

O. P. BRANCH



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James B. Jett
Clerk Of Courts
Clay County, FL
FEE: \$19.50

THIS DOCUMENT PREPARED
BY AND RETURN TO:

FRANK E. MILLER, ESQUIRE
PAPPAS METCALF JENKS & MILLER, P.A.
200 WEST FORSYTH STREET
SUITE 1400
JACKSONVILLE, FL 32202

5 MIN. RETURN

**SECOND AMENDMENT TO
COVENANTS AND RESTRICTIONS
OF BRANNAN MILL PLANTATION**

THIS AMENDMENT is made as of the 3rd day of January, 2002, by **BRANNAN MILL PLANTATION, L.L.C.**, a Florida limited liability company ("Brannan Mill") and **BRANNAN MILL PLANTATION HOMEOWNERS' ASSOCIATION, INC.**, a Florida not-for-profit corporation ("Association").

RECITALS

A. Brannan Mill executed and recorded those certain Covenants and Restrictions of Brannan Mill Plantation dated August 22, 2001, and recorded in Official Records Book 1969, Page 595, as amended by that certain First Amendment dated September 17, 2001, and recorded in Official Records Book 1982, page 1620, all of the public records of Clay County, Florida ("Declaration");

B. Brannan Mill is the owner of more than two-thirds of the lots subject to the Declaration and, with the Association, is authorized to amend the Declaration;

C. The Declaration defines "Additional Land" as land which is not subject to the Declaration, but which may be added by the execution and recording of a supplemental declaration;

D. The property described on Exhibit "A" attached hereto ("Subject Right of Way") is included within the definition of Additional Land and Brannan Mill is obligated to convey the Subject Right of Way to Clay County, a political subdivision of the State of Florida ("Clay County"); and

E. Clay County has required, as a condition of its acceptance of the conveyance of the Subject Right of Way, that the Declaration be amended to delete the Subject Right of Way from the definition of Additional Land.

NOW, THEREFORE, pursuant to the rights reserved by Brannan Mill under the Declaration, Brannan Mill does hereby amend the Declaration as follows:


1. Exhibit "E" to the Declaration is hereby amended to remove the Subject Right of Way from the legal description of the Additional Land under the Declaration, and the Subject Right of Way is hereby released from all terms of the Declaration.

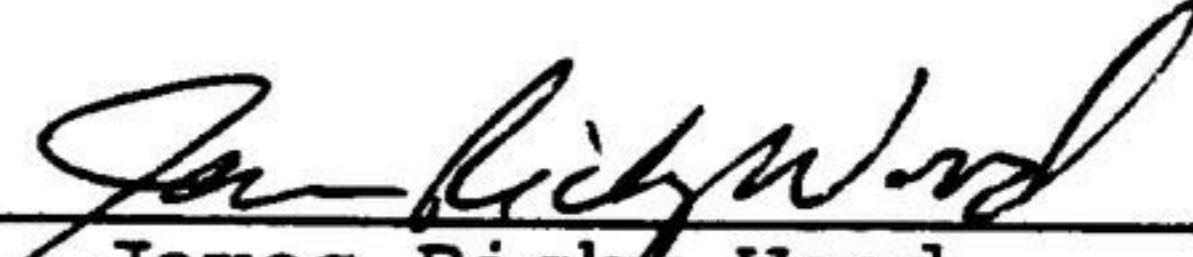
2. Except as herein specifically amended or modified, the Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, this First Amendment has been executed as of the 3rd day of January, 2002.

Signed, sealed and delivered in the presence of:

BRANNAN MILL PLANTATION, L.L.C., a Florida limited liability company



Print Name: Sandra Spencer

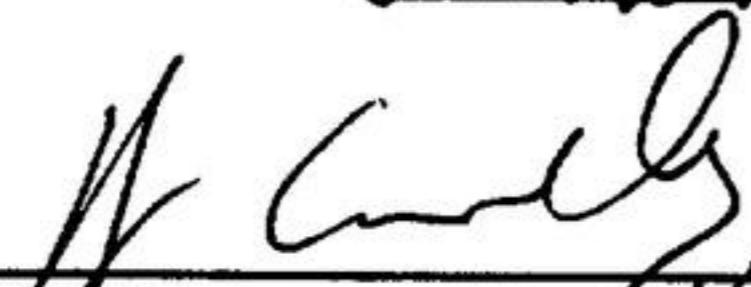
By 
James Ricky Wood
Its Managing Member


Print Name: Kevin Connelly

BRANNAN MILL PLANTATION HOMEOWNERS' ASSOCIATION, INC., a Florida not-for-profit corporation


Print Name: Sandra Spencer

By 
Susan D. Wood
Its President


Print Name: Kevin Connelly

STATE OF FLORIDA }
COUNTY OF Clay } SS

The foregoing instrument was acknowledged before me this 3 day of January, 2002 by James Ricky Wood, the Managing Partner of Brannan Mill Plantation, L.L.C., a Florida limited liability company, on behalf of the company.



Sandra Spencer
Print Name Sandra Spencer
NOTARY PUBLIC
State of Florida at Large
Commission # _____
My Commission Expires: _____

Personally known
or Produced I.D. _____
[check one of the above]

Type of Identification Produced

STATE OF FLORIDA }
COUNTY OF Clay } SS

The foregoing instrument was acknowledged before me this 3 day of January, 2002 by Susan D. Wood, the President of Brannan Mill Plantation Homeowners' Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation.



Sandra Spencer
Print Name Sandra Spencer
NOTARY PUBLIC
State of Florida at Large
Commission # _____
My Commission Expires: _____

Personally known
or Produced I.D. _____
[check one of the above]

Type of Identification Produced

Exhibit A
[Property]

A portion of Section 29, Township 4 South, Range 25 East, Clay County, Florida, being more particularly described as follows: COMMENCING at the Southeast corner of said Section 29, said point being situate in the centerline of County Road No. 220A and/or Old Jennings Road (an 80 foot right of way); thence North 00 degrees 05 minutes 15 seconds West, along the Easterly line of said Section 29, a distance of 40.00 feet to a point situate in the Northerly right of way line of said County Road No. 220A and/or Old Jennings Road; thence South 89 degrees 48 minutes 30 seconds West, along said Northerly right of way line, a distance of 1,373.65 feet; thence North 00 degrees 11 minutes 30 seconds West, a distance of 900.00 feet to the point of curvature of a curve to the left, concave Southwesterly and having a radius of 550.00 feet; thence Northerly around and along the arc of said curve, a distance of 274.47 feet, said arc being subtended by a chord bearing and distance of North 14 degrees 29 minutes 16 seconds West, 271.63 feet for a POINT OF BEGINNING; thence Northwesterly and continuing around and along the arc of said curve, a distance of 467.75 feet, said arc being subtended by a chord bearing and distance of North 53 degrees 08 minutes 52 seconds West, 453.78 feet to the point of tangency of said curve; thence North 77 degrees 30 minutes 42 seconds West, a distance of 480.00 feet to the point of curvature of a curve to the right, concave Northerly and having a radius of 1,270.00 feet; thence Westerly around and along the arc of said curve, a distance of 407.38 feet, said arc being subtended by a chord bearing and distance of North 68 degrees 19 minutes 20 seconds West, 405.63 feet; thence North 00 degrees 04 minutes 24 seconds West, a distance of 118.44 feet; thence Easterly around and along the arc of a curve concave Northerly and having a radius of 1,170.00 feet, a distance of 436.22 feet, said arc being subtended by a chord bearing and distance of South 66 degrees 49 minutes 50 seconds East, 433.70 feet to the point of tangency of said curve; thence South 77 degrees 30 minutes 42 seconds East, a distance of 480.00 feet to the point of curvature of a curve to the right, concave Southwesterly and having a radius of 650.00 feet; thence Southeasterly around and along the arc of said curve, a distance of 568.80 feet, said arc being subtended by a chord bearing and distance of South 52 degrees 26 minutes 34 seconds East, 550.82 feet; thence South 70 degrees 18 minutes 44 seconds West, a distance of 101.07 feet to the POINT OF BEGINNING. Containing 3.26 acres, more or less.