

DAVID M. LAYMAN, ESQ.

1100 F. ROSEN & QUENTEL, P.A.

Suite 310-East

JUL-09-1997 11:53am 97-242314
ORR 9881 Pg 773

WILL CALL #437

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR WINSTON TRAILS is made this 2nd day of July, 1997, by JAMES J. O'BRIEN, as successor Trustee under Land Trust Agreement dated March 8, 1989 ("Declarant").

A. Declarant is the "Declarant" under that certain Declaration of Covenants and Restrictions for Winston Trails, dated July 28, 1993 and recorded July 30, 1993, in Official Record Book 7820, Page 281, of the Public Records of Palm Beach County, Florida (the "Declaration"), as amended by that certain Supplemental Declaration dated as of June 27, 1996, and recorded September 5, 1996, in Official Record Book 9425, Page 1419, in the Public Records of Palm Beach County. Terms defined in the Declaration shall have the same meaning herein as therein.

B. Article XIV provides that the Declaration may be amended by the affirmative vote or written consent of two-thirds (2/3) of each class of the Members (through their respective voting members). Article III, Section 2 of the Declaration provides that each Neighborhood Association shall designate one Class A Voting Member who shall be entitled to cast as many votes as there are Residential Lots subject to the jurisdiction of the neighborhood association, the Class B Voting Member shall be the Declarant, and each Class C Voting Member shall represent the owners of a Commercial Lot or Residential Land with the exception of the Declarant. No Class C Voting Members exist as of the date of this Amendment, and Voting Members represent two-thirds (2/3) of Class A Voting

Members and the sole Class B Voting member have executed this Amendment, representing their written consent to this Amendment.

Terms of Amendment

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Article IV, Section 11 is hereby added to the Declaration as follows:

Section 11. Median Maintenance. The conditions of approval by Palm Beach County of the Winston Trails P.U.D. require the appropriate homeowners' association to maintain all landscaping installed by Declarant in the adjacent medians of Hypoluxo Road and Lantana Road where such roads abut Winston Trails. Therefore, the Foundation shall maintain all such landscaping, including, but not limited to pruning, fertilizing, irrigation, and alternate watering of xeriscape material during periods of drought.

2. Article VIII, Section 5 of the Declaration is hereby deleted in its entirety and replaced with the following:

Section 5. Temporary Structures; Pool and Spa Heaters. No structure of a temporary character, or trailer, mobile home or recreational vehicle, shall be permitted on any lots within the properties at any time or used at time as a residence, either temporarily or permanently, except by the Declarant, its affiliates, Declarant's Permittees, or Participating Builders during construction. Each residence within Winston Trails may install one propane gas-fired swimming pool and/or spa heater and related propane gas tank, provided that the installation is approved by the DRB, it is screened as required by the DRB, and shall be subject to such conditions and requirements and the DRB may impose.

3. Article VIII, Section 15 is hereby deleted in its entirety and replaced with the following:

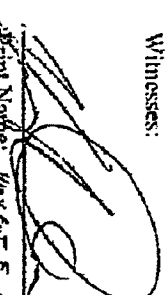
Section 15. Exterior Antennae, etc. of the Declaration. No exterior antennae, satellite dishes or similar equipment shall be permitted on any Residential Lot or Improvement thereon, except that (a) antennae, satellite dishes or similar equipment may be installed on multi-family residential (including condominium) buildings and commercial buildings if approved


by the DRB (subject to such conditions and requirements as it may impose); and (b) each Residential Lot upon which is located one single-family residence may install an antenna to receive signals from television broadcast stations, an antenna to receive multichannel multipoint broadcast signals, and/or a satellite dish for the purposes of receiving signals from direct broadcast satellites, provided that such dish shall not be more than one meter (39 inches) in diameter, and provided that the installation of which shall be subject to such reasonable conditions and requirements as the DRB may impose in accordance with all applicable rules of the Federal Communications Commission.

4. Notwithstanding anything herein to the contrary, the representations, covenants, undertakings and agreements made in this Amendment by Declarant are not made and intended as personal representations, covenants, undertakings and agreements by the Declarant or for the purpose of binding the trust property. This Amendment is executed and delivered for the purpose of binding the trust property. This Amendment is executed and delivered by James J. O'Brien not personally, but solely in the exercise of the powers conferred upon him as Trustee under Land Trust Agreement dated March 8, 1989. No personal liability is assumed by nor shall at any time be asserted or enforceable against the Declarant on account of any representation, covenant, undertaking or agreement of the Declarant contained in this Amendment either expressed or implied. All such personal liability, if any, is expressly waived and released by the Foundation, the Neighborhood Associations, the Owners and by all persons claiming by, through or under any of the foregoing.


5. Except as set forth herein, the Declaration is not amended in any respect.

Witnesses:


Trust Name: Trust F Adams


Print Name: James J. O'Brien

100% Vote for Class B Voting Member


James J. O'Brien, as successor Trustee under Land Trust Agreement dated March 8, 1989

BARTONCREEK VILLAGE NEIGHBORHOOD
ASSOCIATION, INC.

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: Robert Stone
President and

Heidi-Ann Watson
Print Name: Heidi-Ann Watson

Voicing Member of the Foundation representing
126 votes

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: Robert Stone
Designated Voting Member representing
94 votes

Heidi-Ann Watson
Print Name: Heidi-Ann Watson

FAIRWAY VILLAGE AT WINSTON TRAILS
HOMEOWNERS ASSOCIATION, INC.

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: Robert Stone
Designated Voting Member representing 50
votes

Heidi-Ann Watson
Print Name: Heidi-Ann Watson

VILLAGE ON THE GREENS AT WINSTON
TRAILS HOMEOWNERS ASSOCIATION, INC.

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: Robert Stone
Designated Voting Member representing
123 votes

Heidi-Ann Watson
Print Name: Heidi-Ann Watson

WEDGEWOOD VILLAGE PROPERTY OWNERS' ASSOCIATION, INC.

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: John Beck

Designated Voting Member representing
59 votes

Heidi G. Watson
Print Name: Heidi G. Watson

LAS COLINAS VILLAGE NEIGHBORHOOD ASSOCIATION, INC.

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: John Beck

Designated Voting Member representing
107 votes

Heidi G. Watson
Print Name: Heidi G. Watson

TURNBURY VILLAGE HOMEOWNERS ASSOCIATION, INC.

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: John Beck

Designated Voting Member representing
96 votes

Heidi G. Watson
Print Name: Heidi G. Watson

BAY MEADOW VILLAGE HOMEOWNERS ASSOCIATION, INC.

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: John Beck Pres

Designated Voting Member representing
146 votes

Heidi G. Watson
Print Name: Heidi G. Watson

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LA GORCE VILLAGE NEIGHBORHOOD
ASSOCIATION, INC.

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: [Signature]
Designated Voting Member representing
90 votes

Maide-O. Watson
Print Name: Maide-O. Watson

LAKE SHORE VILLAGE NEIGHBORHOOD
ASSOCIATION, INC.

Bruce R. Campbell
Print Name: Bruce R. Campbell

By: [Signature]
Designated Voting Member representing
90 votes
40

Maide-O. Watson
Print Name: Maide-O. Watson

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of
_____, 1996, by Joshua A. Muss, as Trustee under Land Trust Agreement dated
March 8, 1989.

Notary Public, State of _____

(Print Type or Stamp (Commissioned Name of Notary Public))

☐ Personally Known OR
☐ Produced Identification - Type of
Identification Produced

088 9881 Ps 779

LA GORCE VILLAGE NEIGHBORHOOD
ASSOCIATION, INC.

Print Name: _____

By: _____
Designated Voting Member representing
90 votes

Print Name: _____

LAKE SHORE VILLAGE NEIGHBORHOOD
ASSOCIATION, INC.

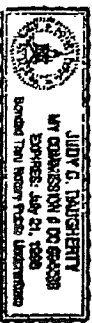
Print Name: _____

By: _____
Designated Voting Member representing
90 votes

Print Name: _____

STATE OF Florida
COUNTY OF Alam Ducha

The foregoing instrument was acknowledged before me this 2nd day of July, 1997
by James J. O'Brien, as successor Trustee under Land Trust Agreement dated March 8, 1989.



(Print, Type or Stamp (uncommissioned Name of Notary Public))

☒ Personally Known OR
☐ Produced Identification - Type of Identification
Produced: _____

008 9681 P 780

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 19th day of December, 1996, by Robert Stone Sr., as Designated Voting Member of Barton Creek Village Neighborhood Association, Inc.

Donna Lynn Clements
Notary Public, State of Florida



"OFFICIAL SEAL"
Donna Lynn Clements
My Commission Expires 9/29/97
Commission #00318342

Donna Lynn Clements
(Print, Type or Stamp Commissioned Name of Notary Public)

☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 20th day of December, 1996, by Ralph Hartz, as Designated Voting Member of Catalina on the Green Village Homeowners' Association, Inc.

Donna Lynn Clements
Notary Public, State of Florida



"OFFICIAL SEAL"
Donna Lynn Clements
My Commission Expires 9/29/97
Commission #00318342

Donna Lynn Clements
(Print, Type or Stamp Commissioned Name of Notary Public)

☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 19th day of December, 1996, by Robert Stone Sr., as Designated Voting Member of Fairway Village at Winston Trails Homeowners' Association, Inc.

Donna Lynn Clements
Notary Public, State of Florida



"OFFICIAL SEAL"
Donna Lynn Clements
My Commission Expires 9/23/97
Commission #CC 318362

Donna Lynn Clements
(Print, Type or Stamp Commissioned Name of Notary Public)

☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 19th day of December, 1996, by Robert Stone Sr., as Designated Voting Member of Village on the Greens at Winston Trails Homeowners' Association, Inc.

Donna Lynn Clements
Notary Public, State of Florida

Donna Lynn Clements
(Print, Type or Stamp Commissioned Name of Notary Public)

☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____



"OFFICIAL SEAL"
Donna Lynn Clements
My Commission Expires 9/23/97
Commission #CC 318362

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 20th day of December, 1996, by Steve Butler, as Designated Voting Member of Wedgewood Village Property Owners' Association, Inc.

Donna Lynn Clements
Notary Public, State of Florida



"OFFICIAL SEAL"
Donna Lynn Clements
My Commission Expires 8/23/97
Commission #00318342

Donna Lynn Clements
(Print Type or Stamp Commissioned Name of Notary Public)

☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 19th day of December, 1996, by Robert Stone Sr., as Designated Voting Member of Las Colinas Village Neighborhood Association, Inc.

Donna Lynn Clements
Notary Public, State of Florida

Donna Lynn Clements
(Print Type or Stamp Commissioned Name of Notary Public)



"OFFICIAL SEAL"
Donna Lynn Clements
My Commission Expires 8/23/97
Commission #00318342

☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____

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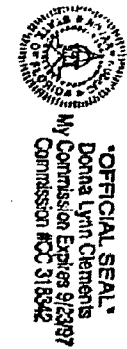
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 18th day of December, 1996, by Robert Stone Sr., as Designated Voting Member of Turnbury Village Homeowners Association, Inc.

Denise Lynn Clements
Notary Public, State of Florida

Donna Lynn Clements
(Print, Type or Stamp Commissioned Name of Notary Public)



☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____

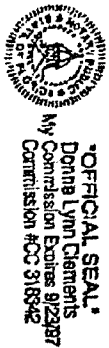
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 20th day of December, 1996, by Robert Hartz, as Designated Voting Member of Bay Meadow Village Homeowners Association, Inc.

Donna Lynn Clements
Notary Public, State of Florida

Donna Lynn Clements
(Print, Type or Stamp Commissioned Name of Notary Public)



☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____

STATE OF FLORIDA

COUNTY OF PALM BEACH

088 9881 Ps 784

0080THY H. WILKEN, CLERK PB COUNTY, FL

The foregoing instrument was acknowledged before me this 19th day of December, 1996, by Robert Stone Sr., as Designated Voting Member of La Gorce Village Neighborhood Association, Inc.

Donna Lynn Clements
Notary Public, State of Florida

Donna Lynn Clements
(Print, Type or Stamp (undersigned Name of Notary Public))



"OFFICIAL SEAL"
Donna Lynn Clements
My Commission Expires 9/23/97
Commission #CC 318342

☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 20th day of December, 1996, by Steve Butler, as Designated Voting Member of Lake Shore Village Neighborhood Association, Inc.

Donna Lynn Clements
Notary Public, State of Florida

Donna Lynn Clements
(Print, Type or Stamp (undersigned Name of Notary Public))



"OFFICIAL SEAL"
Donna Lynn Clements
My Commission Expires 9/23/97
Commission #CC 318342

☒ Personally Known OR
☐ Produced Identification - Type of
Identification Produced: _____