

**THIS INSTRUMENT PREPARED BY:
AND TO BE RETURNED TO:**

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RECORDED

**AMENDMENT TO DECLARATION OF PROTECTIVE
COVENANTS OF LAKEFIELD WEST**

THIS AMENDMENT is made this 15th day of October, 1997 by LENNAR HOMES, INC., a Florida corporation ("Declarant").

RECITALS

A. Declarant is the "Declarant" under that certain **DECLARATION OF PROTECTIVE COVENANTS OF LAKEFIELD WEST** recorded August 1, 1989 in Official Records Book 6147, Page 1072 and re-recorded August 9, 1989 in Official Records Book 6155, Page 1852, each of the Public Records of Palm Beach County, Florida, as amended and supplemented from time to time and including the exhibits constituting the Articles of Incorporation and By-Laws of the "Association" named therein (collectively, the "Declaration").

B. Article XVIII of the Declaration provides that Declarant may modify the terms of the Declaration and/or add new terms thereto when required to do so by any applicable governmental authority.

C. Declarant is now compelled to add new terms of the Declaration in order for it to comply with the requirements of FHA/VA/HUD as they pertain to homeowners association documents such as the Declaration.

NOW, THEREFORE, for the aforesaid reason and by virtue of the aforesaid authority of Declarant, the following new Article is hereby added to the Declaration:

ARTICLE XXXIII

Overriding Covenants

Section 33.1 Preamble. As provided in Article XXIX of this Declaration, in the event of conflict between this Declaration and the Articles of Incorporation, By-Laws or Rules and Regulations of the Association, the terms and provisions of this Declaration shall control.

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Accordingly, notwithstanding anything else in this Declaration or any of the other aforesaid documents, the provisions of this Article XXXIII shall supersede and control over any conflicting provision therein.

Section 33.2 Common Areas and Other Assets. In the event that the Association is dissolved, the assets thereof (including Common Areas) will be conveyed to a public body or to a non-profit organization with purposes similar to those of the Association. Further, as long as the Declarant holds the three (3) votes per Parcel provided for herein and in the Association's By-Laws, the annexation of additional properties and/or dedication of Common Areas shall require the approval of Federal Housing Administration or Veteran's Administration to extent either of the same holds or insures a mortgage on a Parcel or owns a Parcel. Likewise, the Common Areas shall not be mortgaged or conveyed without the consent of at least two-thirds (2/3rds) of the Owners (excluding Declarant).

Section 33.3 Amendments. Notwithstanding Article XVII of this Declaration or the amendment provisions of the Articles of Incorporation or the By-Laws of the Association, no amendments to the Declaration or By-Laws shall be made without the vote of at least two-thirds (2/3rds) of the votes which may be cast by the Owners and the Federal Housing Administration and/or Veteran's Administration have the right to veto any amendments to the By-Laws to extent either of the same insures or holds a mortgage on a Parcel or owns a Parcel.

Section 33.4 Votes. The allocation of three (3) votes to each lot owned by Declarant shall cease and convert to an allocation of one (1) vote per Parcel upon the conveyance of seventy-five (75%) of the Parcels to persons other than Declarant or its successors or assigns.

IN WITNESS WHEREOF, Declarant has executed this Amendment as of the date and year first above written.

Signed, sealed and delivered
in the presence of:

WITNESSES:

LENNAR HOMES, INC., a Florida
corporation

X KAREN L. DRIVER
Print Name:

By: Michael Smolak
Print Name: Michael Smolak
Title: Vice President

X Karen L. Driver

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Print Name:

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DOROTHY H. WILKEN, CLERK PB COUNTY, FL

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

I hereby certify that a true and correct copy of the foregoing was acknowledged before me this 14 day of October, 1997 by Michael Smolark as _____ of Lennar Homes, Inc., a Florida corporation on behalf of the corporation. He/She ☐ has produced _____ as identification or ☒ is personally known to me. N/A

[NOTARY SEAL]

Sandi M Cooper
Notary Public, State of Florida



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