Reflecti To:
Founders Title

5100 West Copans Road
Suite 600
Margate, Florida 33063

12/12/2003 13:50:47 20030767502 OR BK 16310 PG 1781 Palm Beach County, Florida

Michael D. Joblove, Esq.
Genovese Joblove and Battista
100 Southeast Second Street
36th Floor
Miami, Florida 33131-2311

AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR OLYMPIA

Minto Communities, Inc., a Florida corporation (hereinafter the "Declarant") hereby amends the Declaration of Covenants, Restrictions and Easements for Olympia, as recorded on December 16, 2002, in Official Records Book 14541, Page 1085 of the Public Records of Palm Beach County, Florida (hereinafter the "Declaration").

- 1. Attached to the Declaration as originally recorded was Exhibit "C" entitled Master Common Areas. This Amendment to the Declaration hereby deletes the Exhibit "C" originally attached to the Declaration, and substitutes the attached Exhibit "C" in its place.
- 2. This Amendment was approved by the Declarant who, as of the date of this Amendment, owns a portion of the Project, and therefore has the power to amend the Declaration in its own right.

WITNESSES:	MINTO COMMUNITIES, INC.,	
<i>_</i> ;		a Florida corporation,
M	By:	- Juh Mal
Harry Binn	je	Michael Greenberg, President
T.R. Beer		(Corporate Seal)
STATE OF FLORIDA)	
) SS:	
COUNTY OF BROWARD)	
The foregoing instrument was by Michael Greenberg, as Preside personally known to me or has pro-	ent of Minto Con	before me this / day of De C, , 2003 mmunities, Inc., a Florida corporation. He i as identification and did take an oath
		M
	Notar	y Publie
	State	of Florida at Large
My Commission Expires:		HARRY RINNIE

This instrument prepared by and returned to:

Name: Harry Binnie Address: Founders Title

5100 W. Copans Road, Suite 600

Margate, Florida 33063

CONSENT OF MORTGAGEE

The undersigned BANK OF AMERICA, N.A., a national banking association, as Agent for itself and for THE TORONTO-DOMINION BANK (collectively the "Mortgagee"), the owner and holder of a certain Real Estate Mortgage, Assignment and Security Agreement dated as of March 27, 2001 and recorded in Official Records Book 12416, Page 832, together with First Mortgage Modification Agreement, dated November 30, 2001, filed of record July 10, 2002, in Official Records Book 13890, Page 1697; Public Records of Palm Beach County, Florida (as amended from time to time, the "Mortgage"), relating to the real property located in said County and more particularly described in the attached and foregoing Amendment to Declaration of Covenants, Restrictions and Easements for Olympia (the "Declaration"), does hereby consent to the Declaration and acknowledge that the lien of the Mortgage on said property is subordinate to the provisions of the Declaration and that the Declaration shall survive any foreclosure of the Mortgage or deed in lieu thereof and shall be binding upon all persons and their successors in title claiming said property by, through or by virtue of the Mortgage; provided, however, that at no time before the Mortgagee becomes the owner of said property shall this Consent (i) obligate the Mortgagee to perform any of the obligations of the grantor or grantee contained in the Declaration, (ii) impose any liability on the Mortgagee for any failure by any other person(s) to perform such obligations, nor (iii) be deemed a limitation on the operation or effect of the Mortgage except as specifically set forth herein.

WITNESS the due execution hereof on behalf of the Mortgagee on <u>December</u>, 2003, to be effective as of the date of the Declaration.

Signed and delivered in the

presence of these witnesses:

Print Name: Han

Print Name: Na take To destruct

BANK OF AMERICA, N.A., a national banking association, for itself and as Attorney-in-Fact for THE TORONTO-DOMINION BANK, pursuant to the power of attorney contained in the Mortgage

Address:

Name:

150 East Palmetto Park Road, 8th Floor

Boca Raton, Florida 33432

STATE OF FLORIDA	
COUNTY OF Palm Boack	
The foregoing instrument was acknow 2003 by 570 cm for King as	viedged before me this day of her me this day of her me this of BANK OF AMERICA, N.A., a national
banking association, as agent for itself and for	THE TORONTO-DOMINION BANK. He/she is personally known
to me or produced a	as identification.
[NOTARIAL SEAL]	Notary: Print Name: Notary Public, State of Florida
	My Commission expires:
	HARRY BINNIE NOTARY PUBLIC - STATE OF IT ORIGIN COMMISSION STIFFAUR EXPERS 9725/2006 BONDED THRU 1-888-NOTARY1

EXHIBIT "C"

LEGAL DESCRIPTION OF MASTER COMMON AREAS

TRACTS R-1, B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11, AND B-13, AS ALL ARE SHOWN-ON OLYMPIA PLAT 1, AS RECORDED IN PLAT BOOK 93, PAGES 135 THROUGH 161 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACTS B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10 AND B-11 AS ALL ARE SHOWN ON OLYMPIA-PLAT II, AS RECORDED IN PLAT BOOK 98, PAGES 1 THROUGH 24 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT B-4 AS SHOWN ON OLYMPIA PHASE I PARCEL "L" REPLAT, AS RECORDED IN PLAT BOOK 97, PAGES 107 THROUGH 111 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.