

05/09/2003 11:16:39 20030268334  
DR BK 15201 PG 0931  
Palm Beach County, Florida

This Instrument Prepared By/  
Record and Return to:  
Michael R. Flam, P.A.  
BROAD AND CASSEL  
1 North Clematis Street, Suite 500  
West Palm Beach, FL 33401

**SECOND AMENDMENT  
TO THE  
DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS  
FOR  
SAND CAY AT IBIS GOLF AND COUNTRY CLUB**

This **SECOND AMENDMENT** made this 9<sup>th</sup> day of April, 2003, by IBIS WEST PALM PARTNERS L.P., a Delaware limited partnership ("DECLARANT").

WITNESSETH:

**WHEREAS**, DECLARANT has the right and power under ARTICLE XVII, Section 1, of the DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR SAND CAY AT IBIS GOLF AND COUNTRY CLUB, recorded in Official Records Book 11963, at Page 28, as amended by First Amendment thereto recorded in Official Records Book 12777, at Page 1518 (hereinafter collectively, the "DECLARATION"), both of the Public Records of Palm Beach County, Florida, to amend and modify the DECLARATION; and

**WHEREAS**, DECLARANT desires to amend and modify the DECLARATION as hereinafter stated.

**NOW, THEREFORE**, DECLARANT hereby amends and modifies the DECLARATION, as follows:

1. The foregoing recitals are true and correct and are incorporated by reference. All terms defined in the DECLARATION shall have the same meanings herein.
2. Article IV, EASEMENTS AND PROPERTY RIGHTS, Section 7, Zero Lot Line Easements, of the DECLARATION, is hereby amended to add Paragraph E., as follows:

E. Notwithstanding anything contained in this Section, Article or elsewhere in the DECLARATION to the contrary, no Improvement shall be placed within the zero lot line easement area described in this Section which would block or impede ingress or egress to or through the easement area by public service agencies for emergency and other proper purposes. Such prohibited Improvements shall include, but are not limited to, landscaping, fences or other impediments to accessing that easement area by any public service agencies for the foregoing purposes.

SAVE EXCEPT as amended and modified hereby, the DECLARATION is hereby confirmed, ratified and declared to be in full force and effect.

IN WITNESS WHEREOF, DECLARANT has caused these presents to be executed in its name, by its proper officer thereunto duly authorized, this 9<sup>th</sup> day of April, 2003.

Signed, sealed and delivered in the presence of:

IBIS WEST PALM PARTNERS L.P., a Delaware limited partnership

Linda H. Wilcox  
Name: Linda H. Wilcox  
Please Print

By: MSKP IBIS PARTNERS GP, L.L.C., a Delaware limited liability company  
Its: Sole General Partner

Sandra E. Bell  
Name: Sandra E. Bell  
Please Print

By: [Signature]  
Name: Sydney W. Kitson  
Its: Manager MRF

Post Office Address:  
9055 Ibis Boulevard  
West Palm Beach, Florida 33412

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of April, 2003, by Sydney W. Kitson, as Manager of MSKP IBIS PARTNERS GP, L.L.C., a Delaware limited liability company, the Sole General Partner of IBIS WEST PALM PARTNERS L.P., a Delaware limited partnership, on behalf of the limited liability company and limited partnership, who is personally known to me or has produced his State driver's license as identification.

Linda H. Wilcox  
Name: Linda H. Wilcox  
Please Print

(Notary Seal)

Notary Public



Linda H. Wilcox  
MY COMMISSION # CC944121 EXPIRES  
June 11, 2004  
BONDED THRU TROY FAIN INSURANCE, INC

JOINDER BY IBIS PROPERTY OWNERS ASSOCIATION, INC.

The undersigned hereby joins in and approves the foregoing Second Amendment to the Declaration of Covenants, Restrictions and Easements for Sand Cay at Ibis Golf and Country Club.

IN WITNESS WHEREOF, we have executed this Joinder this 9th day of April, 2003.

Signed, sealed and delivered  
in the presence of:

IBIS PROPERTY OWNERS ASSOCIATION, INC.,  
a Florida not-for-profit corporation

Linda H. Wilcox  
Print Name: Linda H. Wilcox  
Sandra E. Bell  
Print Name: Sandra E. Bell

By: CGW  
Name: Clifford G. Wilson  
Title: President  
Post Office Address:  
8002 Sandhill Way East  
West Palm Beach, Florida 33412

(Corporate Seal)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 9th day of April, 2003 by Clifford G. Wilson, as President of IBIS PROPERTY OWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, for and on behalf of the corporation, who is personally known to me or has produced his Florida driver's license as identification.

Linda H. Wilcox  
Name: Linda H. Wilcox  
Notary Public  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

[Notary Seal]



Linda H. Wilcox  
MY COMMISSION # CC944121 EXPIRES  
June 11, 2004  
BONDED THRU TROY FANN INSURANCE, INC.