

SECOND ADDITIONAL DECLARATIONS AND MODIFICATIONS
OF PROTECTIVE COVENANTS AND RESTRICTIONS

THIS SECOND ADDITIONAL DECLARATIONS AND MODIFICATIONS, made by WEAVER DEVELOPMENT CORPORATION, a Florida corporation, the owner of the property hereinafter referred to, and the Declarant herein,

W I T N E S S E T H;

WHEREAS, Declarant is presently the owner of the property described in Paragraph I hereof, and intends to subject said property to the protective covenants and restrictions hereinafter set forth, each and all of which is and are for the benefit of said property and of each present and future owner thereof or of any part thereof, and shall inure to the benefit of and pass with said property and each and every part thereof, and shall apply and bind every present and future owner of said property, or any part thereof, and their and each of their heirs, successors, legal representatives and assigns:

PARAGRAPH 1

PROPERTY SUBJECT TO THIS DECLARATION AND MODIFICATION

The real property which is and shall be held, transferred, sold, conveyed, used and occupied subject to the covenants and restrictions with respect to the various portions thereof set forth in the various paragraphs and subdivisions of this Second Additional Declaration and Modification, is located in the County of Palm Beach, State of Florida, and is more particularly described as follows:

Commencing at the Southwest Corner of Section 24, Township 45 South, Range 42 East, Palm Beach County, Florida, run (the West line of said Section 24 is assumed to bear North 00-00-00 East and all other bearings cited herein are relative thereto) North 00-00-00 East, along the said west line of Section 24 and along the centerline of MILITARY TRAIL (STATE ROAD 809), a distance of 1422.74 feet, more or less, to the intersection of OLD BOYNTON WEST ROAD, as said centerline is shown on the plat entitled CYPRESS CREEK GOLF COURSE, recorded in Plat Book 35 at Page 106, Public Records of Palm Beach County, Florida; thence North 90-00-00 East, along the just described centerline, a distance of 250.00 feet; thence North 00-00-00 East, a distance of 30.00 feet to a point in the old northerly right-of-way line of said OLD BOYNTON WEST ROAD, as same is shown on said CYPRESS CREEK GOLF COURSE; thence North 90-00-00 East, along said northerly right-of-way line, a distance of 1743.67 feet; thence North 00-04-19 West, continuing along the said northerly right-of-way line, a distance of 3.00 feet; thence North 89-56-30 East, continuing along the said northerly right-of-way line, a distance of 558.40 feet, more or less, to the intersection of the last described line with the centerline of CROSS CREEK DRIVE; thence North 00-04-05 West along said centerline, a distance of 709.98 feet to the Point of Curvature of a curve concave southwesterly having a radius of 176.13 feet; thence northwesterly along the arc of said curve through a central angle of 73-50-00, a distance of 226.97 feet to the Point of Tangency; thence North 73-54-05 west, a distance of 32.96 feet to the POINT OF BEGINNING; thence South 16-05-55 West, a distance of 20.00 feet to a point on the boundary of the said CYPRESS CREEK GOLF COURSE, said boundary being a curve concave northeasterly having a radius of 160.00 feet (a radial line passing through said point bears South 16-05-55 West); thence northwesterly along the arc of said curve and along said boundary through a central angle of 24-57-19, a distance of 69.69 feet; thence North 62-54-23 West, a distance of 208.59 feet; thence North 36-34-05 West, a distance of 165.00 feet, more or less, to a point on the southerly right-of-way line of the Lake Worth Drainage District Lateral No. 23; thence continue North 36-34-05 West, a distance of 69.66 feet to a point on the northerly right-of-way line of said Lateral No. 23; thence South 89-55-55 West, a distance of 357.31 feet to the Point of Curvature of a curve concave easterly having a radius of 108.93

feet; thence westerly, northerly and easterly along the arc of said curve through a central angle of 157-59-05, a distance of 300.36 feet to the Point of Tangency; thence North 67-55-00 East, a distance of 1026.71 feet; thence South 57-24-05 East, a distance of 96.64 feet; thence South 16-05-55 East, a distance of 564.96 feet, more or less, to a point on the said northerly right-of-way line of Lateral No. 23; thence continue South 16-05-55 West, a distance of 58.31 feet to a point on the said southerly right-of-way line of Lateral No. 23; thence continue South 16-05-55 West along said boundary (and departing therefrom), a distance of 251.75 feet to the POINT OF BEGINNING.

CONTAINING 11.166 acres, more or less.

SUBJECT to rights-of-way, easements, and/or reservations of record, if any.

*Cross Creek
(beyond Bucida)*

PARAGRAPH II

This Second Additional Declaration and Modification is supplemental to and is to be construed in pari materia with that Declaration of Protective Covenants and Restrictions Affecting the Real Property of Weaver Development Corporation, recorded on October 17, 1979, in Official Record Book 3156, at pages 1105 through 1132, of the public records of Palm Beach County, Florida.

PARAGRAPH III

In addition to those minimum standards and prohibited uses set forth in Paragraph IV of said Declaration recorded in Official Record Book 3156, at Page 1105, of the public records of Palm Beach County, Florida, the following additional minimum standards and prohibited uses shall be applicable to the single family residential lots contained in the above-described tract. Where any provision herein conflicts or is more restrictive than the Declaration recorded in Official Record Book 3156, at Page 1105, public records of Palm Beach County, Florida, this Second Additional Declaration and Modification shall supersede the former.

1. No single family residence shall be constructed with less than 2,500 square feet of living area under roof. Garages, screened areas and patios shall not be included in calculating the required area.

2. Each residence shall have a two-car garage.

3. No residence shall be constructed without meeting the required standards of grading to ensure proper drainage. Drainage standards shall be those set by the Palm Beach County Building Code and by the South Florida Water Management District. Additionally, grading shall be subject to approval by the Association and the Weaver Development Corporation.

4. Landscaping shall be subject to approval by the Association and the use of landscaping materials native to South Florida is encouraged.

5. Each residence shall have one (1) decorative lamp post at or near the curb line of the lot, with an operative electrical light bulb.

6. No motor vehicles may be parked on any lot other than on the driveway or in the garage, and no motor homes or trailers of any kind, including residential, boat, commercial or utility, may be parked on any lot for longer than 48 hours unless they are so screened by shrubbery or structures otherwise approved by the Restrictive Covenants so as to be out of view to all surrounding property owners, including the golf course.

PARAGRAPH IV

Paragraph XI(6.) as contained in the Declaration of Protective Covenants and Restrictions, recorded on October 17, 1979, in

Official Record Book 3156, at pages 1105 through 1132, of the public records of Palm Beach County, Florida, is modified as follows:

Front Set Back

- (a) 25 feet from the outer edge of any roadway easement.

Rear Set Back

- (c) If the lot abuts the golf course, then the rear set back shall be 20 feet from the property line of the golf course.
- (d) All lots not abutting the golf course or a canal, set back shall be 15 feet from the rear lot line.
- (e) Should a side of the parcel adjoin the golf course, then the side set back from the golf course property line shall be 20 feet.

IN WITNESS WHEREOF, WEAVER DEVELOPMENT CORPORATION, a Florida corporation, has executed this Second Additional Declaration and Modification under seal, this 9 day of November, 1987.

Signed, sealed and delivered in the presence of:

C. Stanley Weaver
Naitha Teresa Clynes

WEAVER DEVELOPMENT CORPORATION,
a Florida corporation

By: Melvin E. Weaver
Melvin E. Weaver
President

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF PALM BEACH

PERSONALLY APPEARED before me, the undersigned authority, duly authorized to administer oaths and take acknowledgments in the State of Florida, MELVIN E. WEAVER, as President of WEAVER DEVELOPMENT CORPORATION, a Florida corporation, to me well known and known to be the person described in and who executed the same freely and voluntarily under authority duly vested in him by said corporation for the purposes therein expressed, and that he affixed thereto the true corporate seal of said corporation.

WITNESS my hand and official seal, this 9 day of November, 1987.

Naitha Teresa Clynes
Notary Public