

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 TO DECLARATION
FOR AVENIR WEST RECREATION CENTER**

THIS THIRD AMENDMENT TO DECLARATION FOR AVENIR WEST RECREATION CENTER ("**Third Amendment**") is made and executed this 7th day of May, 2025, 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 that certain First Amendment to Declaration for Avenir West Recreation Center on April 6, 2023 in Official Records Book 34224, Page 1666, and that certain Second Amendment to Declaration for Avenir West Recreation Center on December 11, 2023 in Official Records Book 34716, Page 504, all of the Public Records of Palm Beach County, Florida (as amended 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 desires to amend the Declaration as set forth herein.

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. **Recallable Memberships.** Section 4.4.2, Recallable Memberships, of the Declaration is hereby amended as follows (additions shown as double underline):

"4.4.2 Recallable Memberships. Declarant shall have the right to issue "recallable" memberships to use the Avenir West Recreation Center to residents of (i) the Avenir Community living east of Coconut Boulevard, (ii) the private golf course community shown on the Master Plan for Avenir (a/k/a Panther National), and (iii) the "Age

Restricted" parcel (i.e., 55+ neighborhood, a/k/a Pod 16); provided, however, that (a) the number of "recallable" memberships outstanding at any one time shall be limited so that the total number of users of the Avenir West Recreation Center, inclusive of "recallable" memberships, shall never exceed the anticipated number of residents within the Avenir West Community once fully developed and constructed, and (b) the users of the Recreation Center pursuant to such "recallable" memberships shall pay assessments for use of the Recreation Center in an amount at least as much as the amount paid by the other members of the Recreation Association."

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. The effective date of this Third Amendment shall be the date it is recorded in the Public Records of Palm Beach County, Florida.

(Signature Page Follows)

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

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

WITNESSES:

Print Name: Eileen Valdes Jimenez
Address: 590 Biltmore Way #110
Coral Gables, FL 33134

Print Name Michele Ray
Address: 550 Biltmore Way #1110
Coral Gables, FL 33134

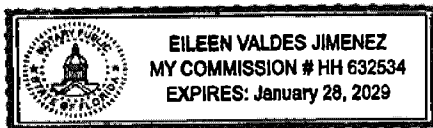
**AVENIR DEVELOPMENT, LLC, a Florida
limited liability company**

By: 
Name: Rosa Eckstein Schechter
Title: Vice President

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

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7th day of May, 2025, by Rosa Eckstein Schechter, Vice 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.



Notary Public – State of Florida

Notary Seal: