

SEP-13-1989 01:05PM 89-261550

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**CERTIFICATE OF AMENDMENT TO
THE REPLAT DECLARATION FOR
SECTION A OF WHISPER WALK**

WHEREAS, the Replat Declaration for SECTION A OF WHISPER WALK has been duly recorded in the Public Records of Palm Beach County, Florida, in Official Records Book 3944 at Page 1843; and

WHEREAS, the By-Laws of WHISPER WALK SECTION A ASSOCIATION, INC., are attached as an exhibit to said Replat Declaration; and,

WHEREAS, at a duly called and noticed meeting of the membership of WHISPER WALK SECTION A ASSOCIATION, INC., a Florida not-for-profit corporation, held on May 17, 1989 the aforementioned Replat Declaration and By-Laws were amended pursuant to the provisions of said Replat Declaration and By-Laws.

NOW, THEREFORE, the undersigned hereby certify that the following amendment to the Replat Declaration and By-Laws is a true and correct copy of the amendment to the Replat Declaration and By-Laws, as amended by the membership:

(additions indicated by underlining;
deletions indicated by "----")

**PROPOSED AMENDMENT TO SECTION 5
OF THE BY-LAWS FOR
WHISPER WALK SECTION A ASSOCIATION, INC.**

Section 5

Powers and Duties of the Board of Directors

Inasmuch as Whisper Walk Section A is designed and intended as a community for older persons, to provide housing for residents who are fifty-five (55) years of age or older, the Board of Directors shall have the power to require that no unit shall, at any time, be permanently occupied by children who are under fifteen (15) years of age; except that children below the age of fifteen (15) may be permitted to visit and temporarily reside for periods not exceeding sixty (60) days per calendar year. No permanent occupancy of any unit shall be permitted by an individual between the ages of fifteen (15) and fifty-five (55). Notwithstanding same, the Board in its sole discretion shall have the right to establish hardship exceptions to permit individuals between the ages of fifteen (15) and fifty-five (55) to permanently reside in the community, providing that said exceptions shall not be permitted in situations where the granting of a hardship exception would result in less than 80% of the units in the Condominium community having less than one resident fifty-five (55) years of age or older, it being the intent that at least 80% of the units shall at all times have at least one resident fifty-five (55) years of age or older. The Board of Directors shall establish policies and procedures for the purposes of assuring that the foregoing required percentages of adult occupancy are maintained at all times. The Board, or its designee, shall have the sole and absolute authority to deny occupancy of a unit by any person(s) who would thereby create a

violation of the aforesated percentages of adult occupancy. Permanent occupancy or residency shall be defined in the Rules and Regulations of the Association as may be promulgated by the Board. Notwithstanding the foregoing, occupancy of a unit on a permanent basis is limited to two (2) individuals for all 1-bedroom units, and four (4) individuals for all 2-bedroom units, however, individuals in excess of this number may be permitted to visit and temporarily reside in a unit in the Condominium for periods not to exceed sixty (60) days in toto in any calendar year, with the written prior approval of the Association.

WITNESS my signature hereto this 5 day of September, 1989, at Boca Raton, Palm Beach County, Florida.

WHISPER WALK SECTION A ASSOCIATION, INC.

E. Laine Berntsen
Witness

By: Jerome Feinberg
President

Hyman Rosen
Witness

Attest: Roslyn Keller
Secretary

STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS.

I HEREBY CERTIFY that on this day before me personally appeared Jerome Feinberg and Roslyn Keller, the President and Secretary, respectively, of the foregoing corporation, known to me personally to be such, and they severally acknowledged to me that the said certificate is the free and voluntary act and deed of them, and each of them, each for himself and not for the other, and that the facts therein stated are truly set forth.

Dated at Boca Raton, Palm Beach County, Florida, this 5 day of September, 1989.

Rose A. Smith
Notary Public,
Florida at Large

My commission expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. MAY 12, 1993
BOUNDED THRU GENERAL INS. UND.