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**LIMITED WAIVER  
OF  
CLASS A MEMBERSHIP  
VOTING RIGHTS**

THIS Waiver is made as of this first day of September, 1991, by PLYMOUTH TOWER ASSOCIATES, a New York limited partnership, with respect to Lake Colony, an attached single family residential community located in Tamarac, Broward County, Florida ("Lake Colony").

**RECITALS:**

A. WHEREAS, Bay Colony Property Company, Inc., a Delaware Corporation, established that certain Declaration of Covenants, dated February 21, 1982, with respect to Lake Colony, said Declaration being recorded on April 15, 1982, in Official Records Book 10135, Page 657, of the Public Records of Broward County, Florida, as amended from time to time (the "Declaration"); and

B. WHEREAS, Bay Colony Property Company, Inc. was the original Declarant as defined and identified in the Declaration; and

C. WHEREAS, the Declaration establishes, among other things, a homeowners' association for all of Lake Colony known as Tamarac Lake Colony Association, Inc., a Florida non-profit corporation (the "Association"); and

D. WHEREAS, Article 3, Section C, of the Declaration provides that the Association shall initially have two classes of voting members to be known as Class A Membership and Class B Membership, the former being comprised of unit owners having one vote for each unit and the latter being the Declarant, having two votes for each vote of Class A Membership; and

E. WHEREAS, Article 3, Section C (2), of the Declaration, as amended by Amendment to the Declaration dated July 10, 1985, and recorded July 18, 1985, in Official Records Book 12688, Page 524, aforesaid records, provides that the Class B Membership shall cease and be converted to Class A Membership on July 1, 1992, or at such earlier time as Declarant shall waive in writing its right to Class B Membership, whichever shall first occur; and

F. WHEREAS, Plymouth Tower Associates has succeeded to the interest of Bay Colony Property Company, Inc. and is now the Declarant by virtue of a Special Warranty Deed dated February 3, 1986, and recorded February 10, 1986, in Official Records Book 13173, Page 436, aforesaid records, and by virtue of a Special Warranty Deed dated February 3, 1986, and recorded February 10, 1986, in Official Records Book 13173, Page 442, aforesaid records; and

G. WHEREAS, Plymouth Tower Associates is desirous of waiving some of its voting rights with respect to Class B Membership while reserving certain other rights inuring to it as Declarant and the Class B Member under the Declaration.

NOW, THEREFORE, Plymouth Tower Associates declares as follows:

1. Recitals. The above recitals are true and correct.
2. Limited Waiver and Conversion of Voting Rights. Plymouth Tower Associates hereby waives its right to vote as a Class B Member, in any instance involving the election of a Director or Directors of the Association, and declares that in any such instance occurring on or after the effective date hereof, its right

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to vote with respect to election of Directors shall be converted and limited to the rights of a Class A Member, i.e., one vote for each Unit owned, effective as of the date hereof.

3. **RESERVATION.** Notwithstanding anything in the foregoing to the contrary, this instrument is not intended to and shall not constitute a waiver or relinquishment or early termination of any right, reservation or exception granted to or retained by the Declarant under the Declaration or the Association By-laws other than Declarant's right to vote for Directors of the Association as a Class B Member including, without limitation, those rights set forth in Article 11, 15, and 20 of the Declaration, which rights as the Declarant and/or Class B Member are expressly reserved by Plymouth Tower Associates.

This instrument has been executed as of the day and year first above written, on behalf of Plymouth Tower Associates, by Plymouth Tower, Inc., its General Partner, acting by and through its officers thereunto duly authorized.

PLYMOUTH TOWER ASSOCIATES  
By PLYMOUTH TOWER, INC.

By: [Signature]  
Lee H. Goldberg, Vice-President

Witnesses:

[Signature]  
[Signature]

STATE OF FLORIDA  
COUNTY OF DADE

The foregoing instrument was acknowledged before me this day of August, 1991, by MARTIN V. SELLER as President of Plymouth Tower, Inc., a Massachusetts corporation, the general partner of PLYMOUTH TOWER ASSOCIATES, a New York limited partnership, on behalf of the limited partnership.

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY FLORIDA  
COUNTY ADMINISTRATOR

[Signature]  
Notary Public

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. OCT. 6, 1992  
BONDED UNDER GENERAL INS. LAW

My Commission Expires: \_\_\_\_\_

(Affix notary seal)

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