AUG-28-1987 04:21pm 87-257683

Prepared by:

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Suite 500, Tower A, Forum III
1675 Palm Beach Lakes Blvd.
West Palm Beach, Florida 33401

"WILL CALL DRAWER #28".

AMENDMENT NO. 5 TO DECLARATION OF CONDOMINIUM FOR

THE ARBOURS OF THE PALM BEACHES, A CONDOMINIUM

(ADDING PHASE 4)

WHEREAS, NOTTINGHAM DEVELOPMENT CORP., a Florida corporation (hereinafter referred to as "Sponsor"), desires to submit to Condominium Ownership an additional phase to the Condominium, the name of which appears in the title of this document (hereinafter referred to as the "Condominium"), pursuant to the provisions of Section 718.403, Florida Statutes, and to the provisions of the Declaration of Condominium for the Condominium recorded in Official Record Book 4663, page 1434, Public Records of Palm Beach County, Florida, (hereinafter referred to as the "Declaration", reference to which also includes reference to any prior amendments thereto as set forth on EXHIBIT 2 hereof); and

WHEREAS, Sponsor is the owner of record in fee simple title to the real property situate, lying and being in Palm Beach County, Florida, as more particularly described in the survey exhibit attached hereto as EXHIBIT 1, together with improvements thereon, are hereby submitted to condominium ownership pursuant to the Condominium Act of the State of Florida (F.S. 718), as follows:

1. Exhibit 1 to the Declaration is hereby amended by adding thereto the Surveyor's Certificate and survey exhibit attached to this instrument as Exhibit 1, thereby subjecting the real property described on Exhibit 1 hereto to all the provisions of the Declaration and all exhibits attached thereto, which shall be binding upon all Owners and the Condominium Units upon said real property. Said provisions are enforceable, equitable servitudes running with said real property and existing in perpetuity until the Declaration is revoked and the Condominium is terminated as provided in the Declaration.

2. The real property described in Exhibit 1 hereto is subject to such easements, restrictions, reservations and rights-of-way of record, together with all provisions of the Declaration and exhibits attached thereto.

3. In consideration of receiving, and by acceptance of a grant, devise, or mortgage, as to any interest in the real property described in Exhibit 1 hereto, all grantees, devisees, or mortgagees, their heirs, personal representatives, successors and assigns, and all parties claiming by, through, or under such persons agree to be bound by the provisions hereof and by the Declaration and all exhibits thereto. Both the burdens imposed and the benefits granted by this instrument shall run with each Unit set forth on Exhibit 1 to this instrument.

4. Exhibit 1 to this instrument is a survey of the land, graphic description, and plot plans of the improvements constituting the phase added to the Condominium as indicated in the title of this instrument, identifying the Units, Common Elements, and Limited Common Elements, and their relative locations and approximate dimensions. Each Unit is identified on Exhibit 1 hereto by a specific number. No Unit bears the same number as any other Unit. The parking spaces are delineated thereon.

5. In accordance with the provisions of the Declaration, the percentage of ownership of undivided interests in the Common Elements appurtenant to each Unit in the Condominium is hereby changed to equal 1/40th. The share of common expenses and ownership of common surplus is likewise changed.

THIS DOCUMENT IS BEING RECORDED FOR REFERENCE PURPOSES ONLY

6. Attached hereto as Exhibit 2, which is incorporated herein by reference, sets forth all amendments to the Declaration prior to the amendment by this instrument.

IN WITNESS WHEREOF, the party hereto has set its hand and seal this 7th day of August, 1987.

Signed, Sealed and Delivered in Our Presence:

Shirley Potter

Ann Virginia L. Moore

NOTTINGHAM DEVELOPMENT CORP.

By: _____
Its President

(CORPORATE SEAL)

STATE OF FLORIDA)
: SS
COUNTY OF PALM BEACH)

Before me personally appeared Tom Scott, to me well known and known to me to be the individual described in and who executed the foregoing instrument as President of NOTTINGHAM DEVELOPMENT, INC., and acknowledged to and before me that he executed such instrument as such President, of said corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that it was affixed to said instrument by due and regular corporate authority; that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal, this 7th day of August, 1987.

Shirley Potter
Notary Public, State of Florida at Large

(NOTARIAL SEAL)

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Aug. 9, 1987

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2195a/0090a

EXHIBIT 1 TO DECLARATION OF CONDOMINIUM

OF

THE ARBOURS OF THE PALM BEACHES, A CONDOMINIUM

SURVEYOR'S CERTIFICATE

STATE OF FLORIDA)
) SS:
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority duly authorized to administer oaths and take acknowledgements, personally appeared RALPH G. PURVIS, who after first being duly cautioned and sworn, deposes and says as follows:

1. That he is a duly registered land surveyor under the laws of the State of Florida, being Surveyor No. 1955.

2. Affiant hereby certifies that the construction of the improvements described as Phase 4 appearing on sheets 1 through 3 hereof, is substantially complete so that this Exhibit, together with the Declaration of Condominium of THE ARBOURS OF THE PALM BEACHES, A CONDOMINIUM, and the Exhibits attached thereto, is an accurate representation of the location and dimensions of said improvements described and that the identification, location and dimensions of the Common Elements, and of each Condominium Unit therein for Phase 4 can be determined from these materials.

FURTHER AFFIANT SAYETH NAUGHT.

Ralph G. Purvis

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 4 DAY OF August, 1987.

Albert H. Swanson
NOTARY PUBLIC, State of Florida

My Commission Expires: 4/21/87

Notary Public, State of Florida at Large
My Commission Expires April 21, 1987
Bonded thru Agent's Notary Brokerage

Public Records
Certified Copy

B5401 P0864

Sheet ____ of ____

0159e/0003e

SURVEY for: THE ARBOURS, PHASE 4, BUILDING 4

LEGAL DESCRIPTION (as furnished by): _____

BEING A PORTION OF "PLAT #9 CRESTHAVEN OF PALM BEACH" ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 41, PAGE 56 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PLAT #9; THENCE NORTH 02° 42' 35" EAST 62.79 FEET; THENCE NORTH 62° 01' 50" EAST 136.62 FEET; THENCE SOUTH 87° 17' 25" EAST 169 FEET; THENCE SOUTH 42° 17' 25" EAST 46 FEET; THENCE SOUTH 02° 42' 35" WEST 66 FEET; THENCE SOUTH 55° 51' 40" EAST 73.87 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID PLAT #9; THENCE WESTERLY ALONG THE SOUTHERLY BOUNDARY OF SAID PLAT #9, (SAID BOUNDARY LINE BEING ON A CURVE, CONCAVED TO THE SOUTH, AND HAVING A RADIUS OF 890 FEET, A CENTRAL ANGLE OF 08° 35' 25", A CHORD BEARING OF NORTH 83° 48' 21" WEST) AN ARC DISTANCE OF 133.48 FEET TO THE POINT OF TANGENT OF SAID CURVE, THENCE CONTINUE NORTH 88° 06' 09" WEST 249.02 FEET TO THE "POINT OF BEGINNING';

CONTAINING _____ ACRES MORE OR LESS.

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Arbours
A CONDOMINIUM

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SHEET ONE OF THREE SHEETS

CERTIFICATION

I hereby certify this to be a true map of a survey of the lands as shown in the above description and is true and accurate to the best of my knowledge and belief, unless the contrary may be shown. This survey meets the minimum technical standards of Chapter 21 HH-6, F.A.C.

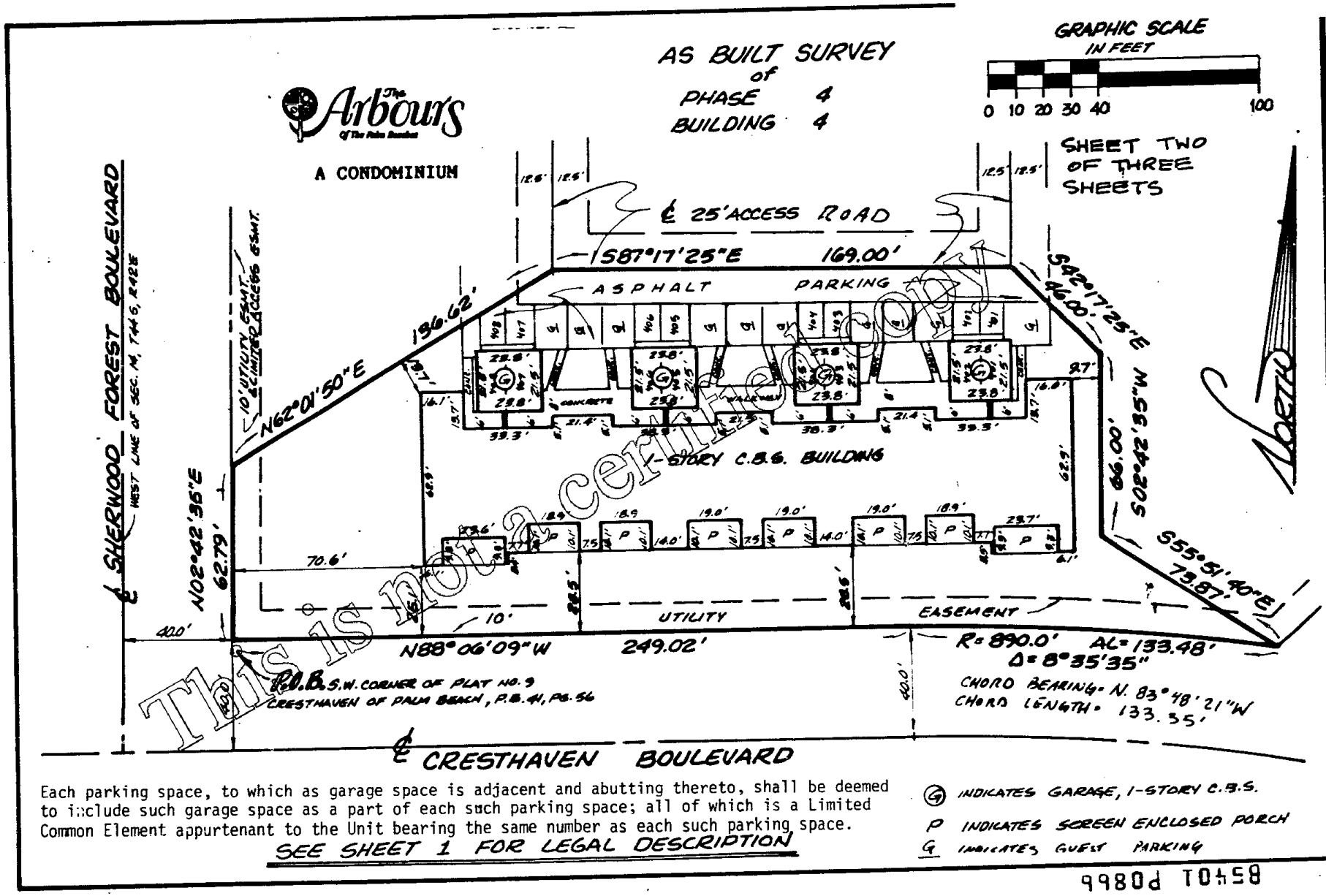
NOTE: No search of the Public Records have been made by this office. This Surveyor makes no representations or guarantees as to the accuracy of the Legal Description furnished him, or the omissions of easements, reservations, rights-of-way of instruments of Record.

Ralph G. Purvis
RALPH G. PURVIS, P.L.S.
Fla. Cert. No. 1955

SCALE	DUAL COUNTY SURVEYORS INC. • 965-3376 1265 So. Military Trail, West Palm Beach, FL 33406	JOB NO. 87-283	DATE 8.4.'87

90240

J & J BLUEPRINTERS



Each parking space, to which as garage space is adjacent and abutting thereto, shall be deemed to include such garage space as a part of each such parking space; all of which is a Limited Common Element appurtenant to the Unit bearing the same number as each such parking space.

SEE SHEET 1 FOR LEGAL DESCRIPTION

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85401 P0886

B5401 P0867

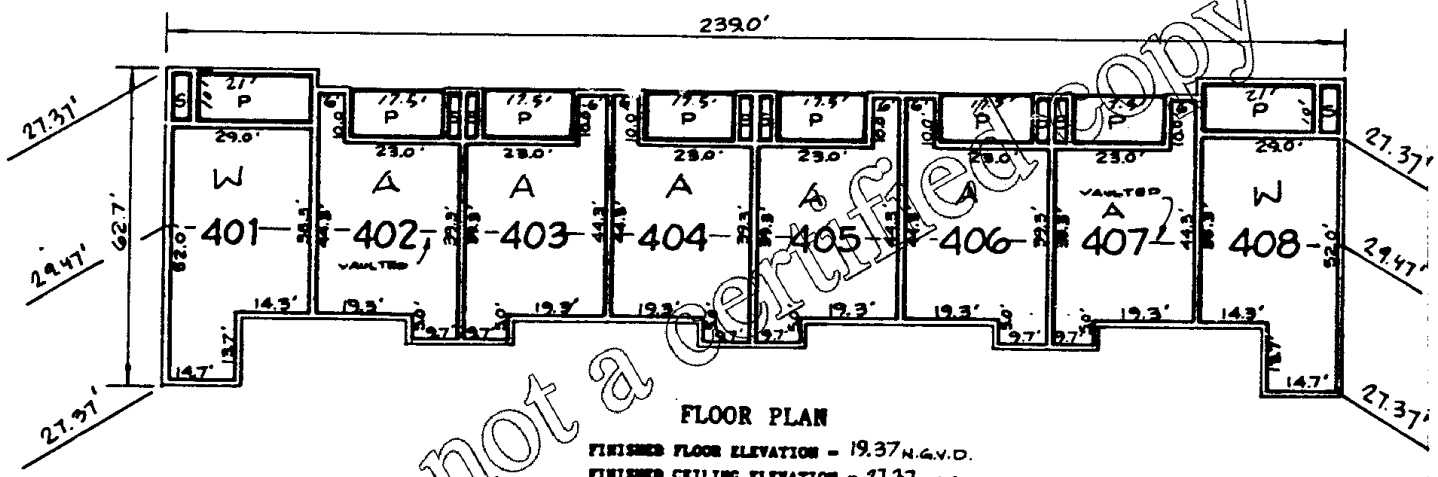
FLOOR PLAN FOR
BUILDING NUMBER 4
PHASE 4

0 10 20 30
GRAPHIC SCALE
IN FEET

BUILDING TYPE E

The Arbours of the Palm Beaches

A CONDOMINIUM



FLOOR PLAN

FINISHED FLOOR ELEVATION = 19.37 N.G.V.D.
FINISHED CEILING ELEVATION = 27.37 N.G.V.D.
VAULTED CEILING ELEVATION = 29.47' N.G.V.D.

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LEGEND:

401 — DESIGNATES CONDOMINIUM UNIT (PARCEL) NUMBER WITH THE FIRST DIGIT INDICATING BUILDING NUMBER.

— — — DESIGNATES BOUNDARY LINE OF CONDOMINIUM UNIT AND INTERIOR WALL DIMENSIONS (dimensions rounded to the nearest one tenth of a foot as measured to the unfinished concrete walls).

19.37 N.G.V.D. — DESIGNATES NATIONAL GEODETIC VERTICAL DATUM, MEAN SEA LEVEL= 0.00'

P, S — DESIGNATES COMMON ELEMENT (P=PATIO, S=STORAGE)

NOTES:

1. SEE SITE PLAN FOR LOCATION AND ORIENTATION OF BUILDINGS.
2. ALL INTERIOR ANGLES OF UNITS ARE 90 DEGREES UNLESS NOTED OTHERWISE.
3. INTERIOR WALLS WIDTH= 0.67'
   EXTERIOR WALLS WIDTH= 0.67'
4. SEE TYPICAL FLOOR PLANS OF ARCHITECTURAL DRAWINGS FOR INTERIOR WALL PARTITIONING.
5. COMMON ELEMENTS SUCH AS, BUT NOT LIMITED TO, CONDUITS, WIRES, OUTLETS, UTILITY LINES, DUCTS, PLUMBING, LIGHTING, ETC. HAVE NOT BEEN GRAPHICALLY ILLUSTRATED. COMMON ELEMENTS ARE AS DEFINED IN THE DECLARATION OF CONDOMINIUM, THE ARBOURS OF THE PALM BEACHES.
6. THE BOUNDARIES OF EACH UNIT IS ENCLOSED BY A VERTICAL PROJECTION OF THE UNIT BOUNDARY LINES AS SHOWN AND THE HORIZONTAL PLANES OF THE FLOOR AND CEILING ELEVATIONS AS NOTED.

SHEET THREE OF THREE SHEETS

DUAL COUNTY SURVEYORS INC. • 965-3376
3676 Collin Drive , West Palm Beach, FL 33406

JOB NO. 87-283

DATE 8-4-87

SCALE 1"=30'

EXHIBIT 2

The following is a list of all prior amendments made to the Declaration of Condominium for The Arbours of the Palm Beaches, a Condominium:

1. Amendment No. 1 adding Phase 6, recorded January 15, 1986, in Official Record Book 4767, page 0048, Public Records of Palm Beach County, Florida.

2. Amendment No. 2 adding Phase 11, recorded January 24, 1986, in Official Record Book 4774, page 1818, Public Records of Palm Beach County, Florida.

3. Amendment No. 3 adding Phase 1, recorded January 24, 1986, in Official Record Book 4774, page 1824, Public Records of Palm Beach County, Florida.

4. Amendment No. 4 adding Phase 8, recorded September 11, 1986, in Book 5002, page 1563, Public Records of Palm Beach County, Florida.

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RECORD VERIFIED
PALM BEACH COUNTY, FLA.
JOHN B. DUNKLE
CLERK CIRCUIT COURT