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CERTIFICATE OF NINTH AMENDMENT TO THE

DECLARATION OF COVENANTS AND RESTRICTIONS FOR

THE LANDINGS AT ABERDEEN

RESTRICTIONS FOR THE LANDINGS AT ABERDEEN ("Ninth Amendment") is made by The Landings at Aberdeen Homeowners Association, Inc. ("Landings at Aberdeen"), as follows:

RECITALS:

 WHEREAS, that certain Declaration of Covenants and Restrictions for the Landings at Aberdeen was recorded on June 20, 1983, in Official Record Book 3970, Page 0527, of the Public Records of Palm Beach County, Florida ("Declaration") was made respecting the community formerly known as the Landings at Parkwalk, but now formally and commonly known as the Landings at Aberdeen; and, the Declaration was amended by that certain:

1. First Amendment to Declaration of Covenants and Restrictions for the Landings at Parkwalk, in Off. Rec. Bk. 4552, P. 1327, Pub. Rec. of Palm Beach County, Florida ("First Amendment"); and,
2. Certificate of Amendment to the Declaration of Covenants and Restrictions for the Landings at Parkwalk, in Off. Rec. Bk. 6049, P. 3 52, Pub. Rec. of Palm Beach County, Florida ("Second Amendment"); and,
3. Amendment to Article 15.2 of the Declaration of Covenants and Restrictions for the Landings at Parkwalk Homeowner's Association [sic], in Off. Rec. Bk. 7246, P. 0164, of the Public Records of Palm Beach County, Florida ("Third Amendment"); and,
4. Certificate of Adoption of Amendment, in Off. Rec. Bk. 7363, P. 0290, Pub. Rec. of Palm Beach County, Florida ("Fourth Amendment"); and,
5. Declaration and Certificate of Amendment Regarding School Impact Fees, in Off. Rec. Bk. 10141, P. 0107, Pub. Rec. of Palm Beach County, Florida ("Fifth Amendment"); and,
6. Amendment to the Declaration of Covenants and Restrictions for The Landings at Aberdeen Homeowners Association, Inc., in Off. Rec. Bk. 26761, P. 0555, Pub. Rec. of Palm Beach County, Florida ("Sixth Amendment"); and,
7. Amendment to the Declaration of Covenants and Restrictions for The Landings at Aberdeen Homeowners Association, Inc., in Off. Rec. Bk. 27866, P. 0171, Pub. Rec. of Palm Beach County, Florida ("Seventh Amendment"); and,
8. Amendment to the Declaration of Covenants and Restrictions for The Landings at Aberdeen Homeowners Association, Inc., in Off. Rec. Bk. 29106, P. 337, Pub. Rec. of Palm Beach County, Florida ("Eighth Amendment"); and,

WHEREAS, the Declaration was preserved by that certain Notice of Preservation of Declaration of Covenants and Restrictions recorded in Off. Rec. Bk. 26029, P. 1644, Pub. Rec. of Palm Beach County, Florida; and,

WHEREAS, prior to the date hereof, the Declaration together with the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment and any other amendments of record, together constitute the "Declaration."

WHEREAS, the realty subject to the Declaration as amended hereby is described as:

All of Parkwalk Plat No. 1, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Plat Book 45, at Page 45; LESS and EXCEPT the following described parcel:

A tract of land lying in the NW 1/4 of Sec. 14, Township. 45 S., Range 42 E., Palm Beach County, Fla., being more particularly described as follows:

From the NE corner of the NW 1/4 of said Sec. 14, commence N 88°17'06" W, along the N. line of said Section 14 for a distance of 65.00 feet; thence S 01°12'07" W, along the West Right of Way line of the ‘Lake Worth Drainage District’ Equalizing Canal No. 3, as recorded in Off, Rec. Bk. 2456, Page 316, Pub. Rec. of Palm Beach County, Florida, for a distance of 1616.65 feet to the point of beginning; thence continue S 01°12'07" W, along tile W. Right of Way line of said Equalizing Canal No. 3, for a distance of 995.78 feet: thence N 88°24'59" West along the N. Right of Way line of the ‘Lake Worth Drainage District’: Lateral Canal No. 21, as recorded in Off. Rec. Bk. 3416, Pages 563 to 566, inclusive, for a distance of 218.52 feet; thence N 01°12'07" E for a distance of 680.23 feet; thence N 18°17'55" W, for a distance of 223.13 feet to a point on the S. Right of Way line of Le Chalet Blvd., said Right of Way line as recorded by Plat No. 5, Le Chalet P.U.D. in Plat Book 44, Pages 77 and 78, Pub. Rec. of Palm Beach County, Florida, thence with a bearing of N 7°42'05" E along the Southerly Right of Way line of Le Chalet Blvd., a distance of 310.84 feet more or less to the point of beginning.

WHEREAS, the Developer has relinquished control of the Association; and,

WHEREAS, the Board of Directors ("Board") has received information from its counsel that generally, holders of first mortgages which acquire title following foreclosure have complied with, and acquiesced to, the application of the Homeowners Association Act (Chapter 720, Fla. Stat.), including naming the Association and other local community associations in their mortgage foreclosure suits, even where claim of liens had not been perfected; the Board finds therefore that amendments contained herein do not materially adversely affect the rights of mortgagees. Further, based on the opinion of counsel that such interpretation is not unreasonable, the Board, pursuant to its authority, interprets the amendments herein as not materially adversely affecting the rights of mortgagees and not being prohibited by § 15.2.4 of the Declaration; and,

NOW THEREFORE, in compliance with the Declaration, the Landings at Aberdeen declares the Declaration amended a ninth time as follows:

The foregoing recitals are true, correct and incorporated into this Ninth Amendment.

1. The foregoing recitals are true, correct and incorporated into this Ninth Amendment.

2. If there is a conflict between this Ninth Amendment and the Declaration, this Ninth Amendment shall control. Wherever possible, the Declaration and this Ninth Amendment shall be construed as a single document. Except as modified herein, the Declaration remains in full force and effect. This Declaration shall be a covenant running with the land.

3. Henceforth, the term "Declaration" shall mean the Declaration and this Ninth Amendment, together with all amendments and modifications thereto.

4. Various provisions of the Declaration are amended to read as provided on the **Exhibit "A"** attached hereto and incorporated herein.

5. The effective date of this Ninth Amendment is the date of recordation as indicated by the stamp affixed, electronically or otherwise, to this Certificate by the Clerk of the Court.

6. This Ninth Amendment was approved by the membership by written consent of at least fifty-one percent (51 %) of the members.

IN WITNESS WHEREOF, The Landings at Aberdeen Homeowners Association, Inc., by and through its President, has hereunto set its hand and seal as of this \_\_\_\_ day of August, 2021.

Signed, sealed & delivered in the presence of The Landings at Aberdeen Homeowners Association, Inc.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, President

 (print name here)

Printed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness

Printed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATE OF FLORIDA )

COUNTY OF PALM BEACH )

 The foregoing certificate was acknowledged before me this \_\_\_\_ day of August, 2021, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the President of The Landings at Aberdeen Homeowners Association , Inc., on behalf of the corporation, who [ \_\_\_ ] are personally known OR [ \_\_\_ ] have produced \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as identification.

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 NOTARY PUBLIC

 (SEAL)

 My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_