



Prepared by and return to:

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08/14/2003 13:49:33 20030483160
OR BK 15694 PG 0731
Palm Beach County, Florida

CERTIFICATE OF AMENDMENT
TO THE DECLARATION OF COVENANTS AND RESTRICTIONS
FOR RIVERWALK

WHEREAS, the original Declaration of Covenants and Restrictions for Riverwalk ("Declaration") was recorded on July 10, 1985, in Official Records Book 4593, beginning at Page 0042, of the Public Records of Palm Beach County, Florida; and

WHEREAS, Section 11.2 of the Declaration provides that after the Completion Date (as said term is defined in Section 11.1 of the Declaration) the Declaration may be amended only with the consent of (a) two-thirds (2/3) of all Owners, and (b) a majority of the entire Board; provided, however, that the consents of the Owners must be in writing and shall be affixed to the amendment to the Declaration;

WHEREAS, pursuant to Section 11.2 of the Declaration, a majority of the entire Board of Directors voted, at a Board meeting held on December 16, 2002, to amend the Declaration in the particulars as set forth in Exhibit "1" attached hereto; and

WHEREAS, the amendments attached hereto as Exhibit "1", this Certificate and original written consents of the Owners shall be filed and recorded in the Public Records of Palm Beach County, Florida.

NOW, THEREFORE, the Declaration is hereby amended in the particulars as stated in Exhibit "1" attached hereto; the amendments shall run with the real property known as "Riverwalk" and shall be binding on all parties having any right, title or interest in the said real property or any part thereof their heirs, successors and assigns, and shall inure to the benefit of each owner and occupant thereof; and except as otherwise amended hereby, the Declaration shall remain unchanged and in full force and effect.

**CERTIFICATE OF ADOPTION OF AMENDMENT TO
THE DECLARATION OF RESTRICTIONS FOR RIVERWALK**

THE UNDERSIGNED, being duly elected Vice-President and Secretary of RIVERWALK HOMEOWNERS ASSOCIATION, INC., hereby certifies that the amendments attached hereto as Exhibit "1" were duly adopted as amendments to the Declaration of Covenants and Restrictions for Riverwalk ("Declaration"); were approved by a majority of the entire Board of Directors at a special meeting of the Board of Directors on December 16, 2002 with a quorum present; were approved by the written consent of two-thirds (2/3) of all Owners and as required by the Declaration, only the consent portions of the document utilized by the Association to amend the Declaration are attached hereto; and any inconsistencies between the language in Exhibit "1" and the document utilized by the Association to amend the Declaration are in the nature of scrivener's errors.

Executed this 23rd day of June 2003.

Witnesses:

[Signature]

Signature of Witness

BOB MANNING

Print Name of Witness

[Signature]

Signature of Witness

Thomas A. Yawner

Print Name of Witness

RIVERWALK HOMEOWNERS ASSOCIATION, INC., a Florida Corporation not-for-profit

By: *[Signature]*

Judy Bates, President

By: *[Signature]*

Chere High, Secretary

STATE OF FLORIDA
COUNTY OF PALM BEACH

The forgoing instrument was acknowledged before me this 23rd day of June, 2003, by Judy Bates, and Chere High, as President and Secretary, respectively, of RIVERWALK HOMEOWNERS ASSOCIATION, INC., a Florida corporation not-for-profit, on behalf of the corporation, and who are personally known to me or who have produced N/A as identification and who did not take an oath.

(Official Notarial Seal)



Cari A. Podesta
Commission # CC 936611
Expires June 23, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

[Signature]

Print Name: *Cari A. Podesta*
Notary State and County aforesaid

**PROPOSED AMENDMENT TO
DECLARATION OF COVENANTS AND RESTRICTIONS
FOR RIVERWALK**

The original Declaration of Covenants and Restrictions for Riverwalk ("Declaration") is recorded in Official Records Book 4593, beginning at Page 0042 of the Public Records of Palm Beach County, Florida.

For the purposes of this amendment, words which are added are underlined and words struck through are deleted.

Except for the amendments below, it is further proposed that the provisions of the Declaration, including any prior amendments to same, shall remain unchanged and in full force and effect.

Proposed Amendment to Articles 11.2 and 11.3 of the Declaration reducing the affirmative vote of the Owners required to amend the Declaration from 2/3rds to a majority of all Owners if the vote is obtained by written consent or a majority of those Owners present at a meeting of the Owners at which a quorum is present, to delete the requirement that the Owner consents be attached to the amendment for recording in the Public Records of Palm Beach County, Florida, and to delete the requirement of Developer consent to amendments.

Article 11.2 of the Declaration is proposed to be amended as follows:

11.2 Amendment by Owners: After the Completion Date, this Declaration may be amended only with (a) the written consent of (a) two-thirds (2/3) a majority of all Owners or the affirmative vote of a majority of those Owners present (in person or by proxy) at a duly called meeting of the Owners at which a quorum is present, and (b) a majority of the entire Board. The ~~aforementioned consents must be in writing and shall be affixed to the amendment to this Declaration. An amendment duly adopted by the Owners as provided herein shall be affixed to a certificate of adoption executed by the Association following the formalities required for the execution of deeds and shall be effective when recorded in the Public Records of Palm Beach County.~~

11.3 Limitation on Amendment: Notwithstanding anything to the contrary contained herein, (a) no amendment shall be effective which shall, in a material fashion, impair or prejudice the rights or priorities of the Developer or of any institutional mortgagee under this Declaration without the specific written approval of the Developer or institutional mortgagee affected thereby ~~and (b) so long as Developer is the Owner of any Unit in the ordinary course of its business, Developer's written consent must be obtained and affixed to any amendment as a necessary condition precedent to the adoption of such amendment, and in the absence of such consent any purported amendment shall be ineffective, null and void.~~