

WILL CALL  
DAVID G. MURRAY, FSO  
P. O. BOX 2427  
FT LAUDERDALE, FL 33303

87-155466

THIRD AMENDMENT TO  
DECLARATION OF COVENANTS

WHEREAS, BAY COLONY PROPERTY COMPANY, INC., a Delaware corporation, the Declarant, executed a Declaration of Covenants on the 1st day of February, 1982, concerning the property described as BROOKWOOD GARDENS, and recorded said Declaration of Covenants in Official Records Book 10135, Page 657, of the Public Records of Broward County, Florida; and

WHEREAS, BAY COLONY PROPERTY COMPANY, INC., a Delaware corporation, the Declarant, executed a First Amendment to Declaration of Covenants on the 10th day of July, 1985, concerning the property described as BROOKWOOD GARDENS, and recorded said First Amendment to Declaration of Covenants in Official Records Book 12688, Page 525, of the Public Records of Broward County, Florida; and

WHEREAS, BAY COLONY PROPERTY COMPANY, INC., a Delaware corporation, the Declarant, executed a Second Amendment to Declaration of Covenants on the 21st day of January, 1987, concerning the property described as BROOKWOOD GARDENS, and recorded said Second Amendment to Declaration of Covenants in Official Records Book 14162, Page 463, of the Public Records of Broward County, Florida; and

WHEREAS, BAY COLONY PROPERTY COMPANY, INC., a Delaware corporation, the Declarant, has transferred all of its right, title and interest in LAKE COLONY and as Declarant to PLYMOUTH TOWER ASSOCIATES, a New York Limited Partnership;

NOW, THEREFORE, pursuant to the requirements of Paragraph Twenty (20) of said Declaration of Covenants, as amended, concerning amendments thereto, said Declaration of Covenants, as amended, is amended as follows:

Section 1: Paragraph 16.E. is amended as follows:

E. Insurance Trustee: Shares of Proceeds. All insurance policies purchased by the Association shall be for the benefit of the Association and the Unit Owners and their mortgagees, as their interest may appear, and shall provide that all proceeds covering property losses shall be paid to an insurance trustee designated by the Board of Directors of the Association (hereinafter referred to as Insurance Trustee). The Insurance Trustee shall not be liable for payment of premiums nor for the renewal or the sufficiency of policies nor for the failure to collect any insurance proceeds. The duty of the Insurance Trustee shall be to receive such proceeds as are paid and hold the proceeds in trust

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for the purposes elsewhere stated in this instrument and for the benefit of the Unit Owners and their mortgagees as their interest may appear but which shares need not be set forth on the records of the Insurance Trustee.

Section 2: Paragraph 16.H. is amended as follows:

H. Owner's Responsibility. It shall be the responsibility of each Unit Owner to obtain, at his expense, liability insurance with respect to the ownership and use of his Unit and easements granted to him hereunder and fire and extended insurance on contents, and other insurance that the Owner may desire to obtain.

Section 3: The effective date of this Amendment shall be the date of recording same with the Clerk of the Circuit Court's Office, Broward County, Florida.

Section 4: TAMARAC LAKE COLONY ASSOCIATION, INC. joins in the execution of this Amendment to indicate its approval thereto pursuant to the terms of Paragraph Twenty (20) by a vote of at least sixty-five (65%) percent of the total votes entitled to be cast by the members of the Association.

Section 5: In all other respects, the original Declaration of Covenants dated February 1, 1982, and recorded at Official Records Book 10135, Page 657, of the Public Records of Broward County, Florida, as amended by First Amendment to Declaration of Covenants dated July 10, 1985, and recorded at Official Records Book 12688, Page 525, of the Public Records of Broward County, Florida, as amended by Second Amendment to Declaration of Covenants dated January 21, 1987, and recorded at Official Records Book 14162, Page 463, of the Public Records of Broward County, Florida, shall remain unchanged.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, does hereby make this Amendment and has caused this Third Amendment to the Declaration of Covenants to be executed this <sup>31<sup>st</sup></sup>~~28<sup>th</sup>~~ day of ~~February~~ APRIL, 1987.

WITNESS:

Mary Lou Callahan

Taula M. Clabby

Colleen M. Krypka

Raymond A. [Signature]

PLYMOUTH TOWER ASSOCIATES,  
a New York Limited Partnership

By: [Signature]  
a Massachusetts Corporation,  
General Partner

By: [Signature]  
Its PRESIDENT

TAMARAC LAKE COLONY ASSOCIATION, INC.,  
a Florida corporation not for profit

By: [Signature]  
Its VICE PRESIDENT

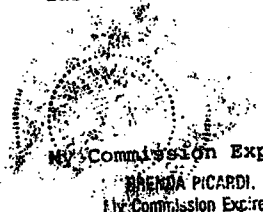
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COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF SUFFOLK )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Andrew M. Neher, well known to me to be the President of PLYMOUTH TOWER, INC., a Massachusetts corporation, the General Partner of PLYMOUTH TOWER ASSOCIATES, a New York limited partnership, the Declarant named in the above document, and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 3<sup>rd</sup> day of February APRIL, 1987.



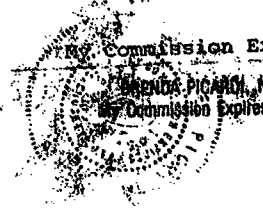
Brenda Picardi  
NOTARY PUBLIC

My Commission Expires:  
BRENDA PICARDI, Notary Public  
My Commission Expires Sept. 1, 1989

STATE OF Massachusetts  
COUNTY OF SUFFOLK

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared DAVID L. MURRAY to me well known and known by me to be the Vice President of TAMARAC LAKE COLONY ASSOCIATION, INC., and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and official seal in the County and State last aforesaid this 3<sup>rd</sup> day of APRIL, 1987.



Brenda Picardi  
NOTARY PUBLIC

My Commission Expires:  
BRENDA PICARDI, Notary Public  
My Commission Expires Sept. 1, 1989

This instrument prepared by:

DAVID G. MURRAY, ESQ.  
HUEBNER & MURRAY, P.A.  
Post Office Box 2427  
Fort Lauderdale, FL 33303  
305/467-2000

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