

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

**THIRD AMENDMENT AND SUPPLEMENTAL DECLARATION
TO MASTER DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR AVENIR**

THIS THIRD AMENDMENT AND SUPPLEMENTAL DECLARATION TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AVENIR ("Third Amendment") is made and executed this 29 day of October, 2021 by **AVENIR DEVELOPMENT, LLC**, a Florida limited liability company (the "**Declarant**").

RECITALS:

A. Declarant recorded that certain Master Declaration of Covenants, Conditions and Restrictions for Avenir on May 14, 2018 in Official Records Book 29849, Page 1173, as modified by that certain Partial Release of Master Declaration of Covenants, Conditions and Restrictions for Avenir recorded on September 14, 2018 in Official Records Book 30121, Page 1982, and as amended by First Amendment to Master Declaration of Covenants, Conditions and Restrictions for Avenir recorded on September 26, 2018 in Official Records Book 30146, Page 475, and Second Amendment to Master Declaration of Covenants, Conditions and Restrictions for Avenir recorded October 5, 2018 in Official Records Book 30168, Page 1968, all of the Public Records of Palm Beach County, Florida (collectively, the "**Declaration**").

B. Pursuant to Section 18.1 of the Declaration, during the Class "B" Control Period (as defined in the Declaration) Declarant has the right to unilaterally amend the Declaration, and the Class "B" Control Period has not yet expired.

C. Avenir Holdings, LLC, a Florida limited liability company, is the owner of that certain property in Palm Beach County, Florida described in Exhibit "A" attached hereto and by reference, made a part hereof (the "**Additional Property**") and wishes to add the Additional Property to the jurisdiction of the Declaration.

D. Declarant wishes to amend the Declaration as provided herein 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 Third Amendment, the terms and provisions of the Declaration are hereby ratified and confirmed.

[SIGNATURE PAGES FOLLOW]

[Signature Page to Third Amendment to Master Declaration]

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

In the Presence of:

AVENIR DEVELOPMENT, LLC, a
Florida limited liability company

Print Name: Dayana Cruz

By: Rosa E. Schenker

Name: Rosa E. Schenker

Title: Vice President

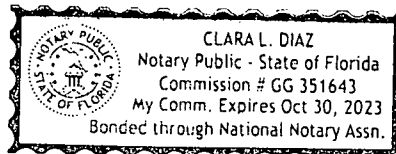
Print Name: Clara L. Diaz

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

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 27 day of October, 2021, by Rosa E. Schenker, as VP of AVENIR DEVELOPMENT, LLC, a Florida limited liability company. The above-named individual is ☒ personally known to me or ☐ has produced _____ as identification.

[NOTARIAL SEAL]

Notary: Clara L. Diaz
Print Name: _____
Notary Public, State of Florida
My commission expires: _____



CONSENT AND JOINDER

Avenir Holdings, LLC, a Florida limited liability company, the owner of the Additional Property, does hereby join in and consent to this Third Amendment subjecting the Additional Property to all covenants, conditions and restrictions contained in the Declaration.

IN WITNESS WHEREOF, the undersigned has executed this Third Amendment on the day and year first above written.

In the Presence of:

AVENIR HOLDINGS, LLC, a Florida
limited liability company

Print Name: David Serviansky

By: David Serviansky, President

Print Name: CLARA L. DIAZ

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

ss:

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 29 day of October, 2021, by David Serviansky, as President of AVENIR HOLDINGS, LLC, a Florida limited liability company. The above-named individual is ☒ personally known to me or ☐ has produced _____ as identification.

[NOTARIAL SEAL]

Notary: CLARA L. DIAZ

Print Name: CLARA L. DIAZ

Notary Public, State of Florida

My commission expires: _____

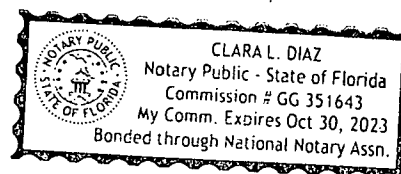


Exhibit "A"

Additional Property

A PORTION OF PARCEL A-1, AVENIR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127, PAGES 85 THROUGH 109, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY MOST NORTHWEST CORNER OF SAID PARCEL A-1 BEING, THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 500.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 54°23'16", A DISTANCE OF 474.62 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 1300.73 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°35'56", A DISTANCE OF 558.45 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 300.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°23'41", A DISTANCE OF 300.52 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°22'39" EAST, A DISTANCE OF 73.36 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 300.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°02'21", A DISTANCE OF 241.06 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 44°35'00" EAST, A DISTANCE OF 344.48 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 325.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°45'57", A DISTANCE OF 202.88 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 80°20'57" EAST, A DISTANCE OF 159.78 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°03'47", A DISTANCE OF 349.62 FEET TO THE POINT OF TANGENCY; THENCE NORTH 59°35'16" EAST, A DISTANCE OF 552.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°53'57", A DISTANCE OF 269.65 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°30'47" EAST, A DISTANCE OF 477.59 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°20'02", A DISTANCE OF 308.35 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 54°10'45" EAST, A DISTANCE OF 79.97 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°11'27", A DISTANCE OF 342.00 FEET TO THE POINT OF TANGENCY; THENCE NORTH 86°37'48" EAST, A DISTANCE OF 67.63 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°40'48", A DISTANCE OF 337.55 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 55°43'07", A DISTANCE OF 486.24 FEET TO THE POINT OF TANGENCY; THENCE NORTH 69°35'29" EAST, A DISTANCE OF 961.70 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°34'14", A DISTANCE OF 310.41 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 55°58'45", A DISTANCE OF 488.51 FEET TO THE POINT OF TANGENCY; THENCE NORTH 90°00'00" EAST, A DISTANCE

OF 132.99 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 1000.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°12'01", A DISTANCE OF 404.92 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 66°47'59" EAST, A DISTANCE OF 277.49 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1000.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°09'28", A DISTANCE OF 421.63 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 42°38'31" EAST, A DISTANCE OF 162.54 FEET; THENCE DEPARTING THE NORTH LINE OF SAID PARCEL A-1, SOUTH 47°21'29" WEST, A DISTANCE OF 179.96 FEET; THENCE SOUTH 15°57'22" EAST, A DISTANCE OF 73.68 FEET; THENCE SOUTH 47°21'29" WEST, A DISTANCE OF 204.33 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 94.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 59°11'15", A DISTANCE OF 97.10 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 11°49'47" EAST, A DISTANCE OF 77.38 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 94.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 77°06'07", A DISTANCE OF 126.49 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 88°55'54" EAST, A DISTANCE OF 127.74 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 31.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°48'52", A DISTANCE OF 28.03 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 37°07'02" EAST, A DISTANCE OF 76.76 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 86.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°48'52", A DISTANCE OF 77.77 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 88°55'54" EAST, A DISTANCE OF 186.39 FEET; THENCE SOUTH 00°12'56" EAST, A DISTANCE OF 146.14 FEET; THENCE SOUTH 01°13'31" WEST, A DISTANCE OF 626.37 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 4080.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°06'12", A DISTANCE OF 434.61 FEET; THENCE SOUTH 85°07'19" WEST, A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 85°45'48", HAVING A RADIUS OF 231.00 FEET, HAVING AN ARC DISTANCE OF 345.77 FEET, AND WHOSE LONG CHORD BEARS NORTH 47°45'35" WEST FOR A DISTANCE OF 314.38 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 2206.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°02'23", A DISTANCE OF 425.06 FEET; THENCE SOUTH 78°19'08" WEST, A DISTANCE OF 72.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 530.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°28'37", A DISTANCE OF 217.17 FEET; THENCE NORTH 77°06'38" WEST, A DISTANCE OF 20.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 980.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°58'58", A DISTANCE OF 239.17 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 167.05 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 2835.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°17'38", A DISTANCE OF 1696.86 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1030.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25°43'59", A DISTANCE OF 462.60 FEET; THENCE SOUTH 08°33'38" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 18°32'57" WEST, A DISTANCE OF 109.27 FEET; THENCE SOUTH 03°46'02" EAST, A DISTANCE OF 264.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 300.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°07'42", A DISTANCE OF 142.04 FEET; THENCE SOUTH 23°21'40" WEST, A DISTANCE OF 224.96 FEET; THENCE NORTH 75°33'46" WEST, A DISTANCE OF 510.56 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 550.00

FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°26'14", A DISTANCE OF 138.59 FEET TO THE POINT OF TANGENCY; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 176.21 FEET; THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 186.49 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 444.16 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 75.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 117.81 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 192.48 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 225.20 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 885.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°25'19", A DISTANCE OF 377.23 FEET; THENCE NORTH 65°34'41" WEST, A DISTANCE OF 57.76 FEET; THENCE SOUTH 46°37'16" WEST, A DISTANCE OF 214.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 266.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°32'25", A DISTANCE OF 471.41 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 1074.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°55'44", A DISTANCE OF 54.90 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1259.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 20°16'05", A DISTANCE OF 445.37 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 271.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 106°38'09", A DISTANCE OF 504.37 FEET; THENCE NORTH 49°54'25" EAST, A DISTANCE OF 90.10 FEET; THENCE NORTH 47°58'46" WEST, A DISTANCE OF 66.28 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 615.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°58'46", A DISTANCE OF 515.00 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 260.45 FEET TO THE POINT OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1285.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°42'43", A DISTANCE OF 217.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 859.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°43'16", A DISTANCE OF 100.77 FEET; THENCE TO THE WEST LINE OF SAID PARCEL A-1, NORTH 90°00'00" WEST, A DISTANCE OF 1253.00 FEET; THENCE ALONG SAID WEST LINE, NORTH 2°11'39" EAST, A DISTANCE OF 235.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 391.568 ACRES, MORE OR LESS.