

This instrument prepared by:  
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01/09/2003 15:55:09 20030016141  
OR BK 14649 P6 0758  
Palm Beach County, Florida

**CERTIFICATE OF AMENDMENT  
TO THE DECLARATION OF RESTRICTIVE COVENANTS  
BOCA ISLES SOUTH**

I HEREBY CERTIFY that the amendments attached as Exhibit "A" to this Certificate were duly adopted as amendments to the Declaration of Restrictive Covenants Boca Isles South. The original Declaration of Restrictive Covenants Boca Isles South is recorded in Official Records Book 8343, at Page 44, in the Public Records of Palm Beach County, Florida.

DATED this 20<sup>th</sup> day of December, 2002.

WITNESSES:

**BOCA ISLES SOUTH PROPERTY OWNERS ASSOCIATION, INC.**

MARJORIE FORGIONE  
Signature  
MARJORIE FORGIONE  
Print Name  
FRANK PESCE  
Signature  
FRANK PESCE  
Print Name

By: Robert Wyman  
Robert Wyman, President  
By: Neil Cohen  
Neil Cohen, Secretary

STATE OF FLORIDA            )  
  ) ss:  
COUNTY OF PALM BEACH    )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of December 2002, by Robert Wyman, as President, and Neil Cohen, as Secretary, of Boca Isles South Property Owners Association, Inc., who are Personally Known  or Produced Identification .

Type of Identification Produced: \_\_\_\_\_

(SEAL)

Debra A. Roeser  
NOTARY PUBLIC, State of Florida  
At Large

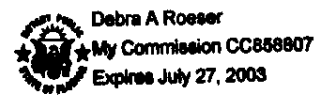


Exhibit "A"

AMENDMENTS TO THE  
DECLARATION OF RESTRICTIVE COVENANTS  
BOCA ISLES SOUTH

The original Declaration of Restrictive Covenants Boca Isles South is recorded in Official Records Book 8343, at Page 44, in the Public Records of Palm Beach County, Florida.

As indicated herein, words underlined are added and words ~~struck through~~ deleted.

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**ITEM 1:** Article XI, Section 1(b), Assessments, of The Declaration of Restrictive Covenants Boca Isles South, shall be deleted in its entirety, and shall read as follows:

**Section 1 (b):** The Association, subject to the conditions as stated herein below and as may be further set forth in the Association Bylaws, Article VII, Section 1(a), may levy ~~additional assessments for any purpose, including but not limited to any expenditures for Capital improvements for the common area, the Club Building and/or any and all existing Association capital asset improvements for reconstruction or replacing such improvements.~~

However, as a condition prior to the Association imposing any Special Assessment for new capital improvements as contemplated under this Article, the declaration and/or the Bylaws, and providing that the total of said contemplated Special Assessment amount shall exceed five percent (5%) of the total annual budget, excluding reserves, the Association shall be required to obtain the approval at a meeting or by written consent in lieu of a meeting, of not less than fifty-one percent (51%) of the votes of the members. The Association shall be required to notify all of its members of such proposed Special Assessment by US Mail and further post said notice not less than ten (10) days prior to the proposed special meeting and voting date, unless the approval is by written consent. The written and posted notice shall set forth therein the date, time and location of the special meeting and shall state in detail the full description and total cost of the proposed new capital improvement.

**"New Capital improvements"** is defined as being the construction of an improvement on the Association property, including the common areas where one had not previously existed or the construction of additional improvements of existing structures, such as the clubhouse and other structures located on common areas. New capital improvements shall not include the refurbishment and alteration of the interiors of any existing common area structure, or the maintenance, repair or replacement, of any portions of the Association property including the common areas.

No approval and/or vote of the membership shall be required for any portion of the operating costs designated for amortization of existing capital items, emergency repairs, budget including but not limited to

any other expenditures for capital improvements for such budget items and/or reserves which funds have been previously approved and for special assessments for capital improvements which do not exceed five percent (5%) of the total annual budget. Assessments pursuant to this paragraph and subject to the Association approval, can be payable in installments extending beyond the fiscal year in which the Assessment is approved.

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**ITEM 2:** The Declaration of Restrictive Covenants Boca Isles South, shall be amended by deleting all references to the terms "Lennar", "Developer", "Boca Isles South, Inc.", as well as the reference to any "classes of membership".

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NOT A CERTIFIED COPY