

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

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

THIS EIGHTH AMENDMENT AND SUPPLEMENTAL DECLARATION TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AVENIR ("**Eighth Amendment**") is made and executed this 30 day of September, 2024 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, Second Amendment to Master Declaration of Covenants, Conditions and Restrictions for Avenir recorded October 5, 2018 in Official Records Book 30168, Page 1968, Third Amendment to Master Declaration of Covenants, Conditions and Restrictions for Avenir recorded November 4, 2021 in Official Records Book 33026, Page 779, Fourth Amendment to Master Declaration of Covenants, Conditions and Restrictions for Avenir recorded December 9, 2022 in Official Records Book 34007, Page 763, Fifth Amendment to Master Declaration of Covenants, Conditions and Restrictions for Avenir recorded April 6, 2023 in Official Records Book 34224, Page 1662, Sixth Amendment to Master Declaration of Covenants, Conditions and Restrictions for Avenir recorded December 11, 2022 in Official Records Book 34716, Page 500, and Seventh Amendment to Master Declaration of Covenants, Conditions and Restrictions for Avenir recorded January 19, 2024 in Official Records Book 34782, Page 1680, 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. Declarant wishes to amend the Declaration to exempt that certain real property legally described in Exhibit "A" attached hereto (the "**Drugstore Parcel**"), from certain 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. **Drugstore Parcel.** The Drugstore Parcel is hereby exempted from any provision in the Declaration which would impair the Drugstore Parcel from being used as a business for the sale of items typically sold by a Walgreens, CVS, Rite-Aid or other similar drugstore (including, but not limited to, pharmaceuticals, baby and kids products, beauty products, caregiver essentials, home goods, home health care solutions, medicines, and personal care products). For clarity, the Declaration shall not prohibit the Drugstore Parcel from being used to sell items typically sold by a Walgreens, CVS, Rite-Aid or other similar drugstore, and any provision of the Declaration to the contrary shall be of no force and effect with respect to the Drugstore Parcel.

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

[SIGNATURE PAGES FOLLOW]

EXHIBIT "A"

Drugstore Parcel

A PORTION OF TRACT A, AVENIR TOWN CENTER, AS RECORDED IN PLAT BOOK 135, PAGE 141 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT A, AVENIR TOWN CENTER, AS RECORDED IN PLAT BOOK 135, PAGE 141, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE ALONG THE WEST LINE OF TRACT A, NORTH 47°19'57" WEST, A DISTANCE OF 20.88 FEET; THENCE CONTINUE ALONG SAID WEST LINE, NORTH 01° 33' 47" WEST, A DISTANCE OF 210.78 FEET; THENCE DEPARTING SAID WEST LINE, NORTH 90° 00' 00" EAST, A DISTANCE OF 307.68 FEET; THENCE, SOUTH 00° 00' 00" EAST, A DISTANCE OF 209.33 FEET TO THE SOUTH LINE OF SAID TRACT A; THENCE ALONG SAID SOUTH LINE OF TRACT A, SOUTH 86° 53' 53" WEST, A DISTANCE OF 287.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.519 ACRES, MORE OR LESS.