

THIS INSTRUMENT **PREPARED BY**
AND RETURN TO:
MOYLE, FLANIGAN, ET AL.
ATTENTION: CHUCK MILLAR
POST OFFICE BOX 3888
WEST PALM BEACH, FL 33402

R2003 0560

**AMENDED DECLARATION OF RESTRICTIONS
ADDISON CENTRE MUPD**

APR 24 2003

THIS AMENDED DECLARATION is made this ___ day of _____, 2003 by Linton-Jog Associates II, LTD & Linton-Jog Associates III, LTD (“Linton-Jog”) George Ow, Jr., David L. Ow, Terry L. Ow (“The Ows”) and Fidelity Federal Bank & Trust (“Bank”) collectively the “Declarants”.

WITNESSETH

WHEREAS, Linton-Jog, The Ows and the Bank are the fee simple owners of record of the following described real property lying and being in Palm Beach County, Florida: (See Exhibit “A” hereinafter the “Property”); and

WHEREAS, the Declarants wish to provide for the orderly development of the property in manner which is harmonious and compatible with the nearby existing and future land uses; and

WHEREAS, Declarant made certain voluntary commitments and representations in connection with an application to amend the Palm Beach County Comprehensive Plan and the Palm Beach County Zoning Atlas to redesignate and rezone the Property to allow for a Multiple Use Planned Development (**MUPD**); and

WHEREAS, the Declarants wish to amend that certain Declaration of Restrictions as recorded on January 23, 1997 in Official Record Book 9624, Page 1022, of the public records of Palm Beach County, Florida; and

WHEREAS, on August 22, 2002, the Palm Beach Board of County Commissioners approved the First Amendment to the Declaration of Restrictions to expand the list of permitted uses for the Addison Centre **MUPD**.

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, Declarants hereby declares as follows:

1. Permitted Commercial Uses:

The Declarant has previously obtained approval for a Multiple Use Planned Development (MUPD) and said MUPD shall only be used for the following uses or bonafide accessory uses thereto:

See Exhibit "B"

2. Binding Effect.

The foregoing restrictions shall be attached to and run with the land, and shall be for the benefit of and shall be limitations upon all future owners and tenants of the Property. In addition, the foregoing restrictions may be enforced by the Board of County Commissioners of Palm Beach County through an appropriate civil action in the Circuit Court in and for Palm Beach County, Florida, or any other actions permitted by law. There are no intended third party beneficiaries of this Declaration, and no other persons, entities or parties except those named or described herein shall have any right to enforce this Declaration.

3. Duration: Modification: Cancellation.

This Declaration shall remain in full force and effect for as long as the Property is designated on the Palm Beach County Comprehensive Plan Future Land Use Map as "Commercial", provided, however, that in the event that the Property shall ever cease to be designated as Commercial in said Future Land Use Map then this Declaration shall automatically terminate. This Declaration may be amended from time to time or terminated by a written instrument executed by the owners of the fee simple title to all of the Property, provided that no such amendment shall be effective or binding unless it is also approved and executed by the Board of County Commissioners of Palm Beach County, Florida. Any application to amend or terminate this Declaration shall be considered by the Board of County Commissioners at a public hearing, with public notice given in the same for as is required for a change in land use designation, with the applicant for the amendment or termination responsible to pay the costs associated with said notice.

4. Effective Date of this Declaration.

This Declaration shall become effective upon its recordation in the Public Records of Palm Beach County, Florida.

IN WITNESS WHEREOF, Owners have executed this Amendment as of the date first written above.

Witnesses: [Signature]

(Sign) CHUCK MILLAR

(Print)

[Signature]

(Sign) Thomas Welsh

(Print)

LINTON-JOG ASSOCIATES 11, LTD.,
a Florida limited partnership

By: LINTON-JOG ASSOCIATES 11, INC.,
a Florida corporation, its General Partner

By: [Signature]
N. Kent Wilmering, President

STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby certify that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared N. KENT WILMERING, PRESIDENT of LINTON-JOG ASSOCIATES 11, INC., a Florida corporation, General Partner of LINTON-JOG ASSOCIATES 11, LTD., a Florida limited partnership, to me known to be the person described in and who executed the foregoing instrument and severally acknowledged before me that he executed the same as such officer in the name of and on behalf of said corporation and limited partnership.

Witness my hand and official seal in the County and State last aforesaid this 25th day of March, 2003.



My Commission Expires:

[Signature]
Notary Public

Witnesses: [Signature]

(Sign) CHRISTOPHER OW

(Print)

[Signature]

[Signature]

GEORGE OW, JR., TRUSTEE OF
(1) THAT CERTAIN DECLARATION OF TRUST DATED DECEMBER 27, 1976, BETWEEN GEORGE OW AS SETTLOR AND GEORGE OW, JR., DAVID L. OW

(Sign)
William George Ow, JR.
(Print)

AND TERRY L. OW, **AS** TRUSTEES, AS TO AN UNDIVIDED **12.5%**INTEREST (2) THAT CERTAIN DECLARATION OF TRUST DATED DECEMBER **27,1976** BETWEEN EMILY LEE OW AS SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW AND TERRY OW, AS TRUSTEES, AS TO AN UNDIVIDED **12.5%**INTEREST; (3) THAT CERTAIN DECLARATION OF TRUST DATED JULY **10,1984** BETWEEN GEORGE OW AS SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW **AND** TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED **2.2%**INTEREST; (4) THAT CERTAIN DECLARATION OF TRUST DATED JULY **10,1984** BETWEEN EMILY LEE OW AS SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED **2.2%**INTEREST; (5) THAT CERTAIN DECLARATION OF TRUST DATED DECEMBER **24,1985** BETWEEN GEORGE OW AS SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED **35.3%** INTEREST; **and** (6) THAT CERTAIN DECLARATION OF TRUST DATED DECEMBER **24,1985** BETWEEN EMILY LEE OW AS SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED **35.3%** INTEREST

STATE OF _____
COUNTY OF _____

I hereby certify that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared GEORGE OW, **JR.** in

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF Santa Cruz } SS.

On February 13, 2003 before me, the undersigned, a Notary Public in and for said State personally appeared George Owen Jr

Name(s) of Signer(s)

Personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



(Area above for official notarial seal)

Witness my hand and official seal

[Signature]
Signature of Notary
Shannon O'Connell
Name (Typed or Printed)

Capacity Claimed by Signer	Description of Attached Document
<p><input type="checkbox"/> Individual(s)</p> <p><input type="checkbox"/> Corporate Officer(s) - Title(s) _____</p> <p>_____</p> <p>_____</p> <p><input type="checkbox"/> Partner(s)</p> <p><input type="checkbox"/> Attorney-in-Fact</p> <p><input checked="" type="checkbox"/> Trustee(s)</p> <p><input type="checkbox"/> Guardian/Conservator</p> <p><input type="checkbox"/> Other: _____</p> <p>_____</p>	<p>(Although this information is optional, it could prevent fraudulent attachment of this certificate to another document.)</p> <p>This certificate is for attachment to the document described below:</p> <p>Title or type of document <u>Amendment Declaration of Restrictions</u></p> <p>Number of pages <u>9</u></p> <p>Date of document <u>2-13-03</u></p>
<p>Signer is Representing: Name of person(s) or Entity(ies) _____</p> <p>_____</p>	<p>Signer(s) other than named above _____</p> <p><u>M Kent Wilmering</u></p> <p><u>Christopher A Cook</u></p> <p><u>Jerry J Owen</u></p> <p><u>David J Owen</u></p>

his capacity as aforesaid, to me known to be the person described in and who executed the foregoing instrument and severally acknowledged before me that he executed the same as such Trustee in the name of and on behalf of said Trusts.

Witness my hand and official seal in the County and State last aforesaid this ____ day of _____, 2003.

Notary Public

My Commission Expires:

Witnesses:

[Signature]
(Sign)

William O
(Print)

[Signature]
(Sign)

CHRISTOPHER OW
(Print)

[Signature]

DAVID L. OW, TRUSTEE OF
(1) THAT CERTAIN DECLARATION OF TRUST DATED DECEMBER 27, 1976, BETWEEN GEORGE OW AS SETTLOR AND GEORGE OW, JR., DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED 12.5% INTEREST
(2) THAT CERTAIN DECLARATION OF TRUST DATED DECEMBER 27, 1976 BETWEEN EMILY LEE OW AS SETTLOR AND GEORGE OW, JR., DAVID L. OW AND TERRY OW, AS TRUSTEES, AS TO AN UNDIVIDED 12.5% INTEREST; (3) THAT CERTAIN DECLARATION OF TRUST DATED JULY 10, 1984 BETWEEN GEORGE OW AS SETTLOR AND GEORGE OW, JR., DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED 2.2% INTEREST; (4) THAT CERTAIN DECLARATION OF TRUST DATED JULY 10, 1984 BETWEEN EMILY LEE OW AS SETTLOR AND GEORGE OW, JR., DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED 2.2% INTEREST; (5) THAT CERTAIN DECLARATION OF TRUST DATED

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF

Santa Cruz

SS.

On February 13 2003 before me, the undersigned, a Notary Public in and for said State personally appeared David L Ow

Name(s) of Signer(s)

Personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

[Handwritten Signature]

Signature of Notary

Shannon O'Connell

Name (Typed or Printed)

(Area above for official notarial seal)

Capacity Claimed by Signer

- Individual(s)
- Corporate Officer(s) - Title(s) _____

- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Guardian/Conservator
- Other: _____

Signature of Signer is Representing: Name of person(s) or

Entity(ies) _____

Description of Attached Document

(Although this information is optional, it could prevent fraudulent attachment of this certificate to another document.)

This certificate is for attachment to the document described below:

Title or type of document Amended Declaration of Restrictions

Number of pages 9

Date of document 2-13-03

Signer(s) other than named above _____

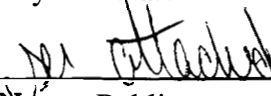
George Ow Jr.
JN Kent Wilmering
Christopher J. Cook
Gerry J Ow.

DECEMBER 24, 1985 BETWEEN
GEORGE OW AS SETTLOR AND
GEORGE OW, **JR.**, DAVID L. OW AND
TERRY L. OW, AS TRUSTEES, AS TO
AN UNDIVIDED 35.3% **INTEREST**; and
(6) THAT CERTAIN DECLARATION OF
TRUST DATED DECEMBER 24, 1985
BETWEEN EMILY LEE OW AS
SETTLOR AND GEORGE OW, **JR.**,
DAVID L. OW AND TERRY L. OW, AS
TRUSTEES, AS TO AN UNDIVIDED
35.3% INTEREST

STATE OF _____
COUNTY OF _____

I hereby certify that on **this** day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared DAVID L. OW, in **his** capacity **as** aforesaid, to me known to be the person described in and who executed the foregoing instrument and severally acknowledged before me that he executed the same **as** such Trustee in the name of and on behalf of said Trusts.

Witness my hand and official seal in the County and **State** last aforesaid **this** ____ day of _____, 2003.



Notary Public

My Commission Expires:

Witnesses



(Sign)

William Ows

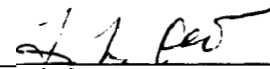
(Print)



(Sign)

CHRISTOPHER Ows

(Print)



TERRY L. OW, TRUSTEE OF

(1) THAT CERTAIN DECLARATION OF
TRUST DATED DECEMBER 27, 1976,
BETWEEN GEORGE OW AS SETTLOR
AND GEORGE OW, JR., DAVID L. OW
AND TERRY L. OW, AS TRUSTEES, AS
TO AN UNDIVIDED 12.5% INTEREST
(2) THAT CERTAIN DECLARATION OF
TRUST DATED DECEMBER 27, 1976
BETWEEN EMILY LEE OW AS

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF Santa Cruz

On February _____ before me
[Signature]
 Name(s) of Signer(s)

Personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



(Area above for official notarial seal)

Witness my hand and official seal.

[Signature]
 Signature of Notary
Shannon O'Connell
 Name (Typed or Printed)

Capacity Claimed by Signer	Description of Attached Document
<p><input type="checkbox"/> Individual(s)</p> <p><input type="checkbox"/> Corporate Officer(s) - Title(s) _____</p> <hr/> <p><input type="checkbox"/> Partner(s)</p> <p><input type="checkbox"/> Attorney-in-Fact</p> <p><input checked="" type="checkbox"/> Trustee(s)</p> <p><input type="checkbox"/> Guardian/Conservator</p> <p><input type="checkbox"/> Other: _____</p>	<p>(Although this information is optional, it could prevent fraudulent attachment of this certificate to another document.)</p> <p>This certificate is for attachment to the document described below:</p> <p>Title or type of document <u>Amended Declaration of Restrictions</u></p> <p>Number of pages <u>9</u></p> <p>Date of document <u>2-13-03</u></p>
<p>Signer is Representing: Name of person(s) or Entity(ies) _____</p>	<p>Signer(s) other than named above _____</p> <p><u>George Ow Jr.</u></p> <p><u>W. Kent Wilmering</u></p> <p><u>David Low</u></p> <p><u>Christopher H Cook</u></p>

SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW AND TERRY OW, AS TRUSTEES, AS TO AN UNDIVIDED **12.5% INTEREST; (3) THAT CERTAIN DECLARATION OF TRUST DATED JULY 10, 1984** BETWEEN GEORGE OW AS SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED **2.2% INTEREST; (4) THAT CERTAIN DECLARATION OF TRUST DATED JULY 10, 1984** BETWEEN EMILY LEE OW AS SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED **2.2% INTEREST; (5) THAT CERTAIN DECLARATION OF TRUST DATED DECEMBER 24, 1985** BETWEEN GEORGE OW AS SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED **35.3% INTEREST; and (6) THAT CERTAIN DECLARATION OF TRUST DATED DECEMBER 24, 1985** BETWEEN EMILY LEE OW AS SETTLOR AND GEORGE OW, **JR.**, DAVID L. OW AND TERRY L. OW, AS TRUSTEES, AS TO AN UNDIVIDED **35.3% INTEREST**

STATE OF _____
COUNTY OF _____

I hereby certify that on **this** day before me, **an** officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared TERRY L. OW, in **his** capacity **as** aforesaid, to me known to be the person described in **and** who executed the foregoing instrument and severally acknowledged before me that he executed the same **as** such Trustee in the **name** of and on behalf of said Trusts.

See attached

Witness my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public

My Commission Expires:

Witnesses: [Signature]

(Sign) CHUCK MILLER

(Print)

Thomas Welch

(Sign)

(Print) Thomas Welch

LINTON-JOG ASSOCIATES III, LTD.,
a Florida limited partnership

By: LINTON-JOG ASSOCIATES III, INC.,
a Florida corporation, its General Partner

By: [Signature]
N. Kent Wilmering, President

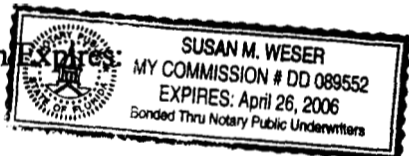
STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby certify that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared N. KENT WILMERING, PRESIDENT of LINTON-JOG ASSOCIATES III, INC., a Florida corporation, General Partner of LINTON-JOG ASSOCIATES III, LTD., a Florida limited partnership, to me known to be the person described in and who executed the foregoing instrument and severally acknowledged before me that he executed the same as such officer in the name of and on behalf of said corporation and limited partnership.

Witness my hand and official seal in the County and State last aforesaid this 25th day of March, 2003.

[Signature]
Notary Public

My Commission Expires:



Witnesses:

FIDELITY FEDERAL BANK & TRUST

Witnesses:

Thomas Welch
(Sign)

Thomas Welch
(Print)

[Signature]
(Sign)

CHUCK MILLAR
(Print)

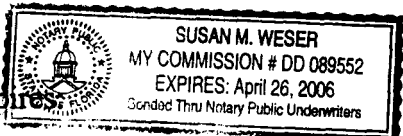
FIDELITY FEDERAL BANK & TRUST

By: [Signature]
Daniel F. Turk
Senior Vice President

STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby certify that on this day before me, **an** officer duly authorized in the State aforesaid and in the **County** aforesaid to take acknowledgments, personally appeared DANIEL F. TURK, Senior Vice President of FIDELITY FEDERAL BANK & TRUST, to me known to be the person described in **and** who executed the foregoing instrument and severally acknowledged before me that he executed the same **as** such officer in the name of and on behalf of said corporation and limited partnership.

Witness my hand and official seal in the County **and** State last aforesaid this 25th day of March, 2003.

My Commission Expires  Susan M. Weser
Notary Public

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: [Signature]
County Attorney

K2003 0560
APR 24 2003

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: [Signature]
for Karen T. Marcus, Chair

DOROTHY H. WILKEN, CLERK

BY: [Signature]
DEPUTY CLERK

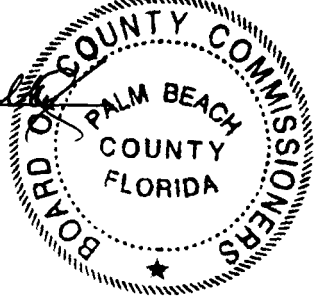


EXHIBIT “A”

LEGAL DESCRIPTION

ADDISON CENTRE MUPD

PETITION PDD97-86

The Plat of Addison Centre M.U.P.D., as recorded in Plat Book **85**, Pages **83** to **85** and, a Replat of Tract B Manor Care (Plat Book **80**, Pages **102 & 103**) Together with Parcel **214** as shown on said Plat of Manor Care and recorded in Official Record Book **7394**, Page **1328**, Official Record Book **7391**, Page **781** and official Record Book **8854**, Page **1333**, Section **27**, Township **46** South, Range **42** East, Palm Beach County, Florida.

EXHIBIT "B"

ADDISON CENTRE MUPD PERMITTED USES

Revised 7/23/02

APPROVED BY THE BCC ON 8/22/02

1. Beauty or ~~Hair~~ Care Salon;
2. Bookstore (no adult bookstores);
3. Computer retailer;
4. Daycare center, limited and general;
5. Freestanding Drugstore ~~with~~ Drive Thru;
6. Dry cleaning drop ~~off~~ and pick up (no processing or cleaning on site);
7. Financial institution;
8. Florist;
9. Government services * (Class A Conditional Use);
10. Hospital or medical center;
11. Jewelry store;
12. Mailbox, Etc., Pack-N-Ship or similar type use;
13. Medical supply store/retail;
14. Medical Rehabilitation Center;
15. Office, business, professional, medical or dental clinic;
16. Printing and copying service;
17. Grocery Store/ Supermarket;
18. Veterinary clinic;
19. Clothing Store.