



CFN 20170268567

DR BK 29244 PG 0870
RECORDED 07/27/2017 11:28:23
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0870 - 874; (5pgs)

PREPARED BY AND
RETURN TO:

SIMON AND SCHMIDT
140 N.E. 4th Avenue
Suite A
Delray Beach, FL 33483

**FIRST AMENDMENT TO THE DECLARATION OF COVENANTS
OF DAVIS LANDINGS WEST**

WHEREAS, a Declaration of Covenants of Davis Landings West (hereinafter referred to as the "Declaration") was recorded in Official Record Book 28319, at Page 1673, of the Public Records of Palm Beach County, Florida; and

WHEREAS, Article VII, Section 5 of the Declaration provides for the filing of amendments thereto; and

WHEREAS, the Declarant still owns all of the Lots as of the date of this First Amendment and is authorized to make amendments to the Declaration.

NOW, THEREFORE, the aforesaid Declaration is hereby amended as follows (additions are underlined; deletions are ~~struck through~~):

1. **Reference:** Page 1, Article I, "Common Areas", is hereby amended to read as follows:

"Common Areas" shall mean and refer to the property (i) dedicated by the Plat of The Properties (whether as separate Tracts or as easements) which Plat is specifically described in Exhibit "A" attached hereto or (ii) declared to be Common Areas and the hereinafter described landscaping. The Common Areas are initially intended to include landscape buffers (both owned land and easements for such purpose over Lots), open space, an entry sign for The Properties, a sidewalk, drainage easements in favor of the Declarant, ~~and~~ all irrigation systems and lighting serving the applicable portions of the foregoing, and specifically including but not limited to the Private Sewer Collection System to be constructed within the property, including but not limited to lift stations, gravity sewers, the sewer force main up to the control valve at the boundary line for the Property all as more further described in the Civil Design Plans on file with the Palm Beach County Water Utility Department and attached hereto as Exhibit "E". The Declarant shall own and be responsible for the operation, repair, maintenance, and replacement of the Private Sewer Collection System in perpetuity.

2. **Reference:** Page 12, Article VII, Section 5, is hereby amended to read as follows:

“Section 5. Amendment. The covenants, restrictions, easements, charges and liens of this Declaration may be amended, changed, deleted or added to at any time and from time to time upon the execution and recordation of an instrument executed by the Declarant alone for so long as it or its affiliates holds title to any Lot affected by this Declaration and at least 66-2/3% of first mortgagees (based upon one vote for each Lot subject to a mortgage owned by the mortgagee). Also, no amendment to this Declaration or its exhibits shall be valid if same conflicts with the Palm Beach County Unified Land Development Code. Any proposed Amendment to this Declaration which would affect the Private Sewer Collection System shall require the prior written approval of the Director of the Palm Beach County Water Utilities Department, its successors or assigns.”

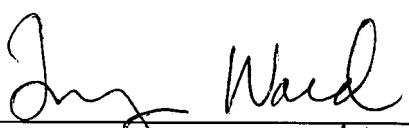
3. **Reference:** Exhibit “D”, Rules and regulations, is amended to include language regarding permitted fencing. The amended Exhibit “D” is attached hereto.


This First Amendment to the Declaration, when recorded in the Public Records of Palm Beach County, Florida, shall be incorporated by reference and made a part of the Declaration of Covenants of Davis Landings West with like effect and to the same extent as though matters set forth herein had originally constituted a part of said declaration of covenants.

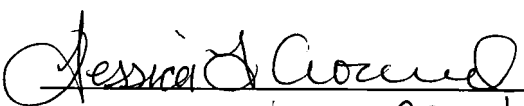
Date of execution by Declarant: July 3, 2017.

Signed and executed in the presence of:

COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC., a Florida not-for-profit corporation


Print name: TANYA WARD

By: 
Print name: Cindee LaCourse - Blum
Title: Executive Director


Print name: Jessica L. Crowe

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 3rd day of July, 2017, by ~~Cindee LaCourse Blum~~ as ~~Executive Director~~ of Community Land Trust of Palm Beach County, Inc., on behalf of the corporation. (S)he is personally known to me or has produced _____ as identification.



Tanya Ward

Notary Public
State of Florida
My Commission Expires:

certified copy

EXHIBIT "D"

RULES AND REGULATIONS

The Common Areas and facilities, if any, shall not be obstructed or used for any purpose other than the purposes intended therefore. No carts, bicycles, carriages, chairs, tables or any other objects shall be stored thereof.

No motorized vehicle which cannot operate on its own power shall remain on the property more than twenty-four (24) hours, and no repair of such vehicles shall be made thereon. No portion of the common Areas outside of designated parking spots may be used for parking purposes.

Vehicles which are in violation of these rules and regulations shall be subject to being towed by the Association as provided in the Declaration, subject to applicable laws and ordinances.

No Homeowner shall make or permit any disturbing noises in the Home or on the Lot by himself or his family, employees, agents, visitors or licensees, nor permit any conduct by such persons that will interfere with the rights, comforts or conveniences of other Homeowners. No Homeowner shall play or permit to be played any musical instrument, nor operate or permit to be operated stereo equipment, television, radio or sound amplifier or any other sound equipment in his Home or on his Lot in such a manner as to disturb or annoy other residents (applying reasonable standards). No Homeowner shall conduct, nor permit to be conducted, vocal or instrumental instruction at any time which disturbs other residents.

No electronic equipment may be permitted in or on any Home or Lot which interferes with the television or radio reception of any Home.

No Homeowner may alter in any way any portion of the Common Areas, including, but not limited to, landscaping, without obtaining the prior written consent of the Declarant's Board of Director's.

No commercial use shall be permitted in the Development even if such use would be permitted under applicable zoning ordinances, if same (i) would be noticeable from the exterior of the Home, (ii) would generate automobile traffic and/or (iii) would cause any other violations of the Declaration or these Rules and Regulations.

Children will be the direct responsibility of their parents or legal guardians, including supervision of them while within the property and including full compliance by them of these Rules and Regulations and all other rules and regulations of the development. Loud noises will not be tolerated. All children under twelve (12) years of age must be accompanied by a responsible adult when entering and/or utilizing recreational amenities.

Pets and other animals shall neither be kept nor maintained in or about The Property except in accordance the Declaration and the following:

No pets shall be outside of its Homeowner's Home unless attended by an adult or child of more than 10 years of age and on a leash of reasonable length. Said pets shall only be walked or taken upon those portions of the Common Areas designated from time to time for those purposes and

shall be cleaned up after at all times. In no event shall said pet be walked or taken on any recreational facility, outside of the walking path, contained within the Common Areas.

For Lots 1-14 (on the south side of the property) – a 4 foot high black aluminum fence or black chain link fence or white vinyl privacy fence are permitted. Fences may not extend beyond the front exterior wall of the home not including the garage.

For Lots 15-24 (on the north side of the property) – a 4 foot high black aluminum fence or black chain link fence or 6 foot high white vinyl privacy fence are permitted. Fences may not extend beyond the front exterior wall of the home not including the garage.

Every Homeowner and occupant shall comply with these rules and regulations as set forth herein, and any rules and regulations which from time to time may be adopted, and the provisions of the Declaration, as amended from time to time.

These rules and regulations shall not apply to the Declarant, nor its affiliates, agents or employees and contractors (except in such contractors' capacity as Homeowners), nor property while owned by either the Declarant or its affiliates. All of these rules and regulations shall apply, however, to all other Homeowners and occupants even if not specifically so stated in portions hereof.