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 Palm Beach County, Florida  
 Sharon R. Bock, CLERK & COMPTROLLER  
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PREPARED BY AND RETURN TO:

JEFFREY R. MARGOLIS, ESQ.  
 JEFFREY R. MARGOLIS, P.A.  
 DUANE MORRIS LLP  
 200 SOUTH BISCAVNE BLVD., SUITE 3400  
 MIAMI, FLORIDA 33131

**SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
 FOR VILLAGE AT SWINTON SQUARE CONDOMINIUM**

THIS SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM FOR VILLAGE AT SWINTON SQUARE CONDOMINIUM (this "**Sixth Amendment**") is made by Lennar Homes, LLC, a Florida limited liability company, formerly known as Lennar Homes, Inc., a Florida corporation ("**Lennar**").

RECITALS

- A. That certain Declaration of Condominium for Village at Swinton Square Condominium was recorded in Official Records Book 21092, Page 1542, of the Public Records of Palm Beach County, Florida (the "**Original Declaration**").
- B. The Original Declaration was amended by that First Amendment to Declaration of Condominium for Village at Swinton Square Condominium recorded in Official Records Book 21164, Page 0182, of the Public Records of Palm Beach County, Florida (the "**First Amendment**"), by that certain Second Amendment to Declaration of Condominium for Village at Swinton Square Condominium recorded in Official Records Book 21231, Page 1896, of the Public Records of Palm Beach County, Florida (the "**Second Amendment**"), by that certain Third Amendment to Declaration of Condominium for Village at Swinton Square Condominium recorded in Official Records Book 21288, Page 535, of the Public Records of Palm Beach County, Florida (the "**Third Amendment**"); by that certain Fourth Amendment to Declaration of Condominium for Village at Swinton Square Condominium recorded in Official Records Book 21323, Page 1663, of the Public Records of Palm Beach County, Florida (the "**Fourth Amendment**"), and by that certain Fifth Amendment to Declaration of Condominium for Village at Swinton Square Condominium recorded in Official Records Book 21357, Page 1085, of the Public Records of Palm Beach County, Florida (the "**Fifth Amendment**"), (the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment and the Fifth Amendment are collectively referred to as the "**Amendments**").
- C. Section 6.2 of the Declaration provides that, as long as Developer is offering one (1) or more Units in the Village at Swinton Square Condominium (the "**Condominium**") for sale in the ordinary course of business, Developer shall have an absolute right to make any amendment to this Declaration. Developer is offering one (1) or more Units in the Condominium for sale in the ordinary course of business.

NOW THEREFORE, Lennar hereby declares that every portion of the Condominium is to be held, transferred, sold, conveyed, used and occupied subject to the covenants, conditions and restrictions hereinafter set forth.

- 1. **Recitals.** The foregoing Recitals are true and correct and are incorporated into and form a part of this Sixth Amendment.
- 2. **Conflicts.** In the event that there is a conflict between this Sixth Amendment, the Original Declaration, or the Amendments, this Sixth Amendment shall control. Whenever possible, this Sixth Amendment, the Amendments, and the Original Declaration shall be construed as a single document. Except as modified hereby, the Original Declaration shall remain in full force and effect.

3. **Definitions.** All initially capitalized terms not defined herein shall have the meanings set forth in the Declaration, except that the defined terms are hereby modified as follows:

**"Declaration"** shall mean the Original Declaration, the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment and the Sixth Amendment together with all amendments and modifications thereof.

4. **Site Plan, Building Plan, Graphic Depiction of Improvements and Architect's Certificate.** The as-built building plans for building seven (7) are attached as **Exhibit A** to this Sixth Amendment. All of the foregoing are hereby added to Exhibit 2 of the Declaration.

5. **Covenant.** This Sixth Amendment shall be a covenant running with the land.

IN WITNESS WHEREOF, the undersigned hereunto set its hand and seal as of this 16 day of FEBRUARY, 2007.

WITNESSES:

**LENNAR HOMES, LLC,**  
a Florida limited liability company,  
formerly known as Lennar Homes, Inc.,  
a Florida corporation

Bettrice Ch...  
Print Name: Bettrice Ch...

By: [Signature]  
Name: Gregory M. Blair  
Title: Vice President

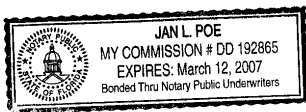
JAN L. POE  
Print Name: JAN L. POE

{SEAL}

STATE OF FLORIDA )  
 )SS.:  
COUNTY OF Broward )

The foregoing was acknowledged before me this 16 day of February, 2007 by Gregory Blair as Vice President of LENNAR HOMES, LLC, a Florida limited liability company, formerly known as Lennar Homes, Inc., a Florida corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification on behalf of the limited liability company.

My commission expires:



JAN L. POE  
NOTARY PUBLIC  
State of Florida at Large  
Print name: JAN L. POE

**JOINER**

**VILLAGE AT SWINTON SQUARE CONDOMINIUM ASSOCIATION, INC.**

VILLAGE AT SWINTON SQUARE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation (the "**Association**") does hereby join in the Sixth Amendment to Declaration of Condominium for the Village at Swinton Square Condominium (the "**Sixth Amendment**"), to which this Joinder is attached, and the terms thereof are and shall be binding upon the undersigned and its successors in title. Association agrees that this Joinder is for convenience purposes only and does not apply to the effectiveness of the Sixth Amendment as Association has no right to approve the Sixth Amendment.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 12<sup>th</sup> day of FEBRUARY, 2007.

**WITNESSES:**

**VILLAGE AT SWINTON SQUARE  
CONDOMINIUM ASSOCIATION, INC.,**  
a Florida not-for-profit corporation

[Signature]  
Print Name: B. L. POE

[Signature]  
Print Name: JAN L. POE

By: [Signature]  
Name: Marlene Schragger  
Title: President

{SEAL}

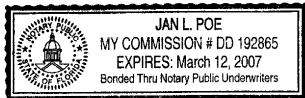
STATE OF FLORIDA

COUNTY OF Broward

The foregoing was acknowledged before me this 12 day of February, 2007 by Marlene Schragger as President of VILLAGE AT SWINTON SQUARE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification on behalf of the corporation.

My commission expires:

[Signature]  
NOTARY PUBLIC,  
State of Florida at Large  
Print name: JAN L. POE

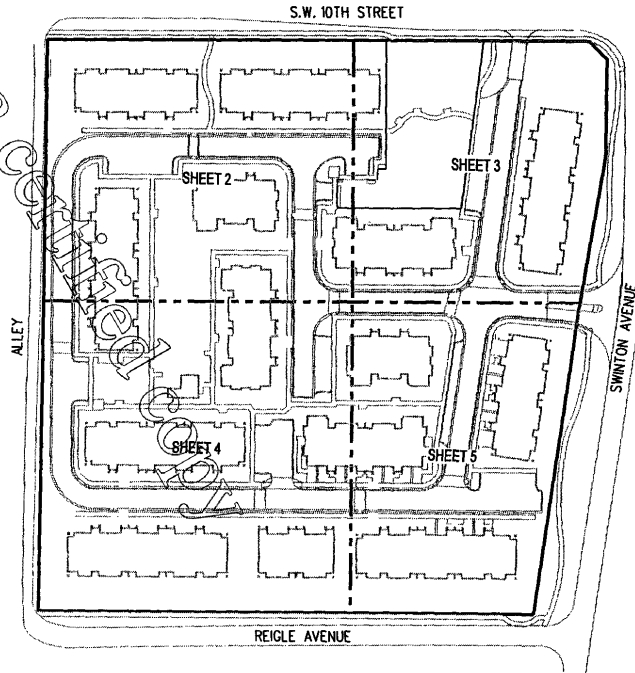


**Exhibit A**

*This is not a certified copy*

VILLAGE AT SWINTON SQUARE CONDOMINIUM  
BOUNDARY SURVEY AND PLOT PLAN

This is not a  
Certificate



KEY MAP

ABBREVIATIONS

- BLDG. • BUILDING
- D.E. • DRAINAGE EASEMENT
- I.E.U.D.S.BW.E. • INGRESS, EGRESS, UTILITY, DRAINAGE, SEWER AND WATER EASEMENT
- L.E. • LANDSCAPE EASEMENT
- M.T.E. • MASS TRANSIT EASEMENT
- P.B. • PLAT BOOK
- P.B.C.R. • PALM BEACH COUNTY RECORDS
- PG. • PAGE(S)
- S.E. • SEWER EASEMENT
- S/W • SIDEWALK
- T.O.B. • TOP OF BANK
- U.E. • UTILITY EASEMENT
- W.E. • WATER EASEMENT

LEGEND

- CABLE JUNCTION BOX
- CATCH BASIN
- ⊕ CENTERLINE
- ⊕ CLEAN-OUT
- ⊕ ELECTRIC SERVICE
- ⊕ ELECTRIC LINE, OVERHEAD
- ⊕ FIRE STAND RISER
- ⊕ FIRE HYDRANT
- ⊕ FENCE, METAL
- ⊕ FLP TRANSFORMER PAD
- ⊕ HANDICAP PARKING
- ⊕ IRON ROD 8 CAP
- ⊕ LIGHT POLE, METAL
- ⊕ MANHOLE, SANITARY
- ⊕ MANHOLE, STORM
- ⊕ PERMANENT REFERENCE MONUMENT
- ⊕ POWER POLE, WOOD
- ⊕ POWER POLE, WOOD W/ANCHOR
- ⊕ TELEPHONE, JUNCTION BOX
- ⊕ VALVE, WATER
- ⊕ VALVE, WATER BACK FLOW PREVENTER
- ⊕ VALVE, WATER DOUBLER DETECTOR CHECK
- ⊕ WALL, 6' PRECAST CONCRETE
- ⊕ WATER METER
- ⊕ YARD DRAIN

FINAL SURVEY - BLDG 7	FILE	1-29-07	JM	DCW
FINAL SURVEY - BLDG 5	FILE	1-17-07	JM	DCW
FINAL SURVEY - BLDG 6	FILE	1-17-07	JM	DCW
FINAL SURVEY - BLDG 4	FILE	1-8-07	JM	DCW
FINAL SURVEY - BLDG 9	FILE	12-21-06	JM	DCW
FINAL SURVEY - BLDG 3	FILE	12-13-06	JM	DCW
FINAL SURVEY - BLDG 2	FILE	12-1-06	JM	DCW
FINAL SURVEY - BLDG 1	FILE	11-17-06	JM	DCW
FINAL SURVEY - BLDG 12	FILE	11-14-06	JM	DCW
FINAL SURVEY - BLDGS 13 & 14	FILE	11-2-06	JM	DCW
REVISIONS	F.B./PG.	DATE	BY	CK'D



CARNAHAN · PROCTOR · CROSS, INC.  
6101 WEST ATLANTIC BOULEVARD, MARGATE, FLORIDA 33063  
PHONE: 954-972-3959 FAX: 954-972-4178

JOB NO. 050815	DWG BY: JM	SCALE: 1" = 50'	BOUNDARY SURVEY & PLOT PLAN
VILLAGE AT SWINTON SQUARE CONDOMINIUM	CK'D BY: DCW	DATE: 12-27-05	SHEET 1 OF 9 SHEETS

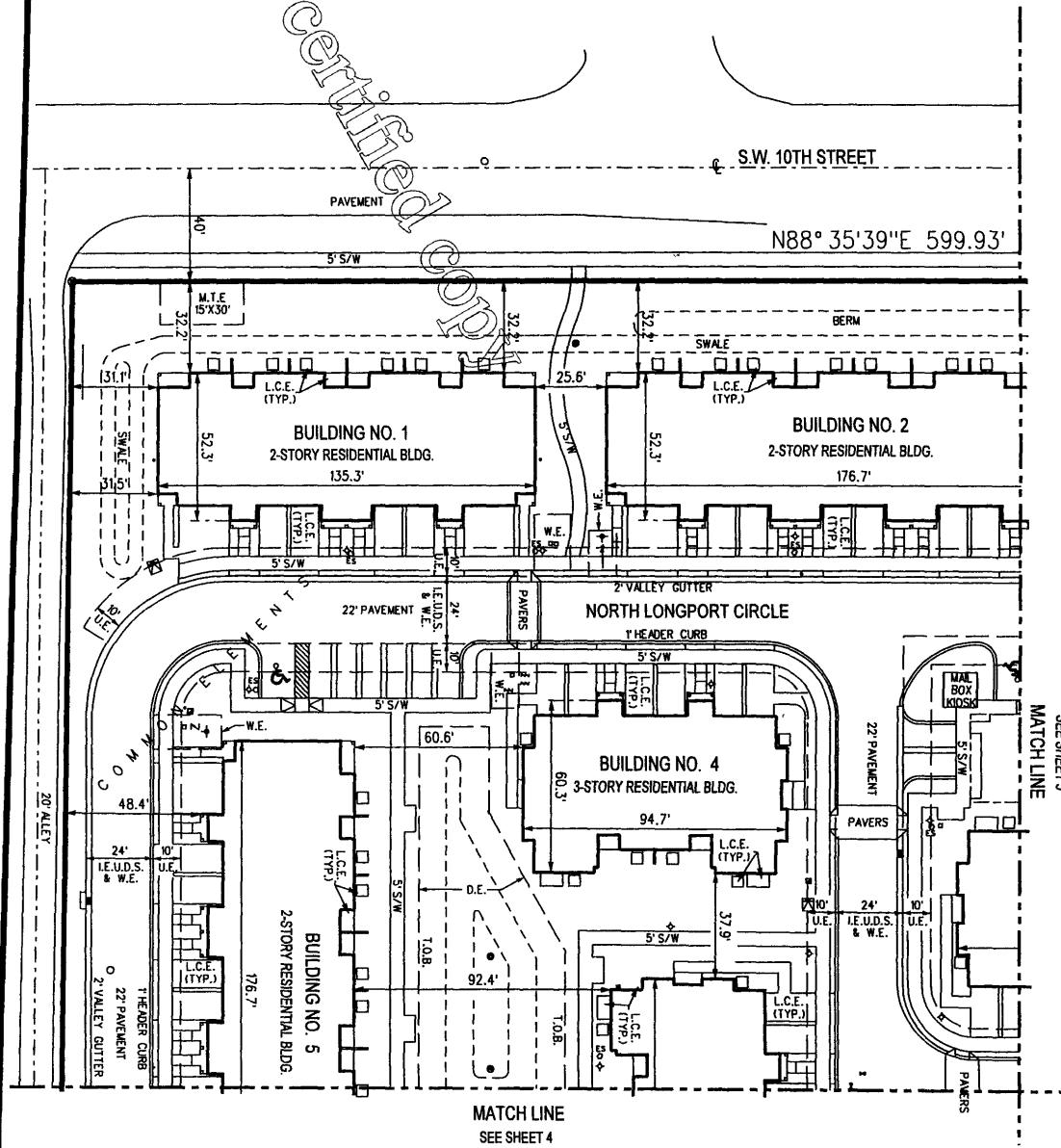
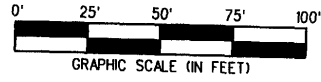
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VILLAGE AT SWINTON SQUARE CONDOMINIUM  
 BOUNDARY SURVEY & PLOT PLAN

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NOTES

1. ALL AREAS NOT SHOWN AS BEING A PART OF A UNIT OR THE LIMITED COMMON ELEMENTS (L.C.E.'S) ARE COMMON ELEMENTS



SEE SHEET 1				
REVISIONS	F.B./PG.	DATE	BY	CK'D
JOB NO. 050815				
VILLAGE AT SWINTON SQUARE CONDOMINIUM		DWG BY: JM	SCALE: 1" = 50'	BOUNDARY SURVEY & PLOT PLAN
		CK'D BY: DCW	DATE: 12-27-05	SHEET 2 OF 9 SHEETS

**CARNAHAN · PROCTOR · CROSS, INC.**  
 6101 WEST ATLANTIC BOULEVARD, MARGATE, FLORIDA 33063  
 PHONE: 954-972-3959 FAX: 954-972-4178

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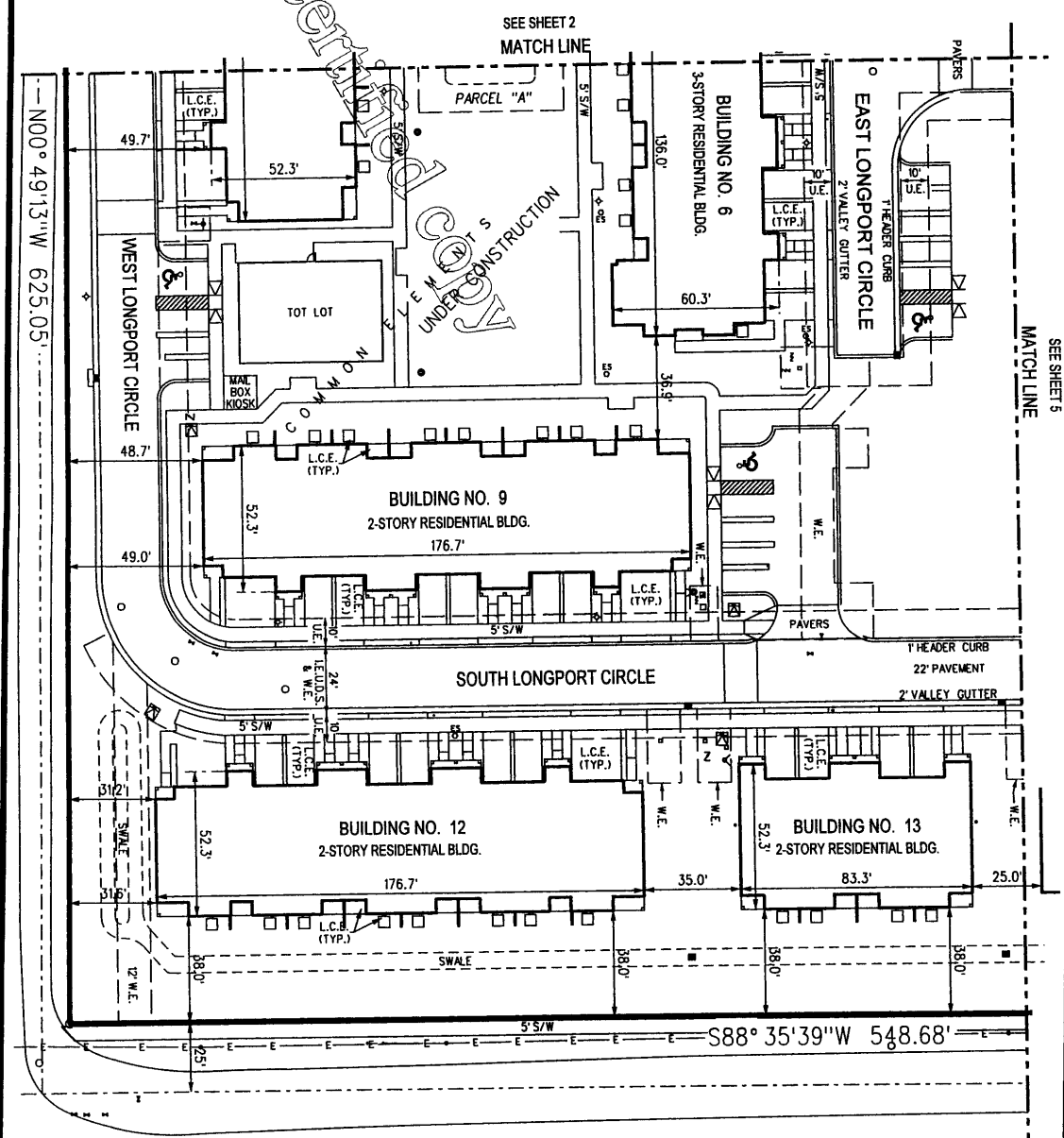
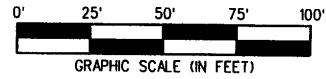


# VILLAGE AT SWINTON SQUARE CONDOMINIUM

## BOUNDARY SURVEY & PLOT PLAN

### NOTES

1. ALL AREAS NOT SHOWN AS BEING A PART OF A UNIT OR THE LIMITED COMMON ELEMENTS (L.C.E.'S) ARE COMMON ELEMENTS.



SEE SHEET 1					<b>CARNAHAN · PROCTOR · CROSS, INC.</b> 6101 WEST ATLANTIC BOULEVARD, MARGATE, FLORIDA 33063 PHONE: 954-972-3959 FAX: 954-972-4178
REVISIONS	F.B./PG.	DATE	BY	CK'D	
JOB NO.	050815	DWG BY:	JM	SCALE:	1" = 50'
VILLAGE AT SWINTON SQUARE CONDOMINIUM		CK'D BY:	DCW	DATE:	12-27-05
					BOUNDARY SURVEY & PLOT PLAN SHEET 4 OF 9 SHEETS

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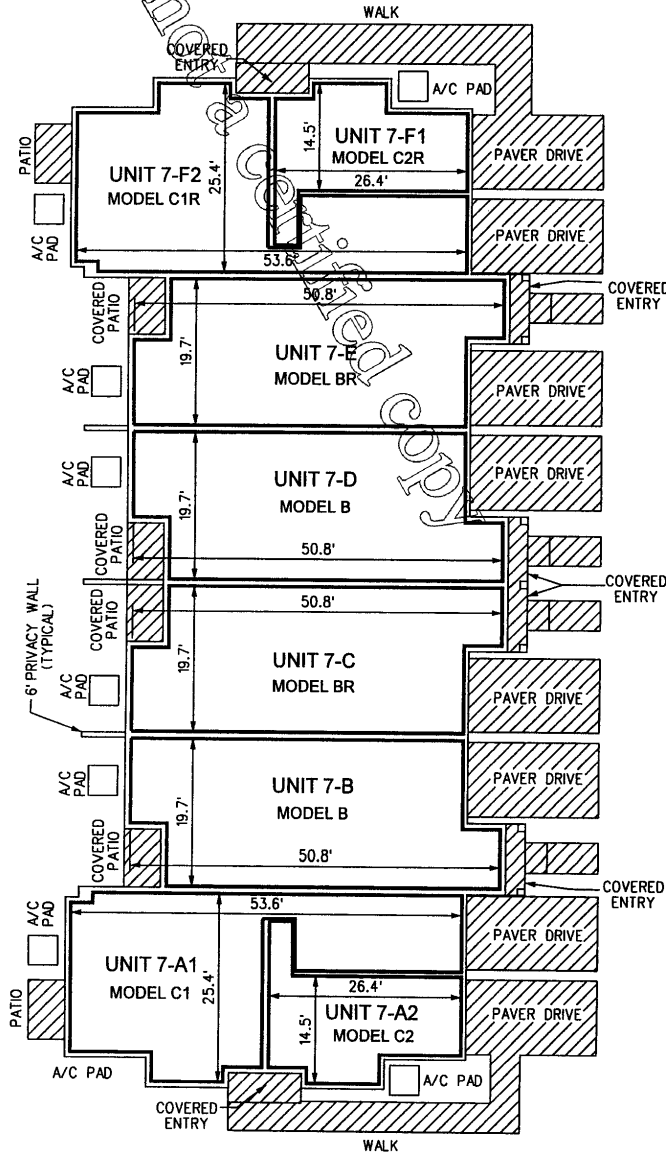
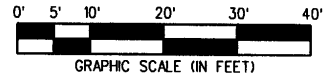
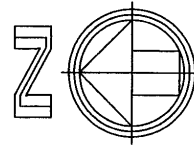




VILLAGE AT SWINTON SQUARE CONDOMINIUM

BUILDING 7  
FIRST FLOOR PLAN

This is not for construction



LEGEND

- LIMITED COMMON ELEMENT

NOTES

1. FOR COMPLETE DESCRIPTION OF COMMON AND LIMITED COMMON ELEMENTS, HORIZONTAL AND PERIMETRICAL BOUNDARIES, SEE THE DECLARATION OF CONDOMINIUM.
2. ALL AREAS NOT SHOWN AS BEING A PART OF A UNIT OR THE LIMITED COMMON ELEMENTS ARE COMMON ELEMENTS.
3. ALL DIMENSIONS ARE APPROXIMATE.

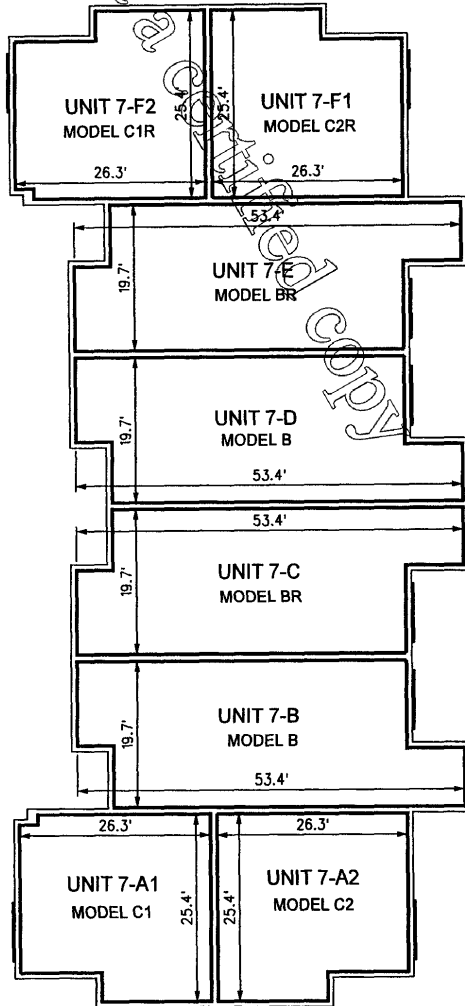
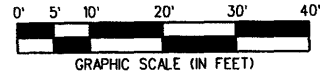
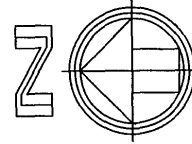
FINAL DOCUMENTS	FILE	1-29-07	JM	DCW	<b>CARNAHAN · PROCTOR · CROSS, INC.</b> 6101 WEST ATLANTIC BOULEVARD, MARGATE, FLORIDA 33063 PHONE: 954-972-3959 FAX: 954-972-4178
CHANGE UNIT DESIGNATIONS		05-22-06	JER	DCW	
REVISIONS	F.B./PG.	DATE	BY	CK'D	
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VILLAGE AT SWINTON SQUARE CONDOMINIUM		CK'D BY:	DCW	DATE:	12-27-05
					BUILDING 7 - FIRST FLOOR PLAN
					SHEET 6 OF 9 SHEETS

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VILLAGE AT SWINTON SQUARE CONDOMINIUM

BUILDING 7  
SECOND FLOOR PLAN

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LEGEND

- LIMITED COMMON ELEMENT

NOTES

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FINAL DOCUMENTS	FILE	1-29-07	JM	DCW
CHANGE UNIT DESIGNATIONS		05-22-06	JER	DCW
REVISIONS	F.B./PG.	DATE	BY	CK'D
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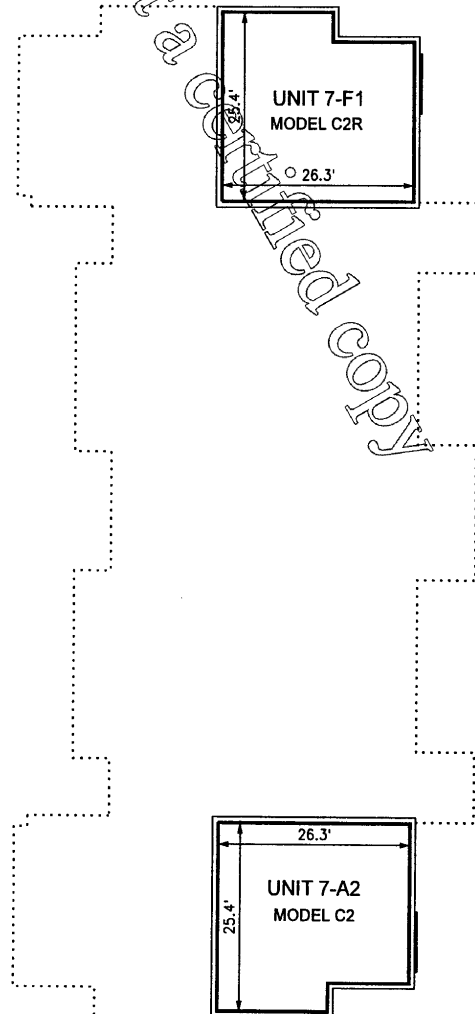
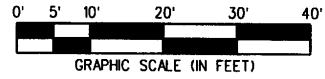
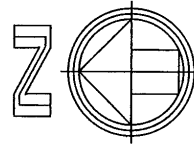


**CARNAHAN · PROCTOR · CROSS, INC.**  
6101 WEST ATLANTIC BOULEVARD, MARGATE, FLORIDA 33063  
PHONE: 954-972-3959 FAX: 954-972-4178

VILLAGE AT SWINTON SQUARE CONDOMINIUM

BUILDING 7  
THIRD FLOOR PLAN

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LEGEND

- LIMITED COMMON ELEMENT

NOTES

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CHANGE UNIT DESIGNATIONS		05-22-06	JER	DCW	<b>CARNAHAN · PROCTOR · CROSS, INC.</b> 6101 WEST ATLANTIC BOULEVARD, MARGATE, FLORIDA 33063 PHONE: 954-972-3959 FAX: 954-972-4178
REVISIONS	F.B./PG.	DATE	BY	CK'D	
JOB NO.	050815	DWG BY:	JM	SCALE:	1" = 20'
VILLAGE AT SWINTON SQUARE CONDOMINIUM		CK'D BY:	DCW	DATE:	12-27-05
				BUILDING 7 - THIRD FLOOR PLAN SHEET 8 OF 9 SHEETS	

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**CARNAHAN · PROCTOR · CROSS, INC**

CERTIFICATE OF AUTHORIZATION NO. LB 2936  
6101 WEST ATLANTIC BLVD., MARGATE, FL 33063  
PHONE (954)972-3959 FAX (954)972-4178 WEBSITE: www.carnahan-proctor.com

*This is not a legal document.*

**VILLAGE AT SWINTON SQUARE CONDOMINIUM**

**SURVEYOR'S CERTIFICATION**

THE UNDERSIGNED A SURVEYOR DULY AUTHORIZED TO PRACTICE UNDER THE LAWS OF THE STATE OF FLORIDA, HEREBY CERTIFIES THAT THE CONSTRUCTION OF THE IMPROVEMENTS AS SHOWN HEREON SPECIFICALLY BEING **BUILDING 7 OF "VILLAGE AT SWINTON SQUARE CONDOMINIUM"**, IS SUBSTANTIALLY COMPLETE, SO THAT THE MATERIAL, TOGETHER WITH THE PROVISIONS OF THE DECLARATION DESCRIBING THE CONDOMINIUM PROPERTY RELATING TO MATTERS OF SURVEY, IS AN ACCURATE REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS AND SO THAT THE IDENTIFICATION, LOCATION, AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT, CAN BE DETERMINED FROM THESE MATERIALS. ADDITIONALLY, ALL PLANNED IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, UTILITY SERVICES AND ACCESS TO THE UNIT, AND COMMON ELEMENT FACILITIES SERVING THE BUILDING IN WHICH THE UNITS TO BE CONVEYED ARE LOCATED HAVE BEEN SUBSTANTIALLY COMPLETED.

DATE OF LAST FIELD WORK: JANUARY 24, 2006

CARNAHAN-PROCTOR-CROSS, INC.

*Copy*  
  
DONNA C. WEST  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA LICENSE NO. LS4290

**SURVEYOR'S NOTES**

1. THIS DOCUMENT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. ALL IMPROVEMENTS SHOWN HEREON ARE EXISTING.
3. ALL EASEMENTS SHOWN HEREON ARE PER RECORD PLAT, UNLESS OTHERWISE INDICATED.
4. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF SAID TRACT "A" BEARING NORTH 00°49'31" WEST, ACCORDING TO SAID PLAT.
5. THESE PLANS ARE COMPILED FROM PLANS AND DATA FURNISHED BY LENNAR HOMES, INC.
6. FOR DESCRIPTION OF COMMON ELEMENTS, LIMITED COMMON ELEMENTS, AND HORIZONTAL AND PERIMETRICAL UNIT BOUNDARIES, SEE THE CONDOMINIUM DECLARATION.
7. WITHIN EACH UNIT ALL STRUCTURAL SUPPORT COLUMNS, PIPES, CONDUITS AND OTHER UTILITY LINES RUNNING THROUGH THE UNIT WHICH ARE UTILIZED FOR OR SERVE MORE THAN ONE UNIT ARE A PART OF THE COMMON ELEMENTS.
8. EACH PATIO, DRIVE AND ENTRY IS A LIMITED COMMON ELEMENT FOR THE EXCLUSIVE USE OF THE UNIT WHICH IT ABUTS.
9. EACH AIR CONDITIONER UNIT IS PART OF THE UNIT WHICH IT SERVES.