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ORR 8245 Pg 1775
1

Property Appraisers Parcel Identification (Folio) Number(s):

Instrument Prepared By + Record + Return To

RONALD L. BROWN, W/C
INDEPENDENCE BLDG.
4800 N. FEDERAL AVE.
BOCA RATON, FLORIDA 33431

AMENDMENT

TO

DECLARATION OF RESTRICTIONS AND PROTECTIVE COVENANTS
FOR LEXINGTON HOMES ESTATES

This Amendment is made as of the 25th day of April, 1994 by Kennedy Properties, Ltd., a Florida Limited Partnership, hereinafter referred to as ("SUCCESSOR DECLARANT").

WHEREAS, the Declaration of Restrictions and Protective Covenants for Lexington Homes Estates was executed by the original Developer/Declarant LEXINGTON HOMES ESTATES, INC., an Illinois corporation and was recorded on May 16, 1991 in O.R. Book 6824, Page 1507 of the Public Records of Palm Beach County, Florida, and

WHEREAS, the following legally described real property is held, sold, conveyed, leased, mortgaged and otherwise dealt with subject to those easements, covenants, conditions, restrictions, reservations, liens and charges set forth in the above noted Declaration and any and all Amendments thereto:

LEGAL DESCRIPTION

All of LEXINGTON HOMES ESTATES, P.R.D., according to the plat thereof, recorded in Plat Book 65, Page 78 of the Public Records of Palm Beach County, Florida.

WHEREAS, the Successor Declarant became the owner of the remaining lots in the Development by virtue of Warranty Deeds recorded in the Public Records of Palm Beach County, Florida, and

WHEREAS, when Successor Declarant purchased the above noted lots all of the rights, duties and obligations set forth in the Declaration of Restrictions and Protective Covenants were assigned to Successor Declarant Kennedy Properties, Ltd., a Florida Limited Partnership by Assignment recorded on January 22, 1993 in O.R. Book 7561 Page 906 of the Public Records of Palm Beach County, Florida, and

WHEREAS, Successor Declarant desires to execute and record this Amendment to the Declaration pursuant to the provisions set forth in Article XII, Section 5.

NOW, THEREFORE, Successor Declarant herein Amends the Declaration as follows:

1. Article III, Section 2. Voting Rights the portion of which deals with Class B membership is hereby amended to entirely delete the Class B sub-paragraphs contained in the originally recorded Declaration and replace it instead with the following Class B sub-

(RL)

paragraphs which will supersede the former Class B sub-paragraphs and be made a part of the Declaration:

1. The Class B Member shall be the Developer. The Class B Member shall be entitled to one vote for each Lot in which it holds the interest required for membership by Section 1; provided, however, that notwithstanding any provision to the contrary, the Developer shall have the right to elect the entire Board of Directors of the Association until:

On or before 90 days after the conveyance by successor Declarant of the last of the Dwelling Units to be constructed in the Development or such earlier date when Successor Declarant voluntarily relinquishes control of the Association.

The Developer shall call a meeting, as provided in the Bylaws for Special Meetings, to provide for the turnover of control of the Board of Directors to the Owners at this time. The Developer shall have the right to appoint one member to the Board of Directors for so long as the Developer owns any portion of the Properties.

2. Article III, Section 7, entitled Lot Maintenance, is hereby amended to entirely delete the paragraph contained in the originally recorded Declaration and replace it instead with the following paragraph which will supersede the former paragraph and be made a part of the Declaration:

Section 7. Lot Maintenance. The Association shall be responsible for maintaining the front yard, back yard, and side yards of each residence constructed on each Lot. The Association's maintenance responsibility shall include but not be limited to, care of all lawns, landscaping (inclusive of hedge and shrub trimming), irrigation pumps and sprinkler systems.

IN WITNESS WHEREOF, Successor Declarant has executed this Amendment on the date set forth above.

Signed and sealed
in the presence of:

Josephine Hansen
Josephine Hansen

Kennedy Properties, Ltd., a Florida
Limited Partnership

By: Kennedy Construction Group, Inc.
a Florida corporation,
General Partner

Elizabeth S. Fleming (Seal)
Elizabeth S. Fleming, President

RECORDER'S MEMO: Legibility
of Writing, Typing or Printing
unsatisfactory in this document
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RECORD VERIFIED DOROTHY H WILKEN
CLERK OF THE COURT - PB COUNTY, FL

Property Appraisers Parcel Identification (Folio) Number(s):

STATE OF FLORIDA)
) ss:
COUNTY OF BROWARD)

The foregoing Amendment was acknowledged before me the 25TH
day of APRIL, 1994, by Elizabeth S. Fleming, President of Kennedy
Construction Group, Inc., a Florida corporation, on behalf of the
corporation, who is personally known to me and who did not take an
oath.

Josephine Hansen
Notary Public
State of Florida
Josephine Hansen

My Commission expires:

NOT. BY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: May 11, 1998.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.