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SECOND AMENDMENT  
TO  
DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS AND EASEMENTS  
FOR  
CHAPEL TRAIL

THIS SECOND AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS AND EASEMENTS FOR CHAPEL TRAIL ("Amendment") is made this 27<sup>th</sup> day of December, 1989 by CHAPEL TRAIL ASSOCIATES, LTD., a Florida limited partnership ("Associates").

W I T N E S S E T H:

WHEREAS, Associates, on the date hereof, is the owner of a substantial portion of the "Total Property" as described in Exhibit "A" to the original Declaration of Protective Covenants, Restrictions and Easements for Chapel Trail recorded in Official Records Book 15283, Page 283, of the Public Records of Broward County ("County"), Florida ("Declaration"); and

WHEREAS, the First Amendment to the Declaration was recorded in Official Records Book 1597, Page 963 of the Public Records of the County; and

WHEREAS, the First Supplement to the Declaration was recorded in Official Records Book 15283, Page 62, of the Public Records of the County; and

WHEREAS, the Second Supplement to the Declaration was recorded in Official Records Book 16836, Page 309, of the Public Records of the County (the Declaration, First Amendment, First Supplement and Second Supplement thereto are hereinafter collectively referred to as the "Declaration"); and

WHEREAS, Chapel Trail, Ltd., a Florida limited partnership, and Paul Koenig, individually and as trustee (collectively, "Original Declarant"), were collectively the "Declarant" (as defined in the Declaration) under the Declaration; and

WHEREAS, the Original Declarant assigned its rights as Declarant under the Declaration to Associates pursuant to an Assignment of Declarant's Rights recorded in Official Records Book 15979, Page 959, of the Public Records of the County; and

WHEREAS, Associates (hereinafter referred to as "Declarant") deems it desirable and advisable for the best interests of Chapel Trail to make this Amendment to the Declaration; and

WHEREAS, Declarant, under the provisions of Paragraph X.I.1 of the Declaration, has the right to amend the Declaration until the "Turnover Date"

RETURN TO

THIS INSTRUMENT WAS PREPARED BY:

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without the consent of the "Members," "Owners" or "Institutional Mortgagees" (as defined in the Declaration); and

WHEREAS, the Turnover Date has not yet occurred.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. The third sentence of Article I, Section 18, is hereby amended to read as follows:

"In addition, in the event any Person obtains title to all any of the Total Property then owned by Declarant as a result of the foreclosure of any mortgage or deed in lieu thereof, such Person may elect to become Declarant by a written election recorded in the Public Records of the County, and regardless of the exercise of such election, such Person may appoint as Declarant any third party who acquires title to all or any portion of the Total Property by written appointment recorded in the Public Records of the County. In any event, any subsequent Declarant shall not be liable for any default or obligations incurred by any prior Declarant, except as same may be expressly assumed by the subsequent Declarant."

[Coding: Additional language is underlined. Deleted language is ~~lined through~~.]

2. The Declaration, as modified by this Amendment, remains in full force and effect.

IN WITNESS WHEREOF, Declarant has executed this Amendment on the date set forth below.

Signed, sealed and delivered in the presence of:

DECLARANT:

CHAPEL TRAIL ASSOCIATES, LTD.,  
a Florida limited partnership

By: CHAPEL TRAIL, LTD., a Florida limited partnership, and general partner

By: SAJIK CORP., a Florida corporation, and general partner

By: Paul Koenig  
Paul Koenig, President

Dated: 12/29/89

John Lawrence  
William D. DeLoet

BK471188P00741

STATE OF FLORIDA )  
 ) SS:  
COUNTY OF BROWARD )

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized and acting, PAUL KOENIG, the President of SAJIK CORP., a Florida corporation, and general partner of CHAPEL TRAIL, LTD., a Florida limited partnership, which is the general partner of CHAPEL TRAIL ASSOCIATES, LTD., a Florida limited partnership, to me known to be the person who signed the foregoing instrument as such person, and acknowledged the execution thereof to be the act and deed of said corporation for the uses and purposes therein mentioned.

WITNESS my hand and official seal in the state and county last aforesaid this 21<sup>st</sup> day of NOVEMBER, 1989.

William Lawrence (SEAL)  
Notary Public  
State of Florida at Large

My Commission Expires:  
NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. MAR. 20, 1992  
BONDED THRU GENERAL INS. UND.

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