

Prepared by and Return to:

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**FIRST AMENDMENT TO THE DECLARATION OF  
RESTRICTIVE COVENANTS**

**THIS FIRST AMENDMENT TO THE DECLARATION OF RESTRICTIVE COVENANTS** (“First Amendment”) is made as of this \_\_\_\_ day of August, 2019 by the **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, a Florida public agency created pursuant to Chapter 163, Florida Statutes, with an address of 20 N. Swinton Avenue, Delray Beach, FL 33444 (hereinafter referred to as the “CRA”).

**W I T N E S S E T H:**

**WHEREAS**, the CRA as the Developer previously entered into a Declaration of Restrictive Covenants dated July 30<sup>th</sup>, 2009 for an initial term of ten (10) years (hereinafter referred to as the “Declaration”) for the four (4) condominium residential units located in the West Settlers Condominium; and

**WHEREAS**, the CRA desires to enter into this First Amendment in order to exercise its option to extend the term of the Restrictive Covenants for an additional five (5) years; and

**NOW THEREFORE**, in consideration of the promises, mutual covenants, provisions and undertakings hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the CRA Board does state as follows:

1. That the recitals set forth above are true and correct and are incorporated herein by reference.

2. Pursuant to Section 3 of the Declaration, the Board of Commissioners of the Delray Beach Community Redevelopment Agency hereby elects to exercise its option to extend the term of the Declaration for an additional five (5) years non pro tunc as of July 31, 2019.

3. That except as amended herein, the CRA ratifies, approves and reaffirms the terms of the Original Declaration, and the Original Declaration shall remain in full force and effect, except as amended herein.

4. In the event of any conflict or ambiguity by and between the terms and provisions of the Original Declaration, and this First Amendment, the terms and provisions of this First Amendment shall control to the extent of any such conflict or ambiguity.

**IN WITNESS OF THE FOREGOING**, the CRA has authorized the Chair to execute this First Amendment and seals the day and year first written above.

DELRAY BEACH COMMUNITY  
REDEVELOPMENT AGENCY

ATTEST:

BY: \_\_\_\_\_  
SHELLY PETROLIA, CHAIR

\_\_\_\_\_  
RENÉE A. JADUSINGH, ESQ.  
EXECUTIVE DIRECTOR

APPROVED AS TO LEGAL FORM

STATE OF FLORIDA

\_\_\_\_\_  
DONALD J. DOODY, ESQ.

COUNTY OF PALM BEACH

The foregoing First Amendment to the Declaration of Restrictive Covenants was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019, by Shelly Petrolia and Renee A. Jadusingh, as Chair and Executive Director, respectively, on behalf of the Delray Beach Community Redevelopment Agency, who ( ) are personally known to me or ( ) have provided Florida Driver's Licenses as identification.

\_\_\_\_\_  
Notary Public