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Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
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This instrument was prepared by/  
or under the direction of:  
Gary A. Poliakoff, Esq.  
BECKER & POLIAKOFF, P.A.  
3111 Stirling Road  
Fort Lauderdale, FL 33312

**CERTIFICATE OF AMENDMENT  
TO THE DECLARATION OF CONDOMINIUM  
OF  
RESIDENCES AT MIDTOWN, A CONDOMINIUM**

WE HEREBY CERTIFY THAT the attached Certificate of Amendment to the Declaration of Condominium of Residences at Midtown, a Condominium, as recorded in Official Records Book 22431, at Page 269, of the Public Records of Palm Beach, Florida, was duly adopted by the Developer in the manner provided by Florida Statute 718.104(4)(e) to amend the Declaration to correct references to other sections in Section 1.2 and Section 9.4 of the Declaration, and to correct Unit numbers listed on Exhibit "C" to the Declaration, as set forth on the attached Amendment.

IN WITNESS WHEREOF, we have affixed our hands as of the 20 day of March, 2008.

Signed, sealed and delivered in the presence of:

Karen D. Geller  
Witness signature  
KAREN D. GELLER  
Witness print name

Nereida Perez-Alvarez  
Witness signature  
Nereida Perez-Alvarez  
Witness print name

RESIDENCES AT MIDTOWN LIMITED PARTNERSHIP, a  
Florida limited partnership

By: Residences at Midtown, LLC  
a Florida limited liability company  
Its: General Partner

By: Midtown Real Estate Partners Limited  
Partnership, a Florida limited partnership  
Its: Sole Member and Manager

By: Midtown GP, Inc., a Florida corporation  
Its: General Partner

By: DAVID A. DEAN  
Name: Authorized Representative  
Title:

MAINSTREET AT MIDTOWN LIMITED  
PARTNERSHIP, a Florida limited partnership

By: Mainstreet at Midtown, LLC, a Florida limited  
partnership

By: Midtown Real Estate Partners Limited  
Partnership. A Florida limited partnership  
Its: Sole Member and Manager

By: Midtown GP, Inc., a Florida corporation  
Its: General Partner

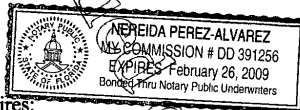
By: DAVID A. DEAN  
Name: Authorized Representative  
Title:

STATE OF FLORIDA )  
COUNTY OF Palm Beach )

:SS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgements, personally appeared DAVID A. DEAN, as Auth Rep of Midtown GP, Inc., a Florida corporation, general partner of Midtown Real Estate Partners Limited Partnership, a Florida limited partnership its sole member and manager of Residences at Midtown, LLC, a Florida limited liability company as General Partner of Residences at Midtown Limited Partnership, a Florida limited partnership personally known to me (✓) or who produced \_\_\_\_\_ as identification, and he acknowledged the execution thereof to be his free act and deed, on behalf of the company and for the uses and purposes therein mentioned.

WITNESS my hand and official seal in the county and state last aforesaid, this 20 day of March, 2008.



Nereida Perez-Alvarez  
NOTARY PUBLIC, State of Florida

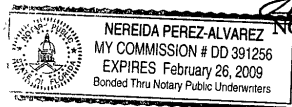
My Commission Expires:

STATE OF FLORIDA )  
COUNTY OF Palm Beach )

:SS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgements, personally appeared DAVID A. DEAN, as Auth Rep of Midtown GP, Inc., a Florida corporation, as general partner of Midtown Real Estate Partners Limited Partnership, a Florida limited partnership as sole member and manager of Mainstreet at Midtown, LLC, a Florida limited liability company as General Partner of Mainstreet at Midtown Limited Partnership, a Florida limited partnership personally known to me (✓) or who produced \_\_\_\_\_ as identification, and he acknowledged the execution thereof to be his free act and deed, on behalf of the company and for the uses and purposes therein mentioned.

WITNESS my hand and official seal in the county and state last aforesaid, this 20 day of March, 2008.



Nereida Perez-Alvarez  
NOTARY PUBLIC, State of Florida

My Commission Expires:

**AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM  
OF  
RESIDENCES AT MIDTOWN, A CONDOMINIUM**

**I. Section 1.2 is hereby amended as follows:**

- 1.2 Submission Statement. The Developer hereby submits the Property as defined in Section 2.2130 herein and all Improvements erected or to be erected thereon, all rights and appurtenances belonging thereto, and all other property, real, personal or mixed, now or hereafter situated on or within the Property - but excluding all public and private utility installations therein or thereon (e.g., cable television), any leased systems and the Shared Components (defined below), which may be located within or upon the Property - to the condominium form of ownership and use in the manner provided for in the Florida Condominium Act as it exists on the date hereof. Without limiting any of the foregoing, no property, real, personal or mixed, not located within or upon the Property as aforesaid shall for any purposes be deemed part of the Condominium or be subject to the jurisdiction of the Association, the operation and effect of the Florida Condominium Act or any rules or regulations promulgated pursuant thereto, unless expressly provided.

**II. Section 9.4 is hereby amended as follows:**

- 9.4 Additions, Alterations or Improvements by Developer. The foregoing restrictions of this Section 9 shall not apply to Developer owned Units. The Developer shall have the additional right, without the consent or approval of the Board of Directors or other Unit Owners, to (i) make alterations, additions or improvements, structural and non-structural, interior and exterior, ordinary and extraordinary, in, to and upon any Unit owned by it and Limited Common Elements appurtenant thereto (including, without limitation, the removal of walls, floors, ceilings and other structural portions of the Improvements, and the combining of all or any part of any number of Units that are adjacent to each other into one Unit); and (ii) expand, alter or add to all or any part of the recreational facilities. Any amendment to this Declaration (and any zoning or other governmental approvals required in connection therewith) required by a change made by the Developer pursuant to this Section 9.34 shall not be deemed a Material Amendment, and no such amendment shall be deemed to be a material altering of this Declaration in a manner that is adverse to Unit Owners or prospective Unit Owners (contract purchasers of Units) under the Act or the rules and regulations adopted with respect thereto. This section shall not apply to matters under Section 718.110(4) or 718.110(8), Florida Statutes.

**III. Exhibit "C" is hereby amended as follows:**

SEE ATTACHED.

**NOTE: NEW WORDS INSERTED IN THE TEXT ARE UNDERLINED AND WORDS DELETED ARE LINED THROUGH WITH HYPHENS.**

## EXHIBIT "C"

## RESIDENCES AT MIDTOWN, a Condominium

## Unit Owner Percentages of Interest in Common Elements

*This is not a contract*

Unit No.	Unit Type	Percentage
1101	F	0.50711507
1102	E	0.45993236
1103	B	0.29062967
1104	B	0.29062967
1105	B	0.29062967
1106	A	0.29935253
1107	A	0.29935253
1108	E	0.45993236
1109	B	0.29062967
1110	H	0.804881626
1111	F	0.50711507
1113	F	0.50711507
1114	H	0.804881626
1115	E	0.45993236
1116	G	0.52178533
1201	F	0.50711507
1202	E	0.45993236
1203	B	0.29062967
1204	B	0.29062967
1205	B	0.29062967
1206	A	0.29935253
1207	A	0.29935253
1208	E	0.45993236
1209	B	0.29062967
1210	H	0.804881626
1211	F	0.50711507
1212	C	0.42940237
1213	F	0.50711507
1214	H	0.804881626
1215	E	0.45993236
1216	G	0.52178533
1301	F	0.50711507
1302	E	0.45993236
1303	B	0.29062967
1304	B	0.29062967
1305	B	0.29062967
1306	A	0.29935253
1307	A	0.29935253
1308	E	0.45993236
1309	B	0.29062967
1310	H	0.804881626
1311	F	0.50711507
1312	C	0.42940237
1313	F	0.50711507
1314	H	0.804881626
1315	E	0.45993236
1316	G	0.52178533
1401	F	0.50711507
1402	E	0.45993236
1403	B	0.29062967
1404	B	0.29062967
1405	B	0.29062967
1406	A	0.29935253
1407	A	0.29935253
1408	E	0.45993236
1409	B	0.29062967
1410	H	0.804881626
1411	F	0.50711507
1412	C	0.42940237
1413	F	0.50711507
1414	H	0.804881626

## EXHIBIT "C"

## RESIDENCES AT MIDTOWN, a Condominium

## Unit Owner Percentages of Interest in Common Elements

Unit No.	Unit Type	Percentage
1415	E	0.45993236
1416	G	0.52178533
2101	F	0.50711507
2102	E	0.45993236
2103	B	0.29062967
2104	B	0.29062967
2105	E	0.45993236
2106	F	0.50711507
2107	F	0.50711507
2108	A	0.29935253
2109	H	0.804881626
2110	F	0.50711507
2112	F	0.50711507
2113	H	0.804881626
2114	A	0.29935253
2115	F	0.50711507
2201	F	0.50711507
2202	E	0.45993236
2203	B	0.29062967
2204	B	0.29062967
2205	E	0.45993236
2206	F	0.50711507
2207	F	0.50711507
2208	A	0.29935253
2209	H	0.804881626
2210	F	0.50711507
2211	C	0.42940237
2212	F	0.50711507
2213	H	0.804881626
2214	A	0.29935253
2215	F	0.50711507
2301	F	0.50711507
2302	E	0.45993236
2303	B	0.29062967
2304	B	0.29062967
2305	E	0.45993236
2306	F	0.50711507
2307	F	0.50711507
2308	A	0.29935253
2309	H	0.804881626
2310	F	0.50711507
2311	C	0.42940237
2312	F	0.50711507
2313	H	0.804881626
2314	A	0.29935253
2315	F	0.50711507
2401	F	0.50711507
2402	E	0.45993236
2403	B	0.29062967
2404	B	0.29062967
2405	E	0.45993236
2406	F	0.50711507
2407	F	0.50711507
2408	A	0.29935253
2409	H	0.804881626
2410	F	0.50711507
2411	C	0.42940237
2412	F	0.50711507
2413	H	0.804881626
2414	A	0.29935253
2415	F	0.50711507

## EXHIBIT "C"

## RESIDENCES AT MIDTOWN, a Condominium

## Unit Owner Percentages of Interest in Common Elements

*This is not a contract*

Unit No.	Unit Type	Percentage
3101	E	0.45993236
3102	D	0.42226548
3103	D	0.42226548
3104	C	0.42940237
3105	B	0.29062967
3106	B	0.29062967
3107	B	0.29062967
3108	A	0.29935253
3109	A	0.29935253
3110	E	0.45993236
3111	A	0.29935253
3112	G	0.52178533
3113	C	0.42940237
3114	D	0.42226548
3116	D	0.42226548
3117	C	0.42940237
3118	G	0.52178533
3119	E	0.45993236
3120	E	0.45993236
3121	F	0.50711507
3201	E	0.45993236
3202	D	0.42226548
3203	D	0.42226548
3204	C	0.42940237
3205	B	0.29062967
3206	B	0.29062967
3207	B	0.29062967
3208	A	0.29935253
3209	A	0.29935253
3210	E	0.45993236
3211	A	0.29935253
3212	G	0.52178533
3213	C	0.42940237
3214	D	0.42226548
3215	C	0.42940237
3216	D	0.42226548
3217	C	0.42940237
3218	G	0.52178533
3219	E	0.45993236
3220	E	0.45993236
3221	F	0.50711507
3301	E	0.45993236
3302	D	0.42226548
3303	D	0.42226548
3304	C	0.42940237
3305	B	0.29062967
3306	B	0.29062967
3307	B	0.29062967
3308	A	0.29935253
3309	A	0.29935253
3310	E	0.45993236
3311	A	0.29935253
3312	G	0.52178533
3313	C	0.42940237
3314	D	0.42226548
3315	C	0.42940237
3316	D	0.42226548
3317	C	0.42940237
3318	G	0.52178533
3319	E	0.45993236
3320	E	0.45993236

EXHIBIT "C"

RESIDENCES AT MIDTOWN, a Condominium

Unit Owner Percentages of Interest in Common Elements

Unit No.	Unit Type	Percentage
3321	F	0.50711507
3401	E	0.45993236
3402	D	0.42226548
3403	D	0.42226548
3404	C	0.42940237
3405	B	0.29062967
3406	B	0.29062967
3407	B	0.29062967
3408	A	0.29935253
3409	A	0.29935253
3410	E	0.45993236
3411	A	0.29935253
3412	G	0.52178533
3413	C	0.42940237
3414	D	0.42226548
3415	C	0.42940237
3416	D	0.42226548
3417	C	0.42940237
3418	G	0.52178533
3419	E	0.45993236
3420	E	0.45993236
3421	F	0.50711507
401 201	MSC	0.4876869
402 202	MSCR	0.4876869
403 203	MSC	0.4876869
404 204	MSC	0.4876869
405 205	MSA	0.33860537
406 206	MSB	0.38340913
407 207	MSC	0.4876869
408 208	MSCR	0.4876869
409 209	MSC	0.4876869
410 210	MSD	0.56421013
201 301	MSC	0.4876869
202 302	MSCR	0.4876869
203 303	MSC	0.4876869
204 304	MSC	0.4876869
205 305	MSA	0.33860537
206 306	MSB	0.38340913
207 307	MSC	0.4876869
208 308	MSCR	0.4876869
209 309	MSC	0.4876869
210 310	MSD	0.56421013

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**JOINDER**

RESIDENCES AT MIDTOWN CONDOMINIUM ASSOCIATION, INC., a Florida corporation not for profit, hereby joins in and consents to the Amendment to the Declaration of Condominium of Residences at Midtown, a Condominium, to which this Joinder is attached.

IN WITNESS WHEREOF, RESIDENCES AT MIDTOWN CONDOMINIUM ASSOCIATION, INC., has caused these presents to be signed in its name by its proper officers and its corporate seal to be affixed this 24 day of March, 2008.

Signed, sealed and delivered  
in the presence of:

RESIDENCES AT MIDTOWN  
CONDOMINIUM ASSOCIATION, INC.  
a not-for-profit corporation

Raven D. Geller  
Witness signature

RAVEN D. GELLER  
Witness print name

Nereida Perez-Alvarez  
Witness signature

Nereida Perez-Alvarez  
Witness print name

By: [Signature]  
ROBERT M. SKINNER, President

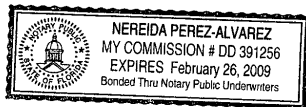
Attest: [Signature]  
DAVID A. DEAN, Secretary

(CORPORATE SEAL)

STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) :ss

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state aforesaid and county aforesaid to take acknowledgments, personally appeared ROBERT M. SKINNER and DAVID A. DEAN, as President and Secretary, respectively, of RESIDENCES AT MIDTOWN CONDOMINIUM ASSOCIATION, INC., a Florida corporation not for profit, personally known to me ( ) or who produced N/A as identification, and they acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned, that they affixed thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my hand and official seal in the county and state last aforesaid, this 24 day of March, 2008.



Nereida Perez-Alvarez  
Notary Public, State of Florida  
Nereida Perez-Alvarez  
Notary Public – print name

My Commission Expires:



**JOINDER**

BORLAND CENTER OWNERS ASSOCIATION, INC., a Florida corporation not for profit, hereby joins in and consents to the Amendment to the Declaration of Condominium of Residences at Midtown, a Condominium, to which this Joinder is attached.

IN WITNESS WHEREOF, BORLAND CENTER OWNERS ASSOCIATION, INC., has caused these presents to be signed in its name by its proper officers and its corporate seal to be affixed this 24 day of March, 2008.

Signed, sealed and delivered  
in the presence of:

BORLAND CENTER OWNERS  
ASSOCIATION, INC.  
a not-for-profit corporation

Karen D. Geller  
Witness signature

KAREN D. GELLER  
Witness print name

Nereida Perez-Alvarez  
Witness signature

Nereida Perez-Alvarez  
Witness print name

By: [Signature]  
ROBERT M. SKINNER President

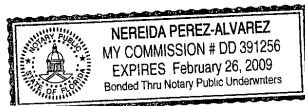
Attest: \_\_\_\_\_, Secretary

(CORPORATE SEAL)

STATE OF FLORIDA )  
COUNTY OF Palm Beach ) :ss

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state aforesaid and county aforesaid to take acknowledgments, personally appeared ROBERT M. SKINNER and \_\_\_\_\_, as President and Secretary, respectively, of BORLAND CENTER OWNERS ASSOCIATION, INC., a Florida corporation not for profit, personally known to me ( ) or who produced N/A as identification, and they acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned, that they affixed thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my hand and official seal in the county and state last aforesaid, this 24 day of March, 2008.



[Signature]  
Notary Public, State of Florida

Nereida Perez-Alvarez

Notary Public – print name

My Commission Expires:

**JOINDER AND CONSENT OF MORTGAGEE**

Regions Bank, an Alabama state chartered bank, as successor by merger to AmSouth Bank, an Alabama state chartered bank, being the holder of that certain Mortgage and Security Agreement (the "Mortgage") recorded October 14, 2005, in Official Records Book 19414, Page 1 and amended in Official Records Book 20989, Page 143, together with the Assignment of Leases Rents or Contract Rights recorded in Official Records Book 19414, Page 20, and the Financial Statement recorded in Official Records Book 19414, Page 32, all of the Public Records of Palm Beach County, Florida, hereby consents to the filing of the foregoing Amendment to the Declaration of Condominium, Residences at Midtown, a Condominium, in accordance with the applicable provisions of Florida Statutes, Chapter 718, to which this Joinder and Consent is attached.

Signed, sealed and delivered  
in the presence of:

Patricia J. Zaldívar  
Signature

Patricia J. Zaldívar  
Print Name

Linda Mackay  
Signature

Linda Mackay  
Print Name

REGIONS BANK, an Alabama state chartered  
bank, as successor by merger to AmSouth Bank,  
an Alabama state chartered bank

By: [Signature]

Name: DAVID J. KERN

Title: SR. VICE PRESIDENT

(Corporate Seal)

STATE OF Florida )

COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of March, 2008 by  
David J. Kern, as SVP of Regions Bank, an Alabama  
state chartered bank, as successor by merger to AmSouth Bank, an Alabama state chartered bank, on behalf  
of the bank. He is personally known to me or has produced  
as identification.



Linda Mackay  
Notary Public  
Name of Notary Printed:

My Commission Expires: