

AMENDMENT  
TO THE  
DECLARATION OF RESTRICTIONS  
AND PROTECTIVE COVENANTS  
FOR LEXINGTON ESTATES

WHEREAS, the Declaration of Restrictions and Protective Covenants for Lexington Estates recorded in O. R. Book 6824, Page 1507 of the Public Records of Palm Beach County, Florida states in part in Article V Section 11 that the lien for maintenance assessments shall be subordinate to the lien of the first mortgage of an Institutional Lender, and

WHEREAS, Ohio Savings Bank holds a second mortgage on certain real property subject to said Declaration which real property is legally described on Exhibit "A" attached hereto and made a part hereof, and which second mortgage is recorded on January 15, 1993, in O. R. Book 7554 Page 1361 of the Public Records of Palm Beach County, Florida, in the original principal sum of \$2,000,000.00, and

WHEREAS, Ohio Savings Bank desires to have the lien of its second mortgage hereinabove described be superior to the lien rights for maintenance assessments in favor of the Lexington Homes Estates Homeowners' Association, Inc. and the Association has consented to same.

NOW, THEREFORE, Article V Section 11 of the Declaration of Restrictions is hereby amended by the following provision being added thereto:

The lien for assessments, including interest, late charges and cost provided for herein shall also be subordinate to that certain second mortgage in favor of Ohio Savings Bank recorded on January 15, 1993 in O. R. Book 7554, Page 1361 of the Public Records of Palm Beach County, Florida. The sale or transfer of any Lot or parcel pursuant to judicial or non judicial foreclosure of a first mortgage or the aforesaid second mortgage shall extinguish the lien of such Assessments as to payments which became due prior to such sale or transfer. Where the Institutional Lender of a first mortgage of record and/or the holder of the aforesaid second mortgage or other purchaser of such a Lot obtains title, its successors and assigns shall not be liable for the Assessments chargeable to such Lot which became due prior to the acquisition of title to such Lot by such acquirer. Any and all rights and benefits accruing to first mortgage Institutional Lenders shall accrue to the holder of the aforesaid second mortgage only as it pertains to the aforesaid recorded mortgage.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed in its name.

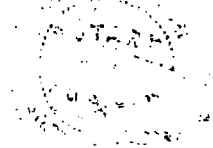
Signed, sealed and delivered in the presence of:

Lexington Homes Estates Homeowners' Association, Inc.

*Josephine Hansen*  
JOSEPHINE HANSEN  
*Zola Bower*  
ZOLA BOWER

By: *Timothy R. Kelly*  
TIMOTHY R. KELLY, PRES.

The foregoing instrument was acknowledged before me this 19th day of January, 1993, by Timothy R. Kelly, President of Lexington Homes Estates Homeowners' Association, Inc., a Florida not for profit corporation, who is personally known to me and who did not take an oath.



*Josephine Hansen*  
Notary Public  
JOSEPHINE HANSEN

RETURNED TO & PREPARED BY: W.K.E.I.  
RONALD L. PLATT, ESQ.  
INDEPENDENCE TITLE OF BOCA RATON, INC.  
4800 N. FEDERAL HWY., SUITE 104D  
BOCA RATON, FLORIDA 33431

RUP. K...

ORB 7575 Pg 842

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

EXHIBIT A

(Legal Description)

Lots 12 through 14, inclusive, Lots 68 through 88, inclusive, Lots 91 through 100 inclusive, Lots 110, 111, 123, 182, 184, 185, Lots 191 through 205 inclusive, Tracts A and C through G, LEXINGTON HOMES ESTATES, P.R.D., according to the plat thereof, recorded in Plat Book 65, Page 78, Public Records of Palm Beach County, Florida.

RECORDER'S MEMO: Legibility  
of Writing, Typing or Printing  
unsatisfactory in this document  
when received.