

This instrument was prepared by:
KENNETH S. DIREKTOR, ESQUIRE
Becker & Pollakoff, P.A.
500 Australian Avenue South
9th Floor
West Palm Beach, FL 33401
(W-C112)

**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 Record Book 3944 at Page 1843, and

WHEREAS, the Declarations of Condominium for **SECTION A OF WHISPER WALK** have been recorded in the Official Records of Palm Beach County as follows:

	<u>Official Records</u> <u>Book</u>	<u>Page</u>
Condominium 1 of Section A of Whisper Walk	3963	1027
Condominium 2 of Section A of Whisper Walk	3963	1042
Condominium 3 of Section A of Whisper Walk	3975	1785
Condominium 4 of Section A of Whisper Walk	3990	123
Condominium 5 of Section A of Whisper Walk	3990	170
Condominium 6 of Section A of Whisper Walk	3990	155
Condominium 7 of Section A of Whisper Walk	3990	138
Condominium 8 of Section A of Whisper Walk	4055	214
Condominium 9 of Section A of Whisper Walk	4055	229
Condominium 10 of Section A of Whisper Walk	4037	1798
Condominium 11 of Section A of Whisper Walk	4037	1783

Condominium 12 of Section A of Whisper Walk	4951	973
Condominium 14 of Section A of Whisper Walk	3975	1770
Condominium 15 of Section A of Whisper Walk	4822	1119
Condominium 16 of Section A of Whisper Walk	3975	1800
Condominium 17 of Section A of Whisper Walk	4951	1003
Condominium 18 of Section A of Whisper Walk	4951	1092
Condominium 19 of Section A of Whisper Walk	4009	188
Condominium 20 of Section A of Whisper Walk	4009	173
Condominium 21 of Section A of Whisper Walk	4022	44
Condominium 22 of Section A of Whisper Walk	4022	59
Condominium 23 of Section A of Whisper Walk	4022	74
Condominium 24 of Section A of Whisper Walk	4022	89
Condominium 25 of Section A of Whisper Walk	4065	1627
Condominium 26 of Section A of Whisper Walk	4065	1642
Condominium 27 of Section A of Whisper Walk	4087	825
Condominium 28 of Section A of Whisper Walk	4087	840
Condominium 29 of Section A of Whisper Walk	4105	1143
Condominium 30 of Section A of Whisper Walk	4105	1128
Condominium 31 of Section A of Whisper Walk	4105	1113

Condominium 32 of Section A of Whisper Walk	4114	446
Condominium 33 of Section A of Whisper Walk	4114	461
Condominium 34 of Section A of Whisper Walk	4149	1499
Condominium 35 of Section A of Whisper Walk	4149	1514
Condominium 36 of Section A of Whisper Walk	4187	1160
Condominium 37 of Section A of Whisper Walk	4187	1177
Condominium 38 of Section A of Whisper Walk	4290	348
Condominium 39 of Section A of Whisper Walk	4290	331
Condominium 40 of Section A of Whisper Walk	4290	365
Condominium 41 of Section A of Whisper Walk	4306	668
Condominium 42 of Section A of Whisper Walk	4306	685
Condominium 43 of Section A of Whisper Walk	4187	1193
Condominium 44 of Section A of Whisper Walk	4187	1221
Condominium 45 of Section A of Whisper Walk	4290	313
Condominium 46 of Section A of Whisper Walk	4447	817
Condominium 47 of Section A of Whisper Walk	4447	872
Condominium 48 of Section A of Whisper Walk	4443	623
Condominium 49 of Section A of Whisper Walk	4406	177
Condominium 50 of Section A of Whisper Walk	4406	204

Condominium 51 of Section A of Whisper Walk	4376	1885
Condominium 52 of Section A of Whisper Walk	4376	1912
Condominium 53 of Section A of Whisper Walk	4368	90
Condominium 54 of Section A of Whisper Walk	4376	1939
Condominium 55 of Section A of Whisper Walk	4447	844
Condominium 56 of Section A of Whisper Walk	4611	583
Condominium 57 of Section A of Whisper Walk	4622	1480
Condominium 58 of Section A of Whisper Walk	4644	456
Condominium 59 of Section A of Whisper Walk	4599	990
Condominium 60 of Section A of Whisper Walk	4671	555
Condominium 61 of Section A of Whisper Walk	4686	1543
Condominium 62 of Section A of Whisper Walk	4599	961
Condominium 63 of Section A of Whisper Walk	4686	1571
Condominium 64 of Section A of Whisper Walk	4706	1686
Condominium 65 of Section A of Whisper Walk	4716	1059
Condominium 66 of Section A of Whisper Walk	4798	272
Condominium 67 of Section A of Whisper Walk	4798	243
Condominium 68 of Section A of Whisper Walk	4764	1063
Condominium 69 of Section A of Whisper Walk	4928	622

Condominium 70 of Section A of Whisper Walk	4928	652
Condominium 71 of Section A of Whisper Walk	4866	1289
Condominium 72 of Section A of Whisper Walk	4858	566
Condominium 73 of Section A of Whisper Walk	4951	1062
Condominium 74 of Section A of Whisper Walk	4951	1032
Condominium 75 of Section A of Whisper Walk	4904	1784
Condominium 76 of Section A of Whisper Walk	4904	1814
Condominium 77 of Section A of Whisper Walk	4772	1541
Condominium 78 of Section A of Whisper Walk	4731	563
Condominium 79 of Section A of Whisper Walk	4430	38
Condominium 80 of Section A of Whisper Walk	4430	10
Condominium 81 of Section A of Whisper Walk	4778	1918
Condominium 82 of Section A of Whisper Walk	4743	1606
Condominium 83 of Section A of Whisper Walk	4406	149
Condominium 84 of Section A of Whisper Walk	4406	231

and,

WHEREAS, the aforementioned Replat Declaration was amended pursuant to the provisions of said Replat Declaration by written agreement in accordance with Article XIV, Section J(1) thereof, and Chapter 617.0701, Florida Statutes.

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

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

(Additions shown by "underlining",
deletions shown by "~~strikeout~~",
unaffected text indicated by "...")

ARTICLE XI

CERTAIN ACTIVITIES RESTRICTED
OR PROHIBITED WITHIN SECTION A

* * *

H. Occupancy of Dwelling Units

The Dwelling Units shall be used for single-family residences only. No separate part of a Dwelling Unit may be rented and no transient (as defined in Chapter 509, Florida Statutes) may be accommodated therein for compensation or commercial purposes. No Dwelling Unit may be rented for a term of less than four (4) months, nor more than twelve (12) months, and no Dwelling Unit may be rented more than twice once in any twelve (12) month period, the twelve (12) month period being measured from the commencement date of the most recent prior lease of the Dwelling Unit. No Dwelling Unit may be leased during the first twenty-four (24) months of ownership by the current Unit Owner, measured from the recordation date of the most recent deed conveying any interest in title to the Dwelling Unit, this restriction prohibiting leasing during the first twenty-four (24) months of ownership applying to those Unit Owners who purchased their Dwelling Units after the effective date of this amendment. A Dwelling Unit shall be considered leased any time it is occupied by a tenant. A Dwelling Unit owned by a corporation may be occupied only by the two (2) principal officers of the corporation and their families, and any lessees of the corporation who otherwise qualify as provided in this Replat Declaration. Inasmuch as Whisper Walk Section A is designed and intended as a community or "housing for older persons" to provide housing to persons fifty-five (55) years of age or greater, no children under the age of eighteen (18) shall be permitted to reside in any Dwelling Units except that children under the age of eighteen (18) may be permitted to visit and temporarily reside in any of the Dwelling Units for a period of time not to exceed a total of sixty (60) days per calendar year. Not less than eighty percent (80%) of the occupied Dwelling Units shall be occupied by at least one person fifty-five (55) years of age or older. The Association Board may establish policies from time to time in accordance with applicable law regarding the occupancy of the Dwelling Units by persons, none of whom are fifty-five (55) or over (but none under eighteen (18) years of age); provided, however, at all times at least eighty percent (80%) of the occupied Dwelling Units must be occupied by at least one person fifty-five (55) or older. The Association shall maintain written proof or verification of the age of all the permanent occupants of the Dwelling Units in accordance with applicable federal, state and local law and regulations which information shall be updated periodically in accordance with applicable law. Permanent occupancy or residency shall be defined in the Rules and Regulations of the Association from time to time. Notwithstanding the foregoing, occupancy of a Dwelling Unit on a permanent basis is limited to four (4) individuals for all two (2) bedroom Dwelling Units. However, individuals in excess of this number may be permitted to visit and temporarily reside in a Dwelling Unit for periods not to exceed sixty (60) days in total in any calendar year with the prior written approval of the Association Board.

* * * * *

WITNESS my signature hereto this 8 day of August, 2004, at Boca Raton, Palm Beach County, Florida.

**WHISPER WALK SECTION A
ASSOCIATION, INC.**

Claire Nadell
Witness

CLAIRE NADELL
(PRINT NAME)

By: Richard Stransky
President

Sonia Spivack
Witness

SONIA SPIVACK
(PRINT NAME)

Attest Ruth Furman
Secretary
RUTH FURMAN

STATE OF FLORIDA :
COUNTY OF PALM BEACH :

The foregoing instrument was acknowledged before me this 8 day of August, 2004, by RICHARD STRANSKY and RUTH FURMAN, as PRES and SEC'Y, respectively, of Whisper Walk Section A Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me, or have produced as identification and did take an oath.

Judith E. Fragoso (Signature)
(Print Name)
Notary Public, State of Florida at Large

