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**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR INDEPENDENCE**

This Amendment is made as of February 1, 2005, by Home Dynamics PBC, LLC, a Florida limited liability company (the "Declarant") joined by Independence Homeowners Association, Inc., a Florida corporation not for profit (the "Association").

WHEREAS, Declarant and Association are parties to that certain Declaration of Covenants, Conditions and Restrictions for Independence recorded December 9, 2004 in Official Records Book 17865, Page 661 of the Public Records of Palm Beach County, Florida (the "Declaration"); and

WHEREAS, pursuant to Paragraph 17.13.4 of the Declaration, Declarant has the right to make any amendment to the Declaration without joinder of any other person, entity or agency within ninety (90) days of the Declaration's being recorded in the Public Records of Palm Beach County, Florida; and

WHEREAS, Declarant wishes to make certain amendments to the Declaration as more particularly set forth below.

NOW, THEREFORE, in consideration of the premises and covenants herein contained, Declarant hereby amends the Declaration by this Amendment, which shall become a part of the Declaration and be binding upon all parties having any right, title or interest in the property described in the Declaration.

1. Paragraph 4.2 of the Declaration entitled "Maintenance of Common Property and Other Property" is hereby amended to add the following new paragraph 4.2.4:

4.2.4 Without limiting the power of the Association to otherwise contract with governmental authorities with respect to the maintenance and repair of Common Property, the Association shall be responsible for the maintenance and repair of sanitary sewer service laterals (but not the main sanitary sewer gravity lines owned, operated, maintained and repaired by the County) that have been installed by Declarant to provide

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sewer service to the Lots in Independence Cove. The Association agrees to indemnify and hold harmless the County for the costs of repair and maintenance of said sanitary sewer service laterals.

2. Scrivener's errors in cross-references to paragraphs within the Declaration are hereby corrected as follows:

- a. In Paragraph 1.35, the reference to Paragraph 10.3 should be Paragraph 9.4.
- b. In Paragraph 1.36 the reference to Paragraph 10.4 should be Paragraph 9.5.
- c. In Paragraph 3.3 the reference to Paragraph 3.4 should be Paragraph 3.3.
- d. In Paragraph 4.1.3 the reference to Paragraph 4.3 should be Paragraph 4.1.
- e. In Paragraph 5.5.11 the reference to Paragraph 5.1.2 should be Paragraph 4.1.2.
- f. In Paragraph 7.5 the reference to Paragraph 6.5 should be Paragraph 7.5.
- g. In Paragraph 7.5.6 the reference to Paragraph 6 should be Paragraph 7.
- h. In Paragraph 7.5.7 the reference to Paragraph 6 should be Paragraph 7.
- i. In Paragraph 10.5 the reference to Paragraph 13 should be Paragraph 17.19.
- j. In Paragraph 17.4.4.1 the reference to Paragraph 16.4.5 should be Paragraph 17.4.5.
- k. In Paragraph 17.10 the reference to Paragraph 16.10 should be Paragraph 17.10.
- l. In Paragraph 17.12 the reference to Paragraph 16.10 should be Paragraph 17.10.
- m. In Paragraph 17.13.3 the reference to Paragraph 16.12.2 should be Paragraph 17.10.
- n. In Paragraph 17.13.4 the reference to Paragraph 16.12 should be Paragraph 17.13.3 and the reference to Paragraph 15.12. should be Paragraph 17.13.4.

IN WITNESS WHEREOF, this Amendment has been signed by the Declarant and the Association on the day and year first above written.

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Witnessed:

DECLARANT:

HOME DYNAMICS PBC, LLC,  
a Florida limited liability company,

Sandra Gauberto  
Name:

By: [Signature]  
David Schack, Member and Manager

Notary Public  
Name:

ASSOCIATION:

INDEPENDENCE HOMEOWNERS  
ASSOCIATION, INC., a Florida not for  
Profit Corporation

Sandra Gauberto  
Name:

By: [Signature]  
Michael Schack, President

Notary Public  
Name:

STATE OF FLORIDA  
COUNTY OF

Acknowledged before me on February 1, 2005, by David Schack, as member and manager of HOME DYNAMICS PALM BEACH, LLC, who is personally known to me.

[Signature]  
NOTARY PUBLIC



STATE OF FLORIDA  
COUNTY OF

Acknowledged before me on February 1, 2005, by Michael Schack, as President of INDEPENDENCE HOMEOWNER'S ASSOCIATION, INC., a Florida not for Profit Corporation, who is personally known to me

[Signature]  
NOTARY PUBLIC



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