

This instrument prepared by
and when recorded return to:

Tyrone T. Bongard, 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

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

THIS SECOND AMENDMENT TO DECLARATION FOR AVENIR WEST RECREATION CENTER ("**First Amendment**") is made and executed this 6th day of December, 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, as amended by First Amendment to Declaration for Avenir West Recreation Center recorded April 6, 2023 in Official Records Book 34224, Page 1666, both 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 Second Amendment, the terms and provisions of the Declaration are hereby ratified and confirmed.

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

WITNESSES:

AVENIR DEVELOPMENT, LLC, a Florida
limited liability company

Michele Ray
Print
Name: Michele Ray

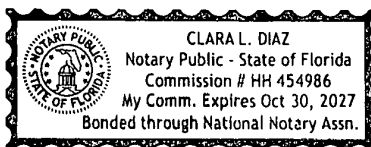
By: Manuel M. Mato
Name: Manuel M. Mato
Title: President

Clara L. Diaz
Print
Name: Clara L. 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 18th day of December 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 L. Diaz
Notary Public – State of Florida

Notary Seal: _____

EXHIBIT "A"

Legal Description

Lots 1 through 104, inclusive, of the Plat of AVENIR – POD 18, according to the plat thereof, as recorded in Plat Book 136, Page 184, of the Public Records of Palm Beach County, Florida.

NOT A CERTIFIED COPY