This Instrument Prepared by and PLEASE RETURN TO:

Michael J. Gelfand, Esq.
Gelfand & Arpe, P.A.
WILL CALL BOX 58
One Clearlake Centre, Suite 1010
250 South Australian Avenue
West Palm Beach, Florida 33401-5014

(561) 655-6224

## FOURTH CERTIFICATE OF AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LUCERNE LAKES

THE UNDERSIGNED of LUCERNE LAKES HOMEOWNERS' ASSOCIATION, INC. certifies that Article VIII, Section 18 entitled "Housing for Older Persons" of the Declaration of Covenants, Conditions and Restrictions of Lucerne Lakes ("Declaration"), recorded in Official Records Book 2733 at Page 0715 of the Public Records of Palm Beach County has been amended as follows (substantial rewording of Declaration, See Article VIII, Section 18 for present text):

Housing for Older Persons. The Property, Lots, and Units within the Lucerne Lakes development are designed and intended to be an adult community to provide housing for residents who are fifty-five years of age or older.

- (a) Except as provided below, no Unit shall at any time be permanently occupied unless one permanent occupant is fifty-five years of age or older.
- (b) The Board of Directors in its sole discretion shall have the right to provide a hardship exemption to individuals between the ages of eighteen and fifty-five to reside in the Lucerne Lakes development; however, the exemption shall not be permitted or permitted to continue when the exemption would result in more than fifteen percent of the Lucerne Lakes development not having in each Unit at least one resident fifty-five years of age or older. Exemptions shall be restricted to the following situations:
  - (1) An owner who obtained title to a Unit by inheritance or devise; or,
  - (2) Occupancy is by a surviving spouse, permanent partner, coother permanent Unit resident of an occupant who died as a resident of the Unit.

If the Association is unable to grant pending applications for exemptions because to do so would result in less than eighty percent of the Units having less than one resident fifty-five years of age or older, then applications shall be given priority in the following order:

- 1. A surviving spouse, permanent partner or permanent Unit resident occupying the Unit.
- 2. All others by the date of death of the occupant who died as a resident of the Unit.

This instrument contains the signatures of not less than seventy-five (75%) percent of the Association's members as set forth in composite Exhibit "A".

The Declaration affects real property located in Palm Beach County, Florida, including:

LUCERNE LAKES HOMES, VILLAGE I according to the Plat thereof recorded in Plat Book 33, Page 29 of the Public Records of Palm Beach County, Florida;

LUCERNE LAKES HOMES, VILLAGE I, First Addition, according to the Plat thereof in Plat Book 33, Page 31 of the Public Records of Palm Beach County, Florida;

LUCERNE LAKES HOMES, VILLAGE I, 2nd Addition, according to the Plat thereof as recorded in Plat Book 33, Page 107 of the Public Records of Palm Beach County, Florida;

LUCERNE LAKES HOMES VILLAGE I, 3rd Addition, according to the Plat thereof as recorded in Plat Book 33, Page 182 of the Public Records of Palm Beach County, Florida;

LUCERNE LAKES HOMES, VILLAGE I, 4th Addition, according to the Plat thereof as recorded in Plat Book 34, Page 151 of the Public Records of Palm Beach County, Florida;

LUCERNE LAKES HOMES, VILLAGE I, 5th Addition, according to the Plat thereof as recorded in Plat Book 34, Page 167 of the Public Records of Palm Beach County, Florida.

The Declaration has been amended by annexation of additional real property which annexation instruments include those recorded as follows in the Public Records of Palm Beach County, Florida: Official Records Book 2761 at Page 1224, Official Records Book 2875, Page 1369; and Official Records Book 2875 Page 1371.

Dated this 1st day of June, 1999. Witnessed-by: akes Homgowner's Association, Inc. By: 🖙 Stewart Norman, President VERA HORMAN. ernis, Secretary HERSLAAN FLORENCE STATE OF FLORIDA [CORPORATE SEAL] COUNTY OF PALM BEACH The foregoing instrument was acknowledged before me this 1st day of kuzz, 1999 by Stewart Norman and Florence Maris, the President and Secretary, respectively of Lucerne Lakes Homeowner's Association, Inches who are personally known to the or who have produced as identification and who did not take an oath. TERRY A. OSOWSKI MY COMBRISSION & CC 613646 EXPIRES: January 14, 2001

Terry A Osowski

My commission expires 1/14/2001

Notary Public, State of Florida

Serial Number:

F:\GG\01623AHD.4TE

Bonded Thru Notary Public Underwriters