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Prepared by & return to:
Patti Heidler Ladwig, Esq.
Patti Heidler Ladwig, P.A.
12161 Ken Adams Way
Suite 110-UU
Wellington, FL 33414

Certificate of Amendment

Declaration of Restrictions and Protective Covenants for Greenbriar of Wycliffe

WHEREAS, Greenbriar of Wycliffe Homeowners' Association, Inc. ("THE ASSOCIATION") is a Florida not-for-profit corporation and homeowners association for the following described property in Palm Beach County, Florida in accordance with the Declaration of Restrictions and Protective Covenants for Greenbriar of Wycliffe ("THE DECLARATION"), originally recorded in the Official Records of Palm Beach County, Florida on May 6, 1993, in Official Records Book 7696 Page 355 et seq.:

All of the plat of WYCLIFFE TRACT-G, as recorded in Plat Book 70, Pages 105 - 109 inclusive, of the Public Records of Palm Beach County, Florida; and

WHEREAS, THE DECLARATION has been amended since originally recorded in the Official Records of Palm Beach County, Florida; and

WHEREAS, Article XII, Section 5 of THE DECLARATION provides that THE DECLARATION may be amended by the affirmative vote or written consent, or any combination thereof, of Members representing fifty (50) percent of the total votes of THE ASSOCIATION; and

WHEREAS, on May 17, 2016 THE ASSOCIATION's Board of Directors unanimously approved an Amendment to Article V, Section 7, of THE DECLARATION ("THE AMENDMENT") and submitted THE AMENDMENT to THE ASSOCIATION's membership for approval. THE AMENDMENT is described on Exhibit "A" which is attached hereto and made a part hereof; and

WHEREAS, Members representing at least fifty (50) percent of the total votes of *THE ASSOCIATION* consented in writing to *THE AMENDMENT* and *THE AMENDMENT* was adopted by *THE ASSOCIATION*'s membership on November 9, 2016 in accordance with the requirements of Article XII, Section 5 of *THE DECLARATION* and applicable law including §617.0701, Florida Statutes.

NOW, THEREFORE, be it known that *THE DECLARATION* is amended as represented on *Exhibit "A"*. Copies of this resolution containing *THE AMENDMENT* shall be recorded in the Public Records of Palm Beach County, Florida.

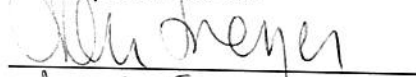
IN ALL OTHER RESPECTS *THE DECLARATION* shall remain unchanged and in full force and effect.

CERTIFICATE

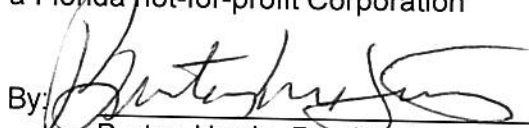
We hereby certify that the foregoing amendment to *THE DECLARATION* as represented on *Exhibit "A"*, attached hereto, received sufficient affirmative votes of the membership of *THE ASSOCIATION* to adopt *THE AMENDMENT* as required by *THE DECLARATION* and applicable law including §617.0701, Florida Statutes, and that the minutes of the November 9, 2016 meeting of the Board of Directors of *THE ASSOCIATION* reflect *THE ASSOCIATION*'s receipt of the members' written consents and the approval of *THE AMENDMENT* to *THE DECLARATION* and that such approval has not been revoked.

IN WITNESS WHEREOF, Greenbriar of Wycliffe Homeowners' Association, Inc., a Florida not-for-profit corporation, has caused this Certificate of Amendment to the Declaration of Restrictions and Protective Covenants for Greenbriar of Wycliffe, to be executed this 20th day of DECEMBER, 2016.

Signed, sealed and delivered
in the presence of:


Lori Frezer
(Print Name)

**Greenbriar of Wycliffe
Homeowners' Association, Inc.**
a Florida not-for-profit Corporation

By: 
Burton Harris, President

Bryan Stockwell

Bryan Stockwell
(Print Name)

ATTEST:

Edward Tisnowe
Edward Tisnowe, Secretary

(CORPORATE SEAL)

STATE OF FLORIDA

COUNTY OF PALM BEACH

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)ss
)

The foregoing instrument was acknowledged before me this 20th day of DECEMBER 2016 by Burton Harris and Edward Tisnowe, the President and Secretary, respectively of Greenbriar of Wycliffe Homeowners' Association, Inc., a Florida not-for-profit corporation on behalf of the corporation, who ☒ are personally known OR ☐ have produced _____ as identification and who have not taken an oath.



Bryan A. Stockwell
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF210444
Expires 3/27/2019

(NOTARY SEAL)

Bryan A Stockwell
(Signature of Notary Public)

BRYAN A STOCKWELL
(Print Commissioned Name)

My Commission Expires: 03/27/2019
Commission No.: FF 210444

EXHIBIT "A"

Amendment to the Declaration of Restrictions and Protective Covenants for Greenbriar of Wycliffe

(additions indicated by underlining _____;
deletions indicated by strikethrough -----)

Article V, Section 7 of the Declaration of Restrictions and Protective Covenants for Greenbriar of Wycliffe shall be amended to read as follows:

Section 7. Working Capital Fund. The Association shall establish a Working Capital Fund for operation of the Association, ~~which~~ Except for those transfers or conveyances expressly exempted from this requirement below, a Working Capital Fund Contribution shall be collected by the Association from each Lot purchaser and/or transferee each time the Lot is conveyed and shall be in an amount equal to three (3) months of the annual assessment for the Lot. Each Lot's share of the Working Capital Fund shall be collected and transferred to the Association at the time of closing of the sale and/or the time of the transfer or conveyance of each Lot. Amounts paid into the fund are not to be considered as advance payment of regular assessments.

A Working Capital Fund Contribution shall not apply to transfers or conveyances by gift, devise, or inheritance to a co-Owner of the Lot or to a member of the Lot Owner's immediate family (defined as the Lot Owner's spouse, parents, siblings, children, grandchildren, grandparents, hereinafter "FAMILY"), or to a Lot Owner's estate, or made for estate planning purposes as long as the beneficiary(ies) is/are a FAMILY member(s) (such as to an irrevocable grantor trust), or to the Lot Owner's estate, or to the Association. The purpose of this exemption is to exclude transfers to the Association and certain transactions that are not typically viewed as "arms'-length" transactions for value from the Working Capital Fund Contribution requirement so as to permit Greenbriar Lot Owners to freely transfer or convey such Owners' property in such a manner as is advisable for estate planning purposes without the imposition of a Working Capital Fund Contribution. The provisions of this paragraph are to be construed liberally to effectuate this purpose. In the event of any dispute arising concerning whether the conveyance or transaction is exempt from a Working Capital Fund Contribution, the decision of the Board shall be final and conclusive of the question.