

This instrument was prepared by
and should be returned to:
J. Lindsay Builder, Jr., Esq.
Graham, Clark, Jones, Builder, Pratt & Marks
369 N. New York Avenue
P. O. Drawer 1690
Winter Park, FL 32790-2690

Orange Co FL 5744090
08/30/96 10:06:38am
OR Bk 5114 Pg 1081
Rec 10.50

**FIRST AMENDMENT TO
DECLARATION OF PROTECTIVE COVENANTS
AND RESTRICTIONS FOR METROWEST UNIT FOUR REPLAT**

THIS FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR METROWEST UNIT FOUR REPLAT (this "Amendment") is made as of this 28th day of August, 1996, by DEBRA, INC., a Florida corporation, hereinafter referred to as the "DEVELOPER."

BACKGROUND FACTS

A. The DEVELOPER caused a certain DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR METROWEST UNIT FOUR REPLAT dated as of the 4th day of January, 1991, to be recorded in Official Records Book 4253, Page 0479, Public Records of Orange County, Florida (the "Declaration").

B. The DEVELOPER desires to amend the Declaration as set forth hereinafter.

C. Pursuant to Section 5, Article V, so long as the DEVELOPER holds legal title to any portion of the Property (as defined in the Declaration), the DEVELOPER may amend the Declaration by recordation of an amendatory instrument in the Public Records of Orange County, Florida, executed by the DEVELOPER only.

D. As of the date hereof the DEVELOPER holds legal title to portions of the Property and the DEVELOPER has not recorded a Notice of Termination of Interest in METROWEST.

AMENDMENT

NOW, THEREFORE, the DEVELOPER hereby declares that, pursuant to Section 5, Article V, of the Declaration, the Declaration is amended as follows:

1. Section 2, Common Property, Article I, is amended by adding to Section 2 the following:

Notwithstanding anything in this Section 2 to the contrary, neither the DEVELOPER nor the MASTER ASSOCIATION will have the right to designate any portion of the Property as Common Property if such portion of the Property has been conveyed to a third party that is not deemed the DEVELOPER pursuant to the terms of the Declaration and is not the MASTER ASSOCIATION.

2. Section 2, Waiver, Article V, is amended by replacing the existing Section 2 in its entirety with the following:

Section 2. Waiver. The failure of the DEVELOPER or the MASTER ASSOCIATION to insist upon the strict performance of any provision of this Declaration shall not be deemed to be a waiver of such provision unless the DEVELOPER or the MASTER ASSOCIATION has executed a written waiver of the provision applicable to a specific Lot. Any such written waiver of any provision of this Declaration as it applies to a specific Lot will not be deemed a waiver of the same provision of this Declaration as it relates to any other Lot.

IN WITNESS WHEREOF, the DEVELOPER has executed this Amendment as of the day and year first above written.

OR Bk 5114 Pg 1082
Orange Co FL 5744090

Recorded - Martha O. Haynie

Signed, sealed and delivered
in the presence of:

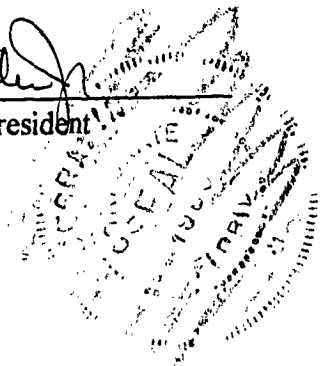
Vanda D. Mitchell
Signature of witness
Print name: Vanda D. Mitchell

Jennifer S. Dykes
Signature of witness
Print name: JENNIFER S. DYKES

DEBRA, INC.

By: J. Lindsay Builder, Jr.
J. Lindsay Builder, Jr., Vice President

2100 S. Hiwassee Road
Orlando, FL 32835



STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 28th day of August, 1996, by J. Lindsay Builder, Jr., the Vice President of DEBRA, INC., a Florida corporation, on behalf of the corporation. He is personally known to me.

Vanda D. Mitchell
Notary Public
Print name: Vanda D. Mitchell
My Commission Expires:

