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**CERTIFICATE OF AMENDMENT
TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DELRAY VILLAS PLAT 3 HOMEOWNERS' ASSOCIATION, INC.**

THIS AMENDMENT to DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("DECLARATION") for DELRAY VILLAS PLAT 3 HOMEOWNERS' ASSOCIATION, INC. (hereinafter referred to as the "ASSOCIATION") is made this 14th day of March, 2016, by its Board of Directors and membership pursuant to the terms of the DECLARATION which has been duly recorded in the Public Records of Palm Beach County, Florida at Official Record Book 3305, Page 1630, et. seq., and as same has been amended from time to time.

WHEREAS, at a duly called and noticed meeting of the membership of the ASSOCIATION, held on March 14, 2016, the following amendment was adopted by the Board of Directors and by not less than that percentage of the membership required as set forth in the ASSOCIATION'S Governing Documents; and,

WHEREAS, the Amendment set forth herein does not impair or prejudice the rights and priorities of lienors or mortgagees;

NOW THEREFORE, the undersigned hereby certifies that the amendment attached hereto as Exhibit "A" is a true and correct copy of the amendment as amended by the ASSOCIATION:

Except as amended herein, all other terms and conditions of the Governing Documents, including Rules and Regulations, shall remain unchanged and in full force and effect according to their terms.


This Amendment has been adopted by the ASSOCIATION'S Board of Directors and membership, as authorized by the Governing Documents.

IN WITNESS WHEREOF, the ASSOCIATION'S Board of Directors has caused this AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS for DELRAY VILLAS PLAT 3 HOMEOWNERS' ASSOCIATION, INC. ("DECLARATION"), to be executed by a duly authorized officer this 4 day of APRIL, 2016.

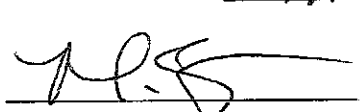
DELRAY VILLAS PLAT 3 HOMEOWNERS' ASSOCIATION,
INC.

By: JACK PARKER

Title: PRESIDENT



Witness Signature



Witness Signature

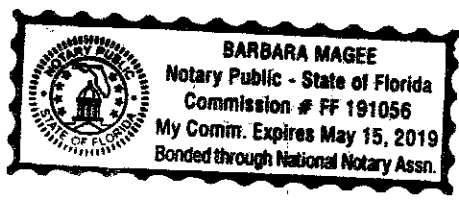
Michael Chapnick
Printed Name

Michael Zangari
Printed Name

STATE OF FLORIDA)
COUNTY OF Palm Beach)

The foregoing instrument was executed before me this 8th day of April, 2016 by Jack Parker as President of DELRAY VILLAS PLAT 3 HOMEOWNERS' ASSOCIATION, INC., who, upon being duly sworn, acknowledged to me that (s)he signed the foregoing document and was personally known to me or produced a drivers' license as proof of identity.

WITNESS my hand and official seal at the County and State aforesaid this 8th day of April, 2016.



Barbara Magee
NOTARY PUBLIC

My commission expires: May 15, 2019

This Instrument Prepared by and Return to:
Michael E. Chapnick, Esq.
Siegfried Rivera Hyman Lerner De La Torre
Mars & Sobel, P.A.
1655 Palm Beach Lakes Boulevard
Suite C-500
West Palm Beach, Florida 33401
(561) 296-5444

**Declaration of COVENANTS, CONDITIONS AND RESTRICTIONS Recorded at
Official Record Book 3305, Page 1630,
in the Public Records of Palm Beach County, Florida**

EXHIBIT A

(Additions indicated by underlining; deletions indicated by ~~strikethroughs~~)

1. Proposed amendment to Article 4 of the Declaration of Covenants, Conditions and Restrictions for Delray Villas Plat 3 Homeowners' Association, Inc.

~~4.A. AGE LIMITATION ON PERMANENT RESIDENTS. In recognition of the fact that the property in the Subdivision has been platted, and the structures to be located thereon designated primarily for the comfort, convenience and accommodation of retired persons, the use of all Lots in the Subdivision is hereby limited to permanent residents sixteen (16) years of age or older. No person shall be permitted to reside in the Subdivision who is under the age of sixteen (16) years. Children under the age of sixteen (16) are permitted to visit for a period not to exceed a total of ninety (90) days per calendar year.~~

4. AGE LIMITATION ON PERMANENT RESIDENTS

- 4.1. It is the express intention of this Association to provide for housing for persons aged fifty-five (55) and older, and to operate as such a community in accordance with the provisions of the Housing for Older Persons Act ("HOPA") contained within the Fair Housing Amendments Act of 1988 (42 U.S.C. §3607), and as further described in the Code of Federal Regulations (24 C.F.R. §100.301, et seq.).
- 4.2. It is the further intention of the Association that at least eighty percent (80%) of its occupied units be occupied by at least one person 55 years of age or older. As to the remaining twenty percent (20%) of the occupied units, the Association shall adopt reasonable rules and regulations governing the occupancy of said units, which may include provisions for, among other things, utilizing those units which comprise the remaining twenty percent (20%) to accommodate the under fifty-five years of age surviving spouses of deceased permanent occupants who were qualifying occupants under this Section, or to accommodate units which are acquired by inheritance or intestate succession. Under no circumstances shall any person under the age of forty (40) be allowed to permanently occupy a unit, unless such person: a) is the surviving spouse of a deceased permanent occupant who was a qualifying occupant under this Section or b) has acquired the unit of a deceased qualifying occupant by inheritance or intestate succession, all provided that at least eighty percent (80%) of the Association's occupied units shall at all times be occupied by at least one person aged 55 years or older. Children under the age of sixteen (16) are permitted to visit a unit for a period not to exceed a total of ninety (90) days per calendar year.
- 4.3. For purposes of this Section, the term "occupied unit" shall mean:
 - 4.3.1. a unit that is actually occupied by one or more persons on the date that the HOPA exemption is claimed; or
 - 4.3.2. a temporarily vacant unit, if the primary occupant has resided in the unit during the past year and intends to

return on a periodic basis.

- 4.4. For purposes of this Section “occupied by at least one person 55 years of age or older” means that on the date that the HOPA exemption is claimed
 - 4.4.1. at least one occupant of the unit is 55 years of age or older; or
 - 4.4.2. if the unit is temporarily vacant, at least one of the occupants immediately prior to the date on which the unit was temporarily vacated was 55 years of age or older.
- 4.5. Notwithstanding the foregoing, the Association shall qualify under the HOPA exception even if:
 - 4.5.1. there are unoccupied units within the Association, provided that at least 80 percent of the occupied units are occupied by at least one person 55 years of age or older; or
 - 4.5.2. there are units occupied by employees of the Association (and their family members, residing in the same unit) who are under 55 years of age, provided the employees perform substantial duties related to the management or maintenance of the Association; or
 - 4.5.3. there are units occupied by persons who are necessary to provide a reasonable accommodation to disabled residents as required by 24 C.F.R. §100.204 and who are under the age of 55.
- 4.6. The Association shall verify that the provisions of this Section have been complied with by obtaining such verification from all occupants of units, at the time of transfer of a unit, and thereafter at least as often as every two years, through surveys and affidavits. The Association shall keep copies of such surveys and affidavits, and supporting documentation, as part of the Association’s official records. Reliable documentation of an occupant’s age shall include, but not be limited to:
 - 4.6.1. Driver’s licenses;
 - 4.6.2. Birth certificates;
 - 4.6.3. Passports;
 - 4.6.4. Immigration cards;
 - 4.6.5. Military identification;
 - 4.6.6. Other state, local, national, or international official document containing a birth date of comparable reliability; and,
 - 4.6.7. An Affidavit executed by a person aged 18 or older certifying that at least one person in the unit is 55 years of age or older.