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FEB-28-1991 10:17am 91-054541

ORB 6741 Pg 1256

SECOND  
AMENDMENT TO DECLARATION OF  
RESTRICTIONS AND PROTECTIVE COVENANTS  
FOR  
SHADY LAKES

THIS AMENDMENT TO DECLARATION is made this 26th day of February, 1991, by the SHADY LAKES HOMEOWNERS' ASSOCIATION, INC., (the "Association"), a non-profit corporation organized and existing under the laws of the State of Florida, to amend the Declaration of Restrictions and Protective Covenants for Shady Lakes which was recorded in Official Record Book 3630, at page 893, of the Public Records of Palm Beach County, Florida.

WHEREAS, the Association is desirous of amending the Declaration of Restrictions and Protective Covenants for Shady Lakes as is set forth hereinbelow.

NOW THEREFORE, in consideration of the mutual promises herein set forth, the Association covenants and agrees as follows:

1. That the Declaration of Restrictions and Protective Covenants for Shady Lakes is hereby amended pursuant to Article VIII, Section 5 of said Declaration, which shall be considered covenants running with the land and shall be binding on all parties having any right, title or interest

in said real property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

2. That Article VIII, Section 3 shall be amended by adding the following as paragraph (d), to wit:

Section 3 - Enforcement

- (d) Should an Owner fail to comply with any provision of these covenants and restrictions, the Board of Directors shall have, in addition to the rights outlined in paragraph (a) of this Section 3 the following rights:
- (i) Upon notice by the Board of Directors that an Owner is in violation of any Article of this Declaration, the Board of Directors shall notify the Owner in writing that the Owner shall have a period of ten (10) days in which to cure the violation. If the Owner has not complied within said time, the Board of Directors shall have the right to levy an assessment on the violating Owner for each day in which the Owner permits the violation to continue.
- (ii) If the daily assessment accrues for a period of thirty (30) days, and the Owner has not paid said assessment, then the assessment shall commence bearing interest at the rate of eighteen percent (18%) per annum, and the Association may bring an action at law, or in equity, against the Owner personally obligated to pay the same or may record a claim of lien against the property on which the assessment is unpaid, or may foreclose the lien against the

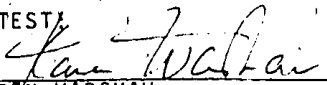
property on which the assessment is unpaid, in like manner as a foreclosure of a mortgage on real property, or pursue one or more of such remedies at the same time or successively, and there shall be added to the amount of such assessment, attorneys' fees and costs of preparing and filing the claim of lien and the complaint in such action, and in the event a judgment is obtained, such judgment shall include interest on the fine as above provided and a reasonable attorney's fee together with the costs of the action, and the Association shall be entitled to attorney's fees in connection with any appeal of any such action. It shall be the legal duty and responsibility of the Association to enforce payment of the assessments levied hereunder.

Executed as of the date first above written.

SHADY LAKE HOMEOWNERS'  
ASSOCIATION, INC., a  
Florida Corporation

By:   
GERALD B. PUMPHREY  
President

ATTEST:

  
KAREN WARSHAW  
Secretary

(SEAL)

ORB 6741 Pg 1259

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared GERALD R. PUMPHREY, to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed same.

WITNESS my hand and official seal in the County and State last aforesaid this 24th day of February, 1991.

*Sharon May*  
NOTARY PUBLIC  
My Commission Expires:

(SEAL)



SHARON MAY  
MY COMMISSION EXPIRES  
July 22, 1993  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared KAREN WARSHAW, to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed same.

WITNESS my hand and official seal in the County and State last aforesaid this 24 day of February, 1991.

*Gerald R. Pumphrey*  
NOTARY PUBLIC  
My Commission Expires:

(SEAL)



GERALD R. PUMPHREY  
MY COMMISSION EXPIRES  
January 19, 1995  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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