

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

THIS FOURTH AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS AND EASEMENTS FOR CHAPEL TRAIL ("Amendment") is made this 22nd day of DECEMBER, 1994 by CHAPEL TRAIL ASSOCIATES, LTD., a Florida limited partnership ("Associates").

WITNESSETH:

WHEREAS, Associates, on the date hereof, is the owner of a 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 Second Amendment to the Declaration was recorded in Official Records Book 17188, Page 740, of the Public Records of the County; 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" 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. Article III, Paragraph C, Sub-paragraph 14 is hereby amended to include provisions pertaining to antennas, aerials and satellite dishes by the inclusion of a new sub-paragraph 14 (c) which is hereby amended to include the following:

"No antennas, aerials or satellite dishes shall be placed upon the subject property unless completely inside a Dwelling Unit except, however satellite dishes not exceeding 18 inches in diameter and not exceeding 42 inches in height measuring from the ground to the top of the satellite may be permitted, provided such satellite is located in the rear yard of the lot and is appropriately screened from the view of the adjoining lot with use of landscaping material of a type approved by the Association."

2. Article X, Sub-paragraph E is hereby amended to add the following additional provisions:

PREPARED BY:
HOWARD S. ZIMMERMAN
9000 SHERIDAN ST
POMONA, CA 92624

BK 23028 PG 013

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DESCRIPTION: WEST RESIDENTIAL AREA

A PORTION OF PARCEL "H" AND ALL OF THE "FIRE PROTECTION SITE", CHAPEL TRAIL II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 112, PAGE 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF TRACT 1 AND PORTIONS OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF SECTION 15, TOWNSHIP 51 SOUTH, RANGE 39 EAST, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, ALSO TOGETHER WITH A PORTION OF THE 33.50 FOOT WIDE DEDICATED RIGHT OF WAY FOR PINES BOULEVARD LYING WEST OF THE WEST RIGHT OF WAY LINE OF N.W. 208TH AVENUE AS VACATED BY OFFICIAL RECORDS BOOK 18948, PAGE 930 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THAT CERTAIN 15.00 FOOT RIGHT OF WAY LYING NORTH OF SAID TRACT 1 OF FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1 BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF SAID SECTION 15; THENCE NORTH $01^{\circ}46'02''$ WEST ALONG THE EAST LINE OF THE SAID NORTHEAST ONE-QUARTER (N.E. 1/4), A DISTANCE OF 128.55 FEET; THENCE SOUTH $89^{\circ}49'31''$ WEST ALONG A LINE 128.50 FEET NORTH OF AND PARALLEL WITH AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF THE SAID NORTHEAST ONE-QUARTER (N.E. 1/4), A DISTANCE OF 128.03 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH $44^{\circ}01'46''$ EAST, A DISTANCE OF 50.19 FEET, THE LAST DESCRIBED COURSE BEING FURTHER DESCRIBED AS BEING ON THE EASTERLY LINE OF THAT CERTAIN 33.50 FOOT RIGHT OF WAY VACATION RECORDED IN OFFICIAL RECORDS BOOK 18948 PAGE 930 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH $01^{\circ}46'02''$ WEST, A DISTANCE OF 333.51 FEET; THENCE NORTH $04^{\circ}30'36''$ EAST, A DISTANCE OF 201.21 FEET; THENCE NORTH $01^{\circ}46'02''$ WEST ALONG A LINE 70.00 FEET WEST OF AND PARALLEL WITH AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE SAID NORTHEAST ONE-QUARTER (N.E. 1/4) A DISTANCE OF 1907.53 FEET; THENCE NORTH $45^{\circ}57'38''$ WEST, A DISTANCE OF 48.80 FEET TO A POINT ON THE NORTH LINE OF THE SAID NORTHEAST ONE-QUARTER (N.E. 1/4); THENCE SOUTH $89^{\circ}50'41''$ WEST ALONG SAID NORTH LINE OF SAID NORTHEAST ONE-QUARTER (N.E. 1/4) A DISTANCE OF 1179.86 FEET; THENCE SOUTH $44^{\circ}02'10''$ WEST A DISTANCE OF 50.19 FEET; THENCE SOUTH $01^{\circ}46'18''$ EAST, A DISTANCE OF 800.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 800.00 FEET, A CENTRAL ANGLE OF $21^{\circ}23'55''$, FOR AN ARC DISTANCE OF 298.78 FEET TO THE POINT OF TANGENCY; THENCE SOUTH $23^{\circ}10'13''$ EAST, A DISTANCE OF 627.65 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 880.00 FEET; A CENTRAL ANGLE OF $22^{\circ}59'44''$, FOR AN ARC DISTANCE OF 353.18 FEET TO THE POINT OF TANGENCY; THENCE SOUTH $00^{\circ}10'30''$ EAST, A DISTANCE OF 433.26 FEET; THENCE SOUTH $45^{\circ}10'30''$ EAST A DISTANCE OF 42.43 FEET; THENCE NORTH $89^{\circ}49'31''$ EAST, ALONG A LINE 128.50 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID NORTHEAST ONE-QUARTER (N.E. 1/4) OF SAID SECTION 15, A DISTANCE OF 829.99 FEET TO THE POINT OF BEGINNING; THE LAST DESCRIBED COURSE BEING FURTHER DESCRIBED AS BEING THE SOUTH LINE OF THAT CERTAIN VACATED RIGHT OF WAY AS RECORDED IN OFFICIAL RECORDS BOOK 18948, PAGE 930 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA, CONTAINING 2,753,240 SQUARE FEET OR 63.206 ACRES, MORE OR LESS.

EXHIBIT "A"
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OK 23028PG0818

All oil tanks, bottled gas tanks, air conditioning equipment, swimming pool equipment and housing, including water heating units, water sprinkler equipment, and any other equipment or pumps installed on the Committed Property must be underground or placed in walled-in areas or adequately landscaped areas (i.e. dense vegetation, hedges, bushes, plants) so that such are not visible from the Streets, or adjacent Dwelling Units and/or Residential Parcels, and adequate landscaping shall be installed and maintained by the Owner thereof.

IN WITNESS WHEREOF, this Amendment has been signed by the Secretary of CHAPEL TRAIL OWNERS ASSOCIATION, INC. (Florida corporation, not-for-profit).

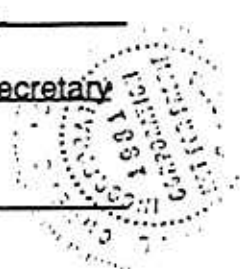
CHAPEL TRAIL OWNERS ASSOCIATION, INC. (Florida corporation, not-for-profit)

Signed, sealed and delivered in the presence of:

Norma Samokieszyn
NORMA SAMOKIESZYN
Adrian Milton
ADRIAN MILTON

By: *William Kersberger*
WILLIAM KERSBERGER Secretary

Dated: JUNE 26, 1996



STATE OF FLORIDA)
COUNTY OF BROWARD)

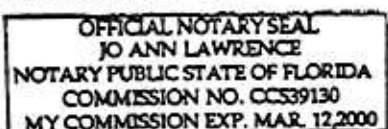
ss:

I HEREBY CERTIFY that on this day before me, an officer duly authorized to take acknowledgements in the State and County aforesaid, personally appeared, WILLIAM KERSBERGER, Secretary for CHAPEL TRAIL OWNERS ASSOCIATION, INC. (Florida corporation, not-for-profit) to me personally known to be the person described herein, or who produced N/A as identification, and who executed the foregoing instrument and acknowledged before me that the execution thereof was their free act and deed as such person therein expressed and that the said instrument is the act and deed of said corporation.

26th WITNESS my hand and official seal in the County and State last aforesaid, this day of JUNE, 1996.

John Lawrence
NOTARY PUBLIC, STATE OF FLORIDA

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

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