

THIRD AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM  
OF  
KENDALLWOOD VILLAS,  
A CONDOMINIUM

The Declaration of Condominium of KENDALLWOOD VILLAS, a Condominium, recorded in Official Records Book 10677 at page 376, Public Records of Dade County, Florida, as previously amended by instrument recorded in Official Records Book 10595 at page 427, Public Records of Dade county, Florida, is further amended, modified and changed as follows:

1. At Page 24, Article XV, entitled "DEVELOPER'S CONVEYANCE AND RIGHTS TO SET MAINTENANCE STANDARDS", Paragraph "I" the eighth and ninth lines are deleted and, after the words "Exhibit 'H'" at the eighth line there is inserted the following: "and as the same may be amended or changed."

2. Exhibit "H" being the Agreement for Sale of Condominium Apartment is amended as follows:

a) At the top of the first page, above the name "KENDALLWOOD VILLAS" and on Page 9 just prior to the signature lines there is inserted the following new paragraph:

"AS CONSTRUCTION OF THE CONDOMINIUM, ITS COMMON ELEMENTS AND UNITS ARE SUBSTANTIALLY COMPLETE AND AVAILABLE FOR A UNIT OWNER'S USE AND/OR OCCUPANCY, NO PROVISION FOR ESCROW OF ANY DEPOSITS MADE PURSUANT TO THIS CONTRACT IS REQUIRED OR HAS BEEN PROVIDED."

b) The second full paragraph on the first page is amended to read as follows:

"WHEREAS, Seller as Developer has converted the 192-Unit apartment complex commonly known as KENDALLWOOD VILLAS, to the condominium form of ownership, pursuant to the Condominium Act of the State of Florida and has engaged in the sale of such Units, and"

c) Paragraph 2(a) at page 2 is amended by deleting the parentheses and the words in the parentheses therein.

d) Paragraph 14 entitled "NOTICES" is amended by changing the comma (,) at the end of line eight to a period (.) and by deleting the ninth line thereof.

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e) Paragraph 17(g) at the bottom of page 7 and the top of Page 8 is deleted in its entirety.

f) The paragraph at the bottom of Page 9 beginning with the words: "THE PURCHASER..." is deleted in its entirety.

3. Exhibit "J" is deleted in its entirety.

The foregoing constitutes the Third Amendment to the Declaration of Condominium, as amended, of KENDALLWOOD VILLAS and all other provisions of said Declaration as amended shall not be deemed altered or amended except as expressly set forth herein and shall be deemed restated and in full force and effect. The Developer is of the opinion that this Third Amendment does not materially adversely affect substantial property rights of any Unit Owners.

IN WITNESS WHEREOF, the Developer has caused this Third Amendment to Declaration of Condominium to be executed and the corporate seal of the General Partner to be affixed as of this 15th day of May, 1980.

Signed, sealed and delivered in the presence of:

KENDALLWOOD VILLAS, LTD., a California Limited Partnership authorized to do business in the State of Florida by KENDALLWOOD VILLAS ASSOCIATES, INC., its General Partner.

[Signature]

[Signature]

By: [Signature] President

STATE OF FLORIDA |  
COUNTY OF DADE | SS:

BEFORE ME, the undersigned authority, personally appeared Albert Metzner, as President of KENDALLWOOD VILLAS ASSOCIATES, INC., General Partner of KENDALLWOOD VILLAS, LTD., a California Limited Partnership, authorized to do business in the State of Florida, who being duly sworn, state that he has executed the foregoing Third Amendment To Declaration of Condominium for the purposes therein expressed in his representative capacity as a duly authorized officer of such corporation.

WITNESS my hand and official seal in the State and County last aforesaid this 15th day of May, 1980.

[Signature]  
NOTARY PUBLIC  
[Circular Notary Seal]

My Commission Expires:  
June 17, 1983

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of a first mortgage lien on property comprising KENDALLWOOD VILLAS, a Condominium, hereby consents to and approves the foregoing THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OF KENDALLWOOD VILLAS, A CONDOMINIUM.

THE UNDERSIGNED, makes no warranty or representation of any kind or nature concerning the Declaration of Condominium, any of its terms or provisions, or the legal sufficiency thereof, and disavows any such warranty or representation as well as any participation in the development of said condominium, and does not assume and shall not be responsible for any of the obligations or liabilities of the Developer contained in the Declaration of Condominium or any of the condominium documents issued by the Developer in connection with the promotion of the condominium. None of the representations contained in the condominium documents shall be deemed to have been made by the undersigned, nor shall they be construed to create any obligation upon the undersigned to any person relying thereon. This consent is limited to the purposes and requirements of Section 718.104(3), Florida Statutes.

IN WITNESS WHEREOF, the undersigned has this 15th day of May, 1980, made and executed this Consent of Mortgagee.

WITNESSES:

WESTFIELD FINANCIAL CORPORATION

*Shirley J. Collins*

By:

*Henry Rodstein*  
HENRY RODSTEIN, President

*Coraleyn Ferguson*

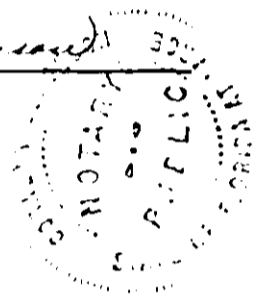
STATE OF  
COUNTY OF

SS:

BEFORE ME, the undersigned authority, personally appeared HENRY RODSTEIN, as President of WESTFIELD FINANCIAL CORPORATION, a Delaware corporation, authorized to do business in the State of Florida, who being duly sworn, state that he has executed the foregoing Consent of Mortgagee for the purposes therein expressed.

WITNESS my hand and official seal in the State and County last aforesaid this 15th day of May, 1980.

Cheryl D. [Signature]  
NOTARY PUBLIC



My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES APR 1 1984  
BOULEVARD, SUITE 110, UNDERWATER

THIRD AMENDMENT

TO

PROSPECTUS

OF

KENDALLWOOD VILLAS,

A CONDOMINIUM

The Prospectus of KENDALLWOOD VILLAS, a Condominium, as previously amended, is further amended, modified and changed as follows:

1. The bottom paragraph on the cover sheet is amended by substituting the words "Chapter 718" for the words "Chapter 518" therein.

2. At page (iii) the reference to "Exhibit 'J': Excrow Agreement" is deleted.

3. At page (iii) the reference to "Exhibit '6' NOTICE OF DEPOSIT" is deleted.

4. At page 2, paragraph (g) the last sentence is deleted and there is substituted in place and instead thereof the following:

"All of the aforesaid changes and expenditures have been substantially completed and are now available to the Unit Owner."

5. At page 4, the section entitled "CONDITION OF BUILDING AND COMMON ELEMENTS", is changed by inserting a new paragraph between the existing second and third paragraphs thereof to read as follows:

"All of the items of recommended work and treatment noted in the aforesaid engineer's and termite inspection reports have been substantially completed by the Developer."

The above-noted Third Amendment to Prospectus has been made as of this 15th day of May, 1980.

KENDALLWOOD VILLAS, LTD., a California Limited Partnership authorized to do business in the State of Florida by KENDALLWOOD VILLAS ASSOCIATES, INC., its General Partner.

RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA.  
RECORD VERIFIED  
RICHARD P. BRINKEE  
CLERK CIRCUIT COURT

By: \_\_\_\_\_



President