

Prepared by and Return to:

Larry T. Cortez, Esq.
Wyant-Cortez & Cortez, Chartered
840 US Highway One, Suite 345
North Palm Beach, FL 33408
(561) 627-0009

**CERTIFICATE OF FOURTH AMENDMENT TO THE
DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR
COOPER VILLAGE**

Cooper Village Homeowners Association, Inc., makes this Fourth Amendment to the *Declaration of Covenants, Restrictions and Easements for Cooper Village*, (“Amendment”):

WHEREAS Cooper Village Homeowners Association, Inc., is a Florida corporation not-for-profit, as filed with the Secretary of State on March 14, 2003, under document number N03000002287, and,

WHEREAS Cooper Village Homeowners Association, Inc. (“Cooper Village”), is a homeowners association as set forth in the *Declaration of Covenants, Restrictions and Easements for Cooper Village* as recorded under Clerk’s File Number 20060659458 and at **Official Record Book 21127, Page 0211**, *et seq.*, Public Records of Palm Beach County, Florida¹, (“Original Declaration”),

WHEREAS Cooper Village amended the Original Declaration by that certain *Amendment to Declaration of Covenants, Restrictions and Easements for Cooper Village* as recorded under Clerk’s File Number 20080153791 and at **Official Record Book 22594, Page 0465**, *et seq.* (“First Amendment”),

WHEREAS Cooper Village amended the Original Declaration by that certain *Second Amendment to Declaration of Covenants, Restrictions and Easements for Cooper Village* as recorded under Clerk’s File Number 20080344686 and at **Official Record Book 22863, Page 1677**, *et seq.* (“Second Amendment”),

¹ All references to Official Records in this Certificate’s recitals are references to the Public Records of Palm Beach County, Florida.

WHEREAS Cooper Village amended the Original Declaration by that certain *First Amendment to Declaration of Covenants, Restrictions and Easements for Cooper Village* as recorded under Clerk's File Number 20110116886 and at **Official Record Book 24446, Page 0231, et seq.** ("Third Amendment")²,

WHEREAS the real property subject to the Declaration is referred to as the Land or the Property and described as:

Cooper Way, Cooper Lane lying West of Fatio Boulevard, Lots 1722 through 1782, inclusive, Block 'Q', and Interior Drainage Easements Q-1, Q-2, Q-3, Q-4, and Q-5, as shown and described on the Plat of Olympia – Plat II, recorded in Plat Book 98, Pages 1 through 24, Public Records of Palm Beach County, Florida.

NOW THEREFORE, Cooper Village Homeowners Association, Inc., declares the Declaration, as a part thereof, is amended:

1. Recitals. The foregoing recitals are true and correct and are incorporated into and form a part of this Amendment.
2. Conflicts. If there is a conflict between the Original Declaration, the First Amendment, the Second Amendment, the Third Amendment, and this Fourth Amendment, this Fourth Amendment shall control. Wherever possible, the Original Declaration, the First Amendment, the Second Amendment, the Third Amendment, and this Fourth Amendment shall be construed as a single document. Except as modified herein, the Original Declaration, as previously amended, remain in full force and effect.
3. Definitions. All initially capitalized terms not defined in this Certificate shall have the meanings set forth in the Declaration, except that the term "Declaration" shall mean the Original Declaration, the First Amendment, the Second Amendment, the Third Amendment, and this Fourth Amendment.
4. Covenant. This Fourth Amendment shall be a covenant running with the Land.
5. Effective Date. This Amendment is effective as of the date of recordation as indicated by the stamp affixed, electronically or otherwise, to this Fourth Amendment by the Clerk of the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida.

² The Third Amendment is erroneously titled "*First Amendment...*" but is the third amendment to the Declaration.

6. Voting Results. This Amendment was approved by the Members at a Members' Meeting held February 4, 2021 and noticed to all of Members on December 7, 2020. The total:

a. Votes of the Association	61
b. Votes required to constitute a quorum:.....	7
c. Votes present in person or by proxy at the Members' Meeting:	18
d. Votes necessary to adopt the amendment:.....	14
e. Votes cast for this Amendment	16
f. Votes cast against this Amendment:.....	2

7. Twenty-Fourth Month Leasing Prohibition. Article 13 of the Declaration is amended to add to Article 13 an additional Section 13.03 which shall read:

13.03. Leasing Lot during the First Twenty-Four Months of Ownership of the Lot is Prohibited.

- (a) Notwithstanding any terms to the contrary in this Declaration, no Lot may be leased during the first twenty-four months of ownership of the Lot, measured from the date of the most recent voluntary deed, certificate of title, tax deed, sheriff's deed, judgment, order, or other instrument conveying an interest in title to the Lot or. In the event a Lot Owner acquires title to a Lot with a tenant in possession under a lease previously approved by the Association, the Lot shall not be leased again until the twenty-four-month anniversary of the expiration of the approved lease.
- (b) This § 13.03 (i) shall not apply to (1) transfers by gift, devise, or inheritance to a co-Owner of the Lot, or to a member of the Lot Owner's immediate family or (2) a Lot owned by the Association or Master Association, and (ii) shall be effective when recorded in the Public Records of Palm Beach County, Florida and shall apply to all transfers of any interest in a Lot occurring thereafter.
- (c) A Lot Owner's immediate family shall be defined as the Lot Owner's spouse, parents, siblings, children, grandchildren, or grandparents.
- (d) Any transfer or lease in violation of this § 13.03 shall be void.

NOW THEREFORE and IN WITNESS WHEREOF, Cooper Village Homeowners Association, Inc., by and through its president and attested to by its secretary, has hereunto set its hand and seal as of this 13 day of February 2021.

Signed, sealed, & delivered before:

Cooper Village Homeowners Association,
Inc.

Deborah A. Gold

Witness

Printed Name: Deborah A. Gold

By:

Bruce Gold

Bruce Gold, its President

Leslie DiStefano

Witness

Printed Name: Leslie DiStefano

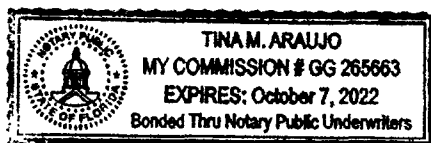
Attest:

Ram Hosmane

Ram Hosmane, its Secretary

STATE OF FLORIDA)
COUNTY OF PALM BEACH) ss:

The foregoing Certificate of Fourth Amendment, was acknowledged before me by means of [] online notarization or [☒] physical presence this 13 day of February 2021, by Bruce Gold and Ram Hosmane, the President and Secretary, respectively, of Cooper Village Homeowners Association, Inc., on behalf of the corporation, who [☒] are personally known or [] have produced _____ as identification.



Tina M. Araujo
Notary Public, State of Florida

Tina M. Araujo
Printed Name