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constructed, certificates of occupancy issued by the County, and title conveyed to permanent Owners other than the Developer; and

WHEREAS, the Developer has represented that it has not conveyed ninety percent of the Lots to permanent Owners.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. Article XII of the Declaration is amended to permit privacy walls to be built and roof eaves to overhang the following specific easements lying between the following Lots, to-wit:

- Between Lot 7 and 8;
- Between Lot 9 and 10;
- Between Lot 10 and 11;
- Between Lot-11 and 12;
- Between Lot 12 and 13;
- Between Lot 13 and 14;
- Between Lot 14 and 15;
- Between Lot 15 and 16;
- Between Lot 16 and 17;
- Between Lot 17 and 18;
- Between Lot 18 and 19;
- Between Lot 20 and 21;
- Between Lot 21 and 22;
- Between Lot 22 and 23;
- Between Lot 23 and 24;
- Between Lot 24 and 25;
- Between Lot 25 and 26;
- Between Lot 26 and 27;
- Between Lot 27 and 28;
- Between Lot 28 and 29;
- Between Lot 29 and 30;
- Between Lot 30 and 31;
- Between Lot 31 and 32;
- Between Lot 32 and 33;
- Between Lot 33 and 34;
- Between Lot 34 and 35;
- Between Lot 35 and 36;
- Between Lot 40 and 41;
- Between Lot 41 and 42;
- Between Lot 42 and 43;
- Between Lot 43 and 44;
- Between Lot 44 and 45;
- Between Lot 45 and Parcel A

all as shown on the Plat of Barrington Woods of Wellington - P.U.D., according to the Plat thereof, recorded in Plat Book 53, at Pages 50 and 51 of the Public Records of Palm Beach County, Florida.

2. All terms used in this First Amendment which are defined in the Declaration shall have the same meaning herein as therein.

3. Except as expressly amended hereby, the Declaration and all terms and provisions thereof shall continue in full force and effect.

IN WITNESS WHEREOF, COREPOINT CORP. has caused this First Amendment

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JOHN B. DUNKLE
CLERK OF THE CIRCUIT COURT
P. O. DRAWER H
WEST PALM BEACH FL 33402

PLEASE RETAIN THIS RECEIPT + THANK YOU

CFN	DOC-TYPE	AMOUNT
87-287651	DCL A	\$15.60
RECORDING DATE SEP-29-1987 TIME 09:53am		
REGISTER: VAO		
PRESENTED BY: AUGUST & POHLIG PA		
RECORDING		\$15.00
ABSTRACT		\$0.60
TOTAL FEES DUE		\$15.60
CASH	\$20.00	
AMOUNT TENDERED		\$20.00
CHANGE PAID		\$4.40

OFFICIAL RECEIPT

DRAWING NUMBER

84173 RETURN TO:
05.22.87 First Wellington Inc.
12230 Forest Hill Blvd.
West Palm Beach, FL 33414 JUN-04-1987 11:11am 87-162375

PREPARED BY:
FRANCIS M. POHLIG, ESQ.
AUGUST & POHLIG, P.A.
Suite 240
2121 Ponce de Leon Blvd.
Coral Gables, FL 33134-5278
Telephone: (305) 441-1776

FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS FOR BARRINGTON WOODS OF WELLINGTON - P.U.D.

THIS FIRST AMENDMENT is made and executed this 26 day of May, 1987, by COREPOINT CORP., a Florida corporation, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant executed that certain Declaration of Restrictions for Barrington Woods of Wellington - P.U.D., dated January 30, 1986, and caused the same to be recorded on February 5, 1986, in Official Records Book 4784, at Page 1906, of the Public Records of Palm Beach County, Florida (hereinafter referred to as the "Declaration"); and

WHEREAS, pursuant to Article XII, Section 1 of the Declaration, Declarant specifically reserved from each Lot shown on the Plat of Barrington Woods of Wellington - P.U.D., which was recorded in Plat Book 53, at Pages 50 and 51, of the Public Records of Palm Beach County, Florida, an easement in, on and over a strip of land six feet wide adjacent to and within all boundary lines of each such Lot for the purposes set forth in said Section 1 of Article XII, and pursuant to Section 2 of said Article XII prohibited any structure upon said easements; and

WHEREAS, some, but not all, of said easements are shown on the Subdivision Plat of Barrington Woods of Wellington - P.U.D.; and

WHEREAS, the Developer of said Subdivision has determined that certain of the easements so reserved lying between Lots are not necessary for the purposes intended, that no utilities exist or will be placed in certain of the easements so reserved, and for the betterment and beautification of said Subdivision it is desirable to encroach upon certain of the easements so reserved and to construct privacy walls within certain of said easements and to permit roof eaves to overhang certain of said easements; and

WHEREAS, pursuant to Section 1 of Article XIX of the Declaration, the Declaration may be amended by the Declarant alone, until ninety percent (90%) of the total number of residential dwelling units permitted in said Subdivision have been

to be executed by its duly authorized officer signing below this 26 day of May, 1987.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:
Francis M. Pohlig
Don J. Harder

COREPOINT CORP.
By: *Richard W. Carlson, Jr.*
Vice President
(Corporate Seal)

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing First Amendment to Declaration of Restrictions for Barrington Woods of Wellington - P.U.D. was acknowledged before me this 26 day of May, 1987, by *George de Guadalupe*, Vice President of COREPOINT CORP., a Florida corporation, on behalf of the corporation.

Don J. Harder
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: 4-1-87

Board of County Commissioners

Karen T. Marcus, District 1
Carol A. Roberts, District 2
Carol J. Elmquist, District 3
Dorothy Wilken, District 4
Kenneth M. Adams, District 5

County Attorney
Gary M. Brandenburg



DATE: July 10, 1987

TO: Lucille Carter
Building Division

FROM: Richard W. Carlson, Jr.
Assistant County Attorney

RE: Barrington Woods of Wellington, PUD as recorded at Plat Book 53, pages 50 and 51

I am in receipt of a package of information from Larry Stout, P.E. regarding utility easements reserved by the developer. The developer now desires to allow encroachment upon certain of the easements reserved to construct privacy walls and roof overhangs.

I reviewed the terms of the plat and the reservations found in the Declaration of Restrictions for Barrington Woods of Wellington - PUD as recorded at OR Book 4784, Page 1913. A copy of that page is enclosed for your convenient reference. I've also reviewed a copy of a First Amendment to Declaration of Restrictions for Barrington Woods of Wellington - PUD, a copy of which is also enclosed for your convenience.

It is my opinion, that because these utility easements are not public in nature, that is, they are specifically reserved to the developer for his assignment and use, the First Amendment to Declaration of Restrictions for Barrington Woods of Wellington - PUD suffices to allow the encroachments contemplated therein.

Accordingly, permits and COs should not be withheld for encroachments, as outlined above. Should you have any questions or concerns, please do not hesitate to contact me.

Richard W. Carlson, Jr.
Richard W. Carlson, Jr.

RWC:bd
Enc.
cc: Larry Stout

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