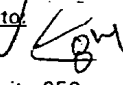


RECORD AND RETURN TO:
THIS INSTRUMENT PREPARED BY:

Eric A. Simon, Esquire
9050 Pines Blvd., Suite 250
Pembroke Pines, Florida 33024

Record and Return to:
Eric A. Simon, P.A. 
Attn: Jennifer
9050 Pines Blvd, Suite 250
Pembroke Pines, Florida 33024
W/C Tri-County (Pick-up)

OCT-28-1997 2:25PM 97-385535
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AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS
OF

BRITTANY LAKES AT ABERDEEN

The undersigned, being the "DECLARANT" pursuant to the Declaration of Covenants and Restrictions of Brittany Lakes at Aberdeen (the "DECLARATION"), recorded in Official Records Book 8114, at Page 615, of the Public Records of Palm Beach County, Florida, hereby amends the DECLARATION by adding thereto an new Section 6.31, as follows:

6.31 Age Restriction - Minors.

6.31.1 Required Occupancy - One Occupant 55 Years of Age or Older.

Unless the ASSOCIATION agrees to the contrary in writing, each occupied UNIT is required to be occupied by at least one person who is 55 years of age or older. It is the intent of this requirement to comply with the exemption to the Fair Housing Act contained in Florida Statutes, Section 760.29(4) so that minors may be excluded as permanent residents of the UNITS. In connection therewith, the ASSOCIATION shall not grant permission for any UNIT not to be occupied by at least one person who is 55 years of age or older if (i) such occupancy would result in less than 80% of the occupied UNITS in the SUBJECT PROPERTY having at least one occupant who is less than 55 years of age or older, or (ii) such occupancy would otherwise result in the SUBJECT PROPERTY not being exempt from the provisions of the Fair Housing Act. In addition, the ASSOCIATION shall comply with any rules made by the Secretary of the United States Department of Housing and Urban Development pursuant to 24 C.F.R. part 100 for verification of occupancy, as required by Florida Statutes, Section 760.29(4)(b)3, and any other federal or state requirements in order for the SUBJECT PROPERTY to be able to exclude minors as residents of the SUBJECT PROPERTY.

6.31.2 No person nineteen years of age or younger shall reside in any UNIT except for a period of not to exceed a total of 60 days per calendar year.

6.31.3 It is acknowledged that as a result of the forgoing exclusion of persons of nineteen years of age or younger as permanent residents of the UNITS, DEVELOPER may be exempted from the payment of educational impact fees otherwise payable to Palm Beach County. If DEVELOPER is exempted from the payment of such fees, Palm Beach County may require such impact fees to be paid upon a violation of the provisions of this section by the ASSOCIATION or by any OWNER or occupant of a UNIT. In the event such impact fees are required to be paid as a result of such violation, DECLARANT shall have no liability in connection therewith. Furthermore, if as a result of any violation of or failure to enforce the provisions of this section by the ASSOCIATION or any OWNER, DECLARANT is required to pay any educational impact fees to Palm Beach County, the ASSOCIATION and the OWNER of any UNIT violating the provisions of this section shall be required to reimburse DECLARANT for such payment within 10 days after written demand by DECLARANT, and if they do not then they shall pay DECLARANT interest on such amount owed DECLARANT at the highest rate permitted by law, plus any costs or attorney's fees incurred by DECLARANT in collecting such sums.

ORF 10055 Pg 1082

DOROTHY H. WILKEN, CLERK PB COUNTY, FL

This Amendment is made by DECLARANT pursuant to the authority granted the DECLARANT to amend the DECLARATION contained in Paragraph 11.1 of the DECLARATION.

WITNESSES:

[Signature]

(1) Witness Signature

DOROTHY H. WILKEN

Type or Print Witness Name

[Signature]

(2) Witness Signature

ERIC A. SIMON

Type or Print Witness Name

TRANSEASTERN ABERDEEN PROPERTIES,
INC., a Florida corporation

By: [Signature]

VICE-PRESIDENT

(Title of Person Signing)

RONALD L. YUTER

(Type/Print Name of Person Signing)

STATE OF FLORIDA

SS:

COUNTY OF

The foregoing instrument was acknowledged before me this 17 day of OCTOBER, 1997, by Ronald L. Yuter, as VICE PRESIDENT of TRANSEASTERN ABERDEEN PROPERTIES, INC., a Florida corporation, on behalf of the corporation. He/she is personally known to me or has produced _____ as identification.

[Signature]
Notary Public, State of Florida at Large

My commission expires:

