

**RECORD AND RETURN TO:**

Name: LEOPOLD, KORN & LEOPOLD, P.A.  
Address: 20801 Biscayne Blvd., #501  
Aventura, FL 33180

**THIS INSTRUMENT PREPARED BY:**

Name: GARY A. KORN, Esquire  
LEOPOLD, KORN & LEOPOLD, P.A.  
Address: 20801 Biscayne Blvd., #501  
Aventura, FL 33180

06/27/2003 08:52:51 20030379959  
OR BK 15443 P6 0628  
Palm Beach County, Florida

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This Amendment refers to the Declaration of Condominium of BELLA VERDE, a Condominium, which Declaration of Condominium was recorded on January 22, 2003 in Official Records Book 14699, at Page 470, of the Public Records of Palm Beach County, Florida.

**AMENDMENT TO DECLARATION OF  
CONDOMINIUM OF BELLA VERDE, A CONDOMINIUM**

**WHEREAS**, BELLA VERDE, L.L.C., a Florida limited liability company (the "Developer") caused the Declaration of Condominium for BELLA VERDE, a Condominium to be recorded on January 22, 2003 in Official Records Book 14699, at Page 470, of the Public Records of Palm Beach County, Florida (the "Declaration"); and

**WHEREAS**, the Developer holds more than eighty percent (80%) of the total votes of the Association; and

**WHEREAS**, it is necessary to amend the Declaration in order to comply with certain requirements of the South Florida Water Management District. It is therefore

**RESOLVED** that the Declaration is hereby amended by the Developer as follows:

1. The following provision is hereby added to and incorporated within the Declaration:

**"Water Management and Drainage:** It is acknowledged that the surface water management and drainage system for the Condominium is one integrated system and accordingly shall be deemed a common element of the Condominium, and an easement is hereby created over the Condominium for water drainage and for the installation and maintenance of the water management and drainage system for the Condominium, provided however that such easement shall be subject to all improvements as may be constructed within the Condominium as permitted by controlling governmental authorities from time to time. The water management and drainage system of the Condominium shall be developed, operated, and maintained in conformance with the requirements of the South Florida Water Management District ("SFWMD"), or any controlling governmental authority. A copy of SFWMD Permit No. 50-05384-P (the "Permit") is attached hereto and made a part of this Declaration as Exhibit "G", and copies of the Permit and any future SFWMD actions shall be maintained by the Association's registered agent for the benefit of the Association. The Association shall maintain as a common expense the entire water management and drainage system for the Condominium, which may include but not be limited to all lakes, canals, swale areas, retention areas, culverts, pipes, pumps, catch basins, and related appurtenances, regardless of whether or not same are within the Condominium or are owned by the Association. Such maintenance shall be performed in conformance with the requirements of controlling governmental authority, and an easement for such maintenance is hereby created. Such maintenance responsibility on the part of the Association shall be deemed to include the maintenance of the banks of any lake or canal, and the maintenance of all landscaping within the Condominium which is a common element of the Condominium. The Association has the obligation to maintain any portion of the surface water management and drainage system for the Condominium which is owned and/or maintained by any controlling governmental authority, or which is outside of the Condominium. The Condominium shall be required to accept surface water drainage from any other property pursuant to the requirements of any controlling governmental authority, and in connection therewith the Association has the right, but not the obligation, to maintain any portion of the surface water management system for such other property reasonably required in connection with the maintenance or operation of the surface water management system for the Condominium. The SFWMD has the right to take enforcement action, including a civil action for an injunction and

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Mailing Address 20801 Biscayne Boulevard, Suite 501, Aventura, Florida 33180

penalties against the Association to compel it to correct any outstanding problems with the surface water management system facilities or in mitigation or conservation areas under the responsibility or control of the Association. Any amendment to this Declaration which would adversely affect the surface water management system, including the water management portions of the common elements of this Condominium must have the prior approval of the SFWMD.

2. The third sentence contained within Article XXVIII of the Declaration is amended to read as follows:

In addition, not more than two (2) pets may be kept or harbored within a Unit.

IN WITNESS WHEREOF, the Developer has executed this Amendment as of the day and year first above written.

Signed, sealed and delivered in the presence of:

BELLA VERDE, L.L.C., a Florida limited liability company

By: BELLA VERDE, INC., a Florida corporation, its Manager

By: [Signature]  
ANDREW STEINBERG, Vice-President

Address: 15340 Jog Road, Suite 100  
Delray Beach, Florida 33484

[Signature]

Print Name: Laurie Thompson

[Signature]

Print Name: Elizabeth Conisar

STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) SS:

The foregoing instrument was acknowledged before me this 25 day of April, 2003 by ANDREW STEINBERG, as Vice-President of BELLA VERDE, INC., a Florida corporation, the Manager of BELLA VERDE, L.L.C., a Florida limited liability company, who is personally known to me.

My Commission Expires:

[Signature]  
Notary Public, State of Florida

Print Name: Daphne E McCoy



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
ENVIRONMENTAL RESOURCE  
STANDARD GENERAL PERMIT NO. 50-05384-P  
DATE ISSUED: April 4, 2002**



Form #0941  
08/95

**PERMITTEE: BELLA VERDE, L.L.C.**  
15340 JOG ROAD  
SUITE 200  
DELRAY BEACH, FL 33484

**JOG CENTRE ASSOCIATES LTD**  
902 CLINT MOORE ROAD  
SUITE 124  
BOCA RATON, FL 33487

**PROJECT DESCRIPTION:** Construction and operation of a surface water management system to serve a 9.55 acre multi-family residential development known as Bella Verde.

**PROJECT LOCATION:** PALM BEACH COUNTY, SEC 27 TWP 45S RGE 42E

**PERMIT DURATION:** See Special Condition No:1. See attached Rule 40E-4.321, Florida Administrative Code.

This is to notify you of the District's agency action concerning Notice of Intent for Permit Application No. 010731-8, dated July 31, 2001. This action is taken pursuant to Rule 40E-1.803 and Chapter 40E-40, Florida Administrative Code (F.A.C.).

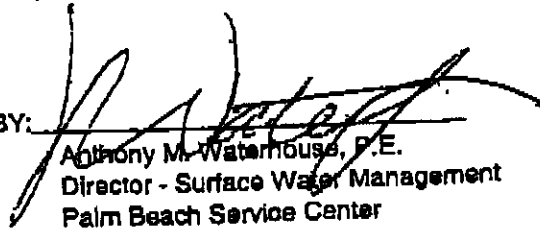
Based on the information provided, District rules have been adhered to and an Environmental Resource General Permit is in effect for this project subject to:

1. Not receiving a filed request for a Chapter 120, Florida Statutes, administrative hearing.
2. the attached 19 General Conditions (See Pages: 2 - 4 of 6 ).
3. the attached 13 Special Conditions (See Pages: 5 - 6 of 6 ) and
4. the attached 3 Exhibit(s).

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights," we will assume that you concur with the District's action.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the Permittee (and the persons listed in the attached distribution list) no later than 5:00 p.m. on this 4th day of April, 2002, in accordance with Section 120.60(3), Florida Statutes.

BY:   
Anthony M. Waterhouse, P.E.  
Director - Surface Water Management  
Palm Beach Service Center

Certified mail number 7000 1530 0000 2745 9012