This document prepared by, and after recording return to:

Daniel A. Kaskel, Esq. Katz, Barron, Squitero & Faust, P.A. (100 N.E. 3rd Avenue, Suite 280 Fort Lauderdale, Florida 33301

### FIETH AMENDMENT TO DECLARATION OF CONDOMINIUM OF BOYNTON OASIS, A CONDOMINIUM

THIS FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM OF BOYNTON OASIS, A CONDOMINIUM ("Amendment") is dated this 30 day of November, 2000, by PARK LAKE BUILDERS, L.C., a Florida limited liability company (hereinafter referred to as the "Developer").

### RECITALS:

Developer has previously created and recorded that certain Declaration of A. Condominium of Boynton Oasis, a) ondominium, dated February 29, 2000, recorded March 8, 2000 in Official Records Book 11647 at Page 64, of the Public Records of Palm Beach County, Florida, as subsequently amended by (i) the First Amendment to Declaration of Condominium of Boynton Oasis, A Condominium, dated May 4, 2000, recorded on June 21, 2000, in Official Records Book 11852, at Page 614, of the Public Records of Palm Beach County, Florida, (ii) the Second Amendment to Declaration of Condeminium of Boynton Oasis, A Condominium, dated June 20, 2000, recorded on July 18, 2000, in Official Records Book 11899, at Page 711, of the Public Records of Palm Beach County, Florida, and (iii) the Third Amendment to Declaration of Condominium of Boynton Oasis, A Condominium, dated September 22, 2000, recorded on October 24, 2000, in Official Records Book 12093, at Page 662 of the Public Records of Palm Beach County, Florida, and (iv) the Fourth Amendment to Declaration of Condominium of Boynton Oasis, A Condominium, 2000, in Official Records Book dated October 13, 2000, recorded on \_\_\_, of the Public Records of Palmi Beach County, Florida (collectively, the at Page \_ "Declaration").

B. Developer has the right, pursuant to Section 7.02 of the Declaration, to amend the Declaration by its sole act.

C. It is necessary to further amend the Declaration pursuant to the terms of this Amendment.

NOW, THEREFORE, in consideration of the premises, covenants and provisions herein contained, Developer hereby amends the Declaration in the manner servorth below.

by reference.	1.	The reci	tals set forth	above a	re true and co	rrect and a	re incorporate	d herein
Graphic Descr of the Condon dated Novemb together with	ription of ninium ( per	f Improve the "Buil , 2000	ements, is he lding"), purs ), attached l	ereby and united to the second	he signed and s an amended	et the com sealed Cer Exhibit "I	pletion of Bui rtification of S 3" to the Dec	lding 12 Surveyor laration,
Declaration at otherwise be inconsistency the terms of the	sereviou deemed between his Amer	modifient the terminal transfer in the termina	nded, shali red, revoked as hereof an shall control	emain ar or term d those o	inated in any of the Declarat	full force a manner. ion, as pre	and effect and a Should there viously amend	shall not be any led, then
by the Associa					t has been sign written.	ned by the	Developer, an	d joined
Signed and ser presence of:	aled in t		3		LAKE BUIL			
<u> </u>	<del>*</del>			By:	PARK LAK limited liabi		, a Florida ny, as Membe	<b>:r</b>
Print Name	u 3	Ch ( c Beal		By:	Devry ieorge J. Core		esident (Corporate Seal)	
STATE OF FL			) ) ss: )					
GEORGE J. C	OREN a	s Vice Pr of PARK	esident, on b	chalf of	before me this PARK TAKE I	PCI, L.C., a	Florida limited	d liability
My Commission i	Expires: 4	4/ <i>5/</i> 00		ARY PU	OPFICE BRE NOTARY PVE	AL NOTARYS ENDA B LUECO LUC STATE OF SSION NO. CC ESSION ENP. A	FLORIDA 975271	Ī K
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### CONSENT OF MORTGAGEE

### KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, HARBOURTON FINANCIAL CORP. (hereinafter called the "Mortgagee"), is the owner and holder of that certain Mortgage Deed, Security Agreement and Assignment of Rents. Proceeds and Agreements ("Mortgage"), dated March 17, 1999, and recorded on March 23, 1999. in Official Records Book 11000, at Page 371, of the Public Records of Palm Beach County; and WHEREAS, the Mortgage encumbers all of the Property encumbered by that certain Declaration of Condominium of BOYNTON OASIS, A CONDOMINIUM, dated February 29, 2000, and recorded on March 8, 2000 in Official Records Book 11647, Page 64 of the Public Records of Palm Beach County, Florida, and as amended from time to time ("Declaration"). NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration received, the Mortgagee hereby consents to the Fifth Amendment to the Declaration (the "Fifth Amendment")> WITNESS, the execution hereof this 2 day of November, 2000, to be effective as of the date of recording this Fifth Amendment. Signed, sealed and delivered HARBOURTON FINANCIAL CORP. STATE OF VIRGINIA )ss: COUNTY OF FAIRFAX The foregoing instrument was acknowledged before me this 2 day of November, 2000. by JAMES M CLU-TI as Same HARBOURTON FINANCIAL CORP., on behalf of the corporation, and who is personally known to me or who has provided as identification Signature of Acknowledger Name typed, printed or stamped: Commission Number: Trust comme

(EXHIBIT "B")

SURVEY, PLOT PLAN

GRAPHIC DESCRIPTION OF IMPROVEMEN

FOR

BOYNTON OASIS, A CONDOMINIUM

LEGAL DESCRIPTION;

TRACT "B", BUILDING 12
PARK LAKE HOMES
PLAT BOOK 87, PAGE 50-51
PALM BEACH COUNTY, FLORIDA

**BUILDING 12** 

# EXHIBIT "B", TO THE DECLARATION OF CONDOMINIUM OF BOYNTON OASIS, A CONDOMINIUM

ERTIFICATION;

SET FOURTH IN SAID DECLARATION ARE SUBSTANTIALLY COMPLETE INCLUDING BUT NOT LIMITED IN LANDSCAPING, UTILITY SERVICES AND ACCESS DETERMINED FROM SAID MATERIALS, FURTHER ALL PLANNED IMPROVEMENTS COMMON ELEMENTS AND OF EACH UNIT (WITH THE CONDOMINIUM CAN BE IMPROVEMENTS, AND THE IDENTIFICATION, LOCATION AND DIMENSIONS OF THE AN ACCURATE REPRESENTATION OF THE LOCATION AND DIMENSIONS OF SAID DECLARATION OF CONDOMINIUM DESCRIBING THE CONDOMINIUM PROPERTY, ARE BOYNTON OASIS, A CONDOMINIUM, TOGETHER WITH THE PROVISIONS OF SAID COMPRISES THIS EXHIBIT "B", TO THE DECLARATION OF COMPONINTUM OF CONDOMINIUM, IS SUBSTANTIALLY COMPLETE SO THAT THE MATERIAL WHICH IMPROVEMENTS TO COMPRISE BUILDING NO. 12, FOR BOYNTON VASIS THE UNDERSIGNED SURVEYING FIRM CERTIFIES THAT THE CONSTRUCTION OF TO BUILDINGS, AND COMMON ELEMENTS FACILITY SERVING BUILDING NO. 12, AS

EICHÁRD L. SHEPHARD, AND ASSOCIATES, INC 219 S.E. 23 rd. AVENUE

BOYNTON BEACH, FLORIDA,3343

JOSEPHAL TUCKER

STATE OF PLORIDAS

BUILDING 12

# EXHIBIT "B", TO THE DECLARATION OF CONDOMINIUM OF BOYNTON OASIS, A CONDOMINIUM

LEGAL DESCRIPTION,

TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK #7. PAGE 50, THRU 51, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, PLORIDA. ALL OF THE PLAT OF "PARK LAKE HONES", AT INDIAN WELLS, A P.U.D., ACCORDING

SUBJECT TO EXISTING EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTION OF RECORD, IT AND

### EXHIBIT "B", TO THE DECLARATION OF CONDOMINIUM TO BOYNTON GASIS, A CONDOMINIUM

NOIES

- EMBOSSED SURVEYORS SEAL REPRODUCTION OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN
- OF WAY OF RECORD BY, ATTORNEY'S TITLE INSURANCE FUNDS POLICY NO. OMP-1695472 LANDS SHOWN HEREON WERE ABSTRACTED FOR EASEMENTS AND/OR-RIG
- FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND THE FLORIDA LAND 3. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE TITLE ASSOCIATION
- UNIT OR UNITS, AND/OR PARKING SPACES, ARE PART OF THE COMMON ELEMENTS, OR LIMITED COMMON ELEMENTS, AS SHOWN ALL LAND AND ALL PORTIONS OF CONDOMINIUM PROPERTY NOT WITHIN ANY
- INSTRUMENTS OF RECORD LEGAL DESCRIPTION ATTACHED HERETO IS IN A ACCORDANCE WITH THE
- PLANS, SUPPLEMENTED BY SUCH FIELD SURVEYS AND MEASUREMENTS AS DEEMED NECESSARY AN IS COMPILED FROM PLANS AND DATA FURNISHED BY PARK LAKE DE, A FLORIDA LIMITED LIBILITY COMPANY, ARCHITECTURAL FLOOR





