



Prepared by and Return to:
Thomas E. Streit, Esquire
Akerman, Senterfitt & Eidson, P.A.
222 Lakeview Avenue
Suite 400
West Palm Beach, FL 33401

CFN 20070178864
OR BK 21619 PG 0918
RECORDED 04/12/2007 16:16:06
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0918 - 920; (3pgs)

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

This Amendment is made as of September 26, 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, as previously amended (the "Declaration"); and

WHEREAS, pursuant to Paragraph 17.13.3.4 of the Declaration, Declarant has the right to make any amendment to the Declaration, without joinder of any other person, entity or agency, that is necessary for the purpose of fulfilling the requirements of a governmental entity; and

WHEREAS, Declarant wishes to make certain amendments to the Declaration as more particularly set forth below, which is required by Palm Beach County.

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.

A new paragraph 4.2.5 is hereby added to the Declaration to read in its entirety as follows:

4.2.5 Swale Maintenance. No Owner may re-grade or place improvements within any swale area with the effect of altering or obstructing the overland flow of stormwater runoff. Each Owner shall be responsible for maintaining the swale on that Owner's Lot in an unobstructed condition. If a swale is not functioning properly, the Association shall have the right to enter the Lot(s) affected, or cause authorized contractors to enter the

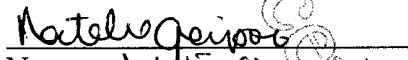
{WP259619;1}

Lot(s), for the purpose of making necessary improvements to ensure the swale's proper functioning. If the swale is not functioning properly as the result of improvements or obstructions created by an Owner, all costs to correct and restore the non-functioning swale shall be borne by that Owner.

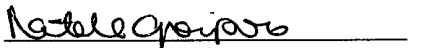
IN WITNESS WHEREOF, this Amendment has been signed by the Declarant and the Association on the day and year first above written.

Witnessed:


Name: Denise Parks

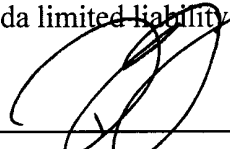

Name: Natalie Giampole


Name: Denise Parks


Name: Natalie Giampole

DECLARANT:

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

By: 
David Schack, Member and Manager

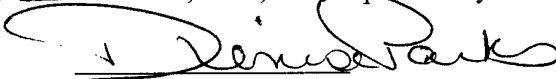
ASSOCIATION:

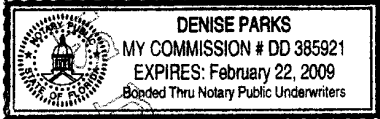
INDEPENDENCE HOMEOWNERS
ASSOCIATION, INC., a Florida not for
Profit Corporation

By: 
Michael Schack, President

STATE OF FLORIDA
COUNTY OF BROWARD

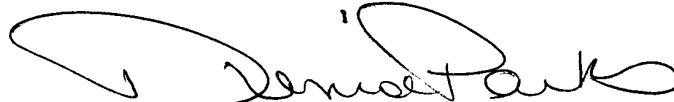
Acknowledged before me on Sept 27, 2005, by David Schack, as member and manager of HOME DYNAMICS ~~PALM BEACH~~, LLC, who is personally known to me.

(PBC)

NOTARY PUBLIC



STATE OF FLORIDA
COUNTY OF BROWARD

Acknowledged before me on Sept 27 2005, by Michael Schack, as President of INDEPENDENCE HOMEOWNER'S ASSOCIATION, INC., a Florida not for Profit Corporation, who is personally known to me


NOTARY PUBLIC

