

AMENDMENT TO ARTICLES OF INCORPORATION
OF BOCA RATON BATH & TENNIS CLUB, INC.

THIS Amendment to that certain Articles Of Incorporation for Boca Raton Bath & Tennis Club, Inc. (hereinafter "Articles"), this 25 day of October, 1988, by the undersigned officers of the Boca Raton Bath & Tennis Club, Inc., a Florida corporation not for profit (the "Club"); said Amendment having been approved by two-thirds (2/3) of the Board of Directors present at a duly called meeting at which a quorum was present, and having been approved by two-thirds (2/3) of the members of the Association present at a duly called meeting at which a quorum was present.

WHEREAS, the original Articles were adopted by the Board of Directors of Boca Raton Bath & Tennis Club, Inc.; and

WHEREAS, said Articles were amended by an Amendment dated November 10, 1976; and

WHEREAS, a two-thirds (2/3) majority of the Board of Directors of Boca Raton Bath & Tennis Club, Inc. have approved this said Amendment at a meeting held the 25 day of October, 1988, at which meeting a quorum was present; and a two-thirds (2/3) majority of the members of the Association have approved the Amendment at a duly called meeting of the Membership at which a quorum was present.

NOW THEREFORE, in consideration of the mutual covenants made herein, said Articles are amended as follows:

1. There is hereby substituted for Section F. of the Article X titled "Board of Directors", which formerly read as follows:

The term of the first Board elected by members of the Club shall extend until the next annual meeting of the members of the Club, and until successors are duly elected by such members and qualify in accordance with the By-Laws of the Club, and the Board shall thereafter continue to be so elected annually, at subsequent annual meetings of the members of the Club in accordance with the By-Laws of the Club.

The above-mentioned Section shall henceforth read as follows:

EXHIBIT "1"

AMENDMENT

TO

DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS

FOR

BOCA RATON BATH & TENNIS CLUB, INC.

This Amendment to that certain Declaration of Protective Covenants and Restrictions for Boca Raton Bath & Tennis Club (hereinafter "Declaration") this 2 day of November, 1982, by the undersigned officers of the Boca Raton Bath & Tennis Club, Inc., a Florida corporation not for profit (the "Club") with the approval of a majority of the Board of Directors of the Club and the approval of two-thirds (2/3) of the Owners of the Lots;

WHEREAS, the original Declaration was recorded November 12, 1976, in Official Records Book 2604, Page 1893, of the Official Records of Palm Beach County, Florida, pertaining to the parcel of land described as Boca Raton Bath & Tennis Club according to the Plat thereof recorded in Palm Beach County, Florida, and any and all improvements now or thereafter constructed thereon; and

WHEREAS, the Declaration was supplemented by that certain Supplement to Declaration of Protective Covenants and Restrictions dated the 2nd day of January, 1980 and recorded January 4, 1980 in Official Records Book 3207, Page 0479 of the Public Records of Palm Beach County, Florida to include additional lands;

WHEREAS, Section 11.10.3 of the Declaration provides that the Declaration may be amended by the approval of such amendment by a majority of the Board and by the Owners of two-thirds (2/3) of the Lots; and

WHEREAS, the Board of Directors of Boca Raton Bath & Tennis Club, Inc. has approved the Amendment at their meeting held on April 5, 1982; and

WHEREAS, more than two-thirds (2/3) of the Owners of the Lots have approved the Amendment by their written consent.

THIS DOCUMENT IS TO BE RETURNED TO:

KEITH J. KANOUSE
FLEMING, O'BRYAN & FLEMING
5550 Glades Road, Suite 611
Boca Raton, Florida 33433

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F. The term of the first Board elected by members of the Club shall extend until the next annual meeting of the members of the Club and until successors are duly elected by such members and qualified in accordance with the By-Laws of the Club. Thereafter, members of the Board shall serve a term of two (2) years. However, in order to stagger the elections of new Board members and thus provide more consistency in the government of the Club, three (3) of the seven (7) members of the Board elected at the annual meeting on the 18 day of April, 1989, shall serve a term of one (1) year. Said members shall be decided by the plurality of the vote, the four (4) members who receive the most votes being the members whose term shall be two (2) years, and the remaining members elected shall serve a term of one (1) year. Thereafter, each member of the Board shall be elected for a two-year (2) term. No member of the Board may serve more than one (1) term consecutively, but must refrain from serving for at least one (1) year between terms.

IN WITNESS WHEREOF, this Amendment To The Article Of Incorporation For Boca Raton Bath & Tennis Club, Inc. signed by the Club with the approval of a two-thirds (2/3) majority of the Board of Directors present at a duly called meeting at which a quorum was present and a two-thirds (2/3) majority of the Membership of the Association present at a duly called meeting of the Association at which a quorum was present.

BOCA RATON BATH & TENNIS CLUB, INC.

Kathy Haggan
John DePasquale

BY: Billie H. McCutcheon Sec

ATTEST:

BY: [Signature]

SWORN to and subscribed before me this 1 day of June, 1989.

[Signature]
Notary Public
My Commission expires:
Notary Public, State of Florida
My Commission Expires Nov. 18, 1991
Bonded thru Troy Fair Insurance Inc.

AMEND/AGREEMENTS/GS/09/12/88

RECORD VERIFIED
BOKA RATON COUNTY FLA
NOTARY PUBLIC
CLERK OF COURT

NOW, THEREFORE, in consideration of the mutual covenants made herein, said Declaration is amended as follows:

1. There is hereby added to ARTICLE VIII as Section 8.13 entitled "Licensed Drivers; Licensed Vehicles" as follows:

Section 8.13. Licensed Drivers; Licensed Vehicles. Motor vehicles of any kind shall be operated only by duly licensed drivers. Only duly licensed motor vehicles of any type, including, but not limited to, automobiles, trucks, vans, mopeds and motorcycles, used for conventional transportation purposes, shall be operated within the Boca Raton Bath & Tennis Club. The Board of Directors shall be vested with the power to enforce this Section by prescribing the method of enforcement and by imposing fines for the violation thereof.

IN WITNESS WHEREOF, this Amendment to the Declaration of Protective Covenants and Restrictions has been signed by the Club, with the approval of the Board of Directors of two-thirds (2/3) of the owners of the Lots the day and year first above set forth.

WITNESSES:

Jan Wilensky
Franklin C. K. ...
Pauline H. ...
John ...

BOCA RATON BATH & TENNIS CLUB, INC.

By: Thomas A. Groendyke
Thomas A. Groendyke, President

Attest: Ollie Bobyack
Ollie Bobyack, Secretary

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing Amendment to Declaration of Protective Covenants and Restrictions for Boca Raton Bath & Tennis Club, Inc. were acknowledged before me this 22nd day of November, 1982, by Thomas A. Groendyke, President of BOCA RATON BATH & TENNIS CLUB, INC., a Florida corporation not for profit on behalf of said corporation.

Jan Wilensky
Notary Public

My Commission Expires: Notary Public, State of Florida at Large
1027A/0011A
My Commission Expires Dec. 6, 1983
Issued by American Bar & County Council

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Amendment to Declaration of Protective Covenants and Restrictions for Boca Raton Bath & Tennis Club, Inc. were acknowledged before me this 22nd day of November, 1982, by Ollie Bobyack, Secretary of BOCA RATON BATH & TENNIS CLUB, INC., a Florida corporation not for profit on behalf of said corporation.

Pauline H. ...
Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES: 1983
ISSUED BY: AMERICAN BAR & COUNTY COUNCIL

- 2 -
RECORDED
PALM BEACH COUNTY, FLA
JAN 2, 1983
CLERK OF CIRCUIT COURT



B3829 P1703

This instrument was prepared by:
PETER C. MOLLENGARDEN, ESQUIRE,
Becker & Poliakoff, P.A.
500 Australian Avenue South
9th Floor
West Palm Beach, FL 33401
(W-C112)

**CERTIFICATE OF AMENDMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR
BOCA RATON BATH & TENNIS CLUB**

WHEREAS, the Declaration of Protective Covenants and Restrictions for Boca Raton Bath & Tennis Club has been duly recorded in the Public Records of Palm Beach County, Florida, in Official Record Book 2604 at Page 1893; and

WHEREAS, at a duly called and noticed meeting of the membership of Boca Raton Bath & Tennis Club, Inc., a Florida not-for-profit corporation, held on June 8, 1998, the aforementioned Declaration of Protective Covenants and Restrictions was amended pursuant to the provisions of said Declaration.

NOW, THEREFORE, the undersigned hereby certify that the following amendments to the Declaration is a true and correct copy of the amendments as amended by the membership:

**AMENDMENT TO ARTICLE IX, SECTION 9.1
OF THE DECLARATION OF PROTECTIVE COVENANTS AND
RESTRICTIONS FOR BOCA RATON BATH
& TENNIS CLUB**

(additions indicated by underlining;
deletions indicated by "---")

ARTICLE IX

CLUB EXPENSES, ASSESSMENTS, AND LIENS

9.1 General. In order for the Club to cause the covenants contained in this Declaration to be fulfilled; to own, operate and maintain the Common Areas; and to preserve the Property in the manner contemplated by this Declaration, the Club will incur certain expenses, which expenses are referred to herein as the "Club Expenses." Club Expenses, by way of illustration and without limitation by specification, shall include taxes on the Common Areas; insurance premiums for the Common Areas; utilities supplied to the Common Areas; costs of management, labor and materials for the operation, maintenance and repair of the Common Areas; operating expenses of the Club, and expenses incurred by the Club in enforcing this Declaration. Club Expenses shall also include the expenses related to bulk cable or master antenna television service pursuant to any agreements entered into by the Board of Directors under Article XII of this Declaration.

**AMENDMENT TO
THE DECLARATION OF PROTECTIVE COVENANTS AND
RESTRICTIONS FOR
BOCA RATON BATH & TENNIS CLUB,
ADDING A NEW ARTICLE XII THERETO.**

ARTICLE XII

BULK CABLE OR MASTER ANTENNA TELEVISION SERVICE

The Board of Directors of the Association may enter into contracts or agreements from time to time for a master antenna television system or bulk rate cable television service servicing all of the Lots and any improvements located on the Common Area, the cost of which shall be included in the Club Expenses and subject to the same collection procedures as all other Club Expenses under this Declaration.
