

This instrument prepared by
and when recorded return to:

Daniel M. Mackler, Esq.
Gunster, Yoakley & Stewart, P.A.
777 South Flagler Drive
Suite 500 East
West Palm Beach, Florida 33401

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**FIRST AMENDMENT TO DECLARATION
FOR AVENIR WEST RECREATION CENTER**

THIS FIRST AMENDMENT TO DECLARATION FOR AVENIR WEST RECREATION CENTER ("**First Amendment**") is made and executed this 3rd day of April, 2023 by AVENIR DEVELOPMENT, LLC, a Florida limited liability company (the "**Declarant**").

RECITALS:

A. Declarant recorded that certain Declaration for Avenir West Recreation Center on December 9, 2022 in Official Records Book 34007, Page 768, of the Public Records of Palm Beach County, Florida (collectively, the "**Declaration**").

B. Pursuant to Section 12.8.1 of the Declaration, until the Turnover Date (as defined in the Declaration), which has not yet occurred, Declarant has the right to unilaterally amend the Declaration.

C. Declarant wishes to amend the Declaration to add the property described in Exhibit "A" attached hereto and made a part hereof (the "**Additional Property**") and to subject the Additional Property to all terms and provisions of the Declaration.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant does hereby amend the Declaration as follows:

1. **Recitals; Definitions.** The above recitals are true and correct and are incorporated herein by this reference. Unless otherwise defined, capitalized terms used above or herein shall have the meanings ascribed to them in the Declaration.

2. **Additional Property.** Declarant hereby subjects the Additional Property to all covenants, conditions, and restrictions contained in the Declaration, which shall hereafter constitute a covenant running with the land constituting the Additional Property. From and after the date of the recording of this Amendment, Avenir shall include both (i) the real property described in Exhibit "A" to the Declaration, and (ii) the Additional Property.

3. **Ratification; Effective Date.** Except as modified or amended by this Fourth Amendment, the terms and provisions of the Declaration are hereby ratified and confirmed.

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3. **Ratification; Effective Date.** Except as modified or amended by this Fourth Amendment, the terms and provisions of the Declaration are hereby ratified and confirmed.

[Signature Page to First Amendment to Declaration for Avenir West Recreation Center]

IN WITNESS WHEREOF, the undersigned has caused this Fourth Amendment to be executed on the day and year first above written.

WITNESSES:

AVENIR DEVELOPMENT, LLC, a Florida limited liability company

Print
Name:

Michelle Ray
Michelle Ray

By:

Manuel M. Mato

Name: Manuel M. Mato
Title: President

Print
Name:

Clara R. Diaz
CLARA R. DIAZ

STATE OF FLORIDA)
) ss.
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22 day of March, 2023, by Manuel M. Mato, President of AVENIR DEVELOPMENT, LLC, a Florida limited liability company, on behalf of the company, who:

☒ is personally known to me or

☐ has produced _____ as identification.

Clara R. Diaz
Notary Public - State of Florida

Notary Seal:

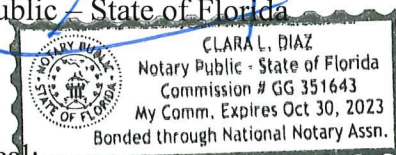


EXHIBIT "A"

Legal Description

Lots 1 through 144, inclusive, of the Plat of Avenir – POD 20, according to the plat thereof, as recorded in Plat Book 135, Page 113, of the Public Records of Palm Beach County, Florida.