

*Instrument Prepared By + Recorded + Return To:*  
RONALD L. FENNELL, LWC 99  
INDEPENDENCE REAL ESTATE, INC.  
4800 N. FERNWOOD BLVD., SUITE 200  
BOCA RATON, FL 33433

MAY-04-1994 12:57PM 94-156939  
ORR 8245 Pg 1778

AMENDMENT

TO

DECLARATION OF RESTRICTIONS AND PROTECTIVE COVENANTS

FOR LEXINGTON LAKES

This Amendment is made as of the 25<sup>th</sup> day of April, 1994 by Kennedy Properties, Ltd., a Florida Limited Partnership, hereinafter referred to as ("SUCCESSOR DECLARANT").

WHEREAS, the Declaration of Restrictions and Protective Covenants for Lexington Lakes was executed by the original Developer/Declarant LEXINGTON LAKES, INC., an Illinois corporation and was recorded on October 16, 1991 in O.R. Book 6989, Page 270 of the Public Records of Palm Beach County, Florida, and

WHEREAS, the following legally described real property is held, sold, conveyed, leased, mortgaged and otherwise dealt with subject to those easements, covenants, conditions, restrictions, reservations, liens and charges set forth in the above noted Declaration and any and all Amendments thereto:

LEGAL DESCRIPTION

All of LEXINGTON LAKES, according to the plat thereof, recorded in Plat Book 68, Page 17 of the Public Records of Palm Beach County, Florida.

WHEREAS, the Successor Declarant became the owner of the remaining lots in the Development by virtue of Warranty Deeds recorded in the Public Records of Palm Beach County, Florida, and

WHEREAS, when Successor Declarant purchased the above noted lots all of the rights, duties and obligations set forth in the Declaration of Restrictions and Protective Covenants were assigned to Successor Declarant Kennedy Properties, Ltd., a Florida Limited Partnership by Assignment recorded on January 15, 1993 in O.R. Book 7554 Page 1139 of the Public Records of Palm Beach County, Florida, and

WHEREAS, Successor Declarant desires to execute and record this Amendment to the Declaration pursuant to the provisions set forth in Article XII, Section 5.

NOW, THEREFORE, Successor Declarant herein Amends the Declaration as follows:

1. Article III, Section 2. Voting Rights the portion of which deals with Class B membership is hereby amended to entirely delete

(RIP)

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RECORD VERIFIED DOROTHY H WILKEN  
CLERK OF THE COURT - PB COUNTY, FL

the Class B sub-paragraphs contained in the originally recorded Declaration and replace it instead with the following Class B sub-paragraphs which will supersede the former Class B sub-paragraphs and be made a part of the Declaration:

1. The Class B Member shall be the Developer. The Class B Member shall be entitled to one vote for each Lot in which it holds the interest required for membership by Section 1; provided, however, that notwithstanding any provision to the contrary, the Developer shall have the right to elect the entire Board of Directors of the Association until:

On or before 90 days after the conveyance by successor Declarant of the last of the Dwelling Units to be constructed in the Development or such earlier date when Successor Declarant voluntarily relinquishes control of the Association.

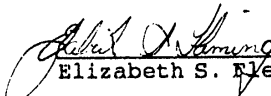
The Developer shall call a meeting, as provided in the Bylaws for Special Meetings, to provide for the turnover of control of the Board of Directors to the Owners at this time. The Developer shall have the right to appoint one member to the Board of Directors for so long as the Developer owns any portion of the Properties.

IN WITNESS WHEREOF, Successor Declarant has executed this Amendment on the date set forth above.

Signed and sealed  
in the presence of:

Kennedy Properties, Ltd., a Florida  
Limited Partnership

By: Kennedy Construction Group, Inc.  
a Florida corporation,  
General Partner

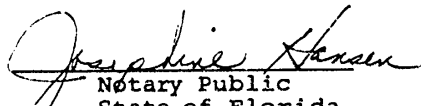
 (Seal)  
Elizabeth S. Fleming, President

STATE OF FLORIDA )  
COUNTY OF BROWARD ) SS:

The foregoing Amendment was acknowledged before me the 25TH day of April, 1994, by Elizabeth S. Fleming, President of Kennedy Construction Group, Inc., a Florida corporation, on behalf of the corporation, who is personally known to me and who did not take an oath.

My Commission expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES: MAY 11, 1995  
BONDED THRU NOTARY PUBLIC UNDERWRITER

  
Notary Public  
State of Florida  
Josephine Hansen