

Prepared by / Return to:

Charles W. Edgar, III, Esquire
Cherry, Edgar & Smith, P. A.
8409 North Military Trail, Suite 123
Palm Beach Gardens, Florida 33410

**AMENDMENT TO DECLARATION
FOR
THE FALLS AT GRAND HARBOR**

THIS AMENDMENT is made this 20th day of June, 2022 (this "**Amendment**") by **GRBK GHO LUXURY HOMES, LLC**, a Florida limited liability company ("**Declarant**").

RECITALS

A. Declarant is the "Declarant" under, and as defined in, the **DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR THE FALLS AT GRAND HARBOR**, recorded in Official Records Book 1922, Page 2473 of the Public Records of Indian River County, Florida (the "Declaration") by virtue of receiving an assignment of all of the rights of such by the **Assignment of and Assumption of Declarant's Rights (The Falls)** recorded in Official Records Book 3514, Page 1631 of the Public Records of Indian River County, FL. The capitalized terms used herein shall have the meanings given them in the Declaration.

B. Article XIX, Section 6.D. of the Declaration provides, in pertinent part, that the Declaration may be amended by Declarant alone for so long as it hold to title to a Lot, which it presently does.

C. Declarant now wishes to do so by this instrument.

NOW, THEREFORE, in consideration of the premises and the aforesaid authority of Declarant, the Declaration is hereby amended:

1. Article IV of the Declaration is hereby amended by adding the following new section hereto:

Section 17. Disclaimer of Liability.

"All persons are hereby notified that Declarant did not install or construct the roadways or drainage or irrigation systems and related improvements within the Property and that the master Declarant of the Grand Harbor Community did so.

Furthermore, such road and systems have been in existence and operation for an extended period of time, during which Declarant did not control the Association and therefore the operations, maintenance, repair and replacement thereof.

As well, Declarant shall be the sole party entitled to determine whether any repairs, replacement or other work on such areas occasioned by the use thereof (including for construction activities) will be repaired or paid for by Declarant."

IN WITNESS WHEREOF, Declarant has executed this Amendment for the purposes herein stated as of the date and year first above written.

WITNESSES:

GRBK GHO LUXURY HOMES, LLC, a Florida limited liability company

Kathy B Modert
Print Name: Kathy B Modert

By: [Signature]
William N. Handler, Manager

[Signature]
Print Name: Rebecca Dima

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 20th day of June, 2022, by William N. Handler, Manager of GRBK GHO LUXURY HOMES, LLC, a Florida limited liability company, who is personally known to me or has produced a _____ as identification.

(Notary Seal)



[Signature]
Notary Public State of Florida at Large
Name Printed: Rebecca Dima
My Commission Expires: 01/09/2025
Commission No.: HH 075530