 226 shall be amended as follows:

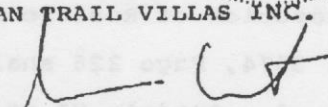
1. Article VI as to covenant for assessment, Section 6 relating to subordination of the liens of mortgages shall be amended to read as follows " Subordination of the Lien to Mortgages. The lien of the assessments provided for herein shall be subordinate to the lien of any bona fide first mortgage excluding purchase money mortgages to persons or entities other than Declarant. Sale or transfer of any Lot shall not affect the assessment lien. However in the event of a sale or transfer of any Lot pursuant to the foreclosure of such a first mortgage, or any proceeding in lieu thereof, such assessments which became due prior to such sale or transfer shall be deemed void unless the assessment is secured by a Notice of Lien recorded in the Public Records prior to the recording of the subject mortgage. In the event the mortgagee accepts a Deed in Lieu of foreclosure, then as regards said property in which the Deed is accepted in lieu of foreclosure, the assessment lien, whether recorded or unrecorded shall be deemed extinguished. Said lien shall further be extinguished in the event the mortgagee is required to foreclose with respect to said property. With regard to any other sale or transfer, same shall not relieve the new lot owner or the lot owner from liability for any assessment thereafter becoming due or from the lien thereof. Nothing herein contained shall be construed as releasing the party liable for such delinquent assessments from the payment thereof or the enforcement of collection by means other than foreclosure."

Alan H. Pinkwasser
ATTORNEY AT LAW
2145 N.E. 204th Street
North Miami Beach, Florida 33179

The aforementioned change is affectuated in order to clarify ambiguity and/or clear scrivener's errors and in all other respects the Declaration of Restrictions dated June 10, 1981 as recorded on August 5, 1981 in O.R. Book 3574, Page 226 of the Public Records of Palm Beach County, shall be affirmed.

In Witness Whereof, I have hereunto set my hand and seal this
29 day of August, 1983.

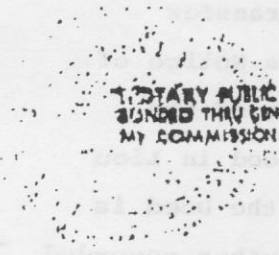
INDIAN TRAIL VILLAS INC.

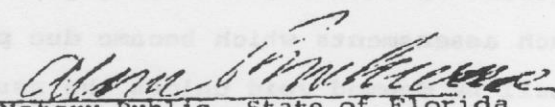
BY: 
WILLIAM KRAUT, PRESIDENT

STATE OF FLORIDA

COUNTY OF DADE

Before me the undersigned, personally appeared WILLIAM KRAUT, PRESIDENT of INDIAN TRAIL VILLAS INC., known to me to be the individual described herein and who executed said Amendment and acknowledged to me that he executed same *on August 29, 1983*


NOTARY PUBLIC STATE OF FLORIDA
BONDED THRU FIDELITY INSURANCE CO
MY COMMISSION EXPIRES JULY 21, 1985


Notary Public, State of Florida
At Large

My Commission Expires:

Prepared by: Alan Pinkwasser, Esq.
2145 N.E. 204th Street
North Miami Beach, Florida 33179
(305) 935-2400

RECORD VERIFIED
PALM BEACH COUNTY, FLA
JOHN B. DUNKLE
CLERK CIRCUIT COURT

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