

THIS DOCUMENT PREPARED
BY AND RETURN TO:

FRANK E. MILLER, ESQUIRE
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James B. Jett
Clerk Of Courts
Clay County, FL
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**THIRD AMENDMENT TO
COVENANTS AND RESTRICTIONS
OF BRANNAN MILL PLANTATION**

THIS AMENDMENT is made as of the 6th day of March, 2003, 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, and as further amended by that certain Second Amendment dated January 3, 2002, and recorded in Official Records Book 2008, page 514, all of the public records of Clay County, Florida ("Declaration");

B. Brannan Mill is the developer 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 ("Additional Subject Right of Way") is included within the definition of Additional Land and Brannan Mill is obligated to convey the Additional 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 Additional Subject Right of Way, that the Declaration be amended to delete the Additional 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 Additional Subject Right of Way from the legal description of the Additional Land under the Declaration, and the Additional Subject Right of Way is hereby released from all terms of the Declaration.

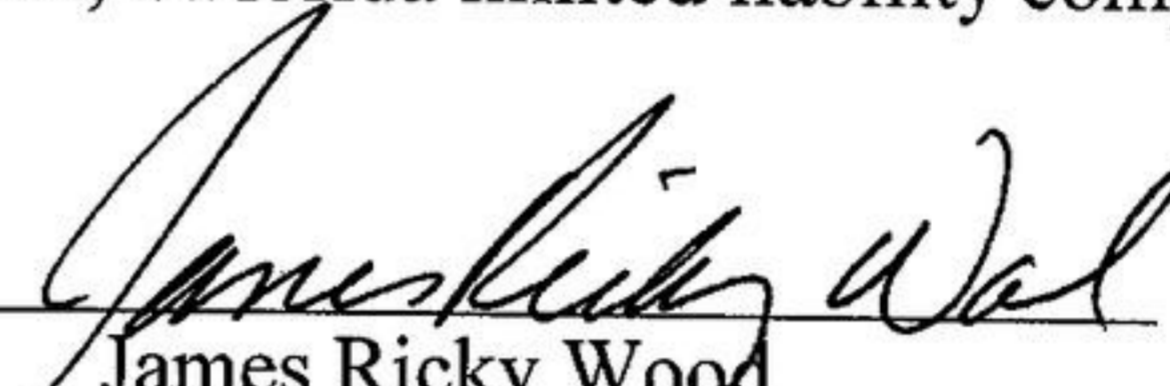
2. Except as herein specifically amended or modified, the Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, this Third Amendment has been executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

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

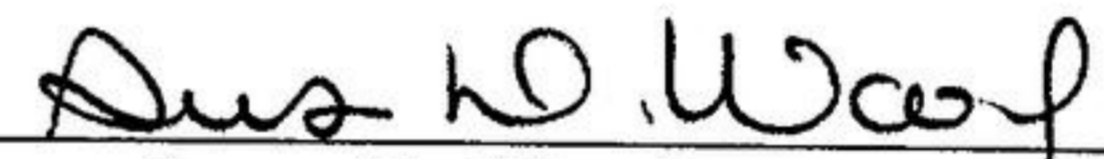

Print Name: PATRICIA WALLACE

By 
James Ricky Wood
Its Managing Member


Print Name: Sandra Spencer

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


Print Name: PATRICIA WALLACE

By 
Susan D. Wood
Its President


Print Name: Sandra Spencer

STATE OF FLORIDA }
COUNTY OF Clay }SS

The foregoing instrument was acknowledged before me this 6 day of March, 2003, 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 6 day of March, 2003, 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"

[Additional Subject Right of Way]

A portion of the Southeast 1/4 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 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 1373.65 feet; thence North 00 degrees 11 minutes 30 seconds West, along the westerly right-of-way line of Brannan Mill Boulevard (a 100 foot right-of-way as shown on the plat of Brannan Mill Plantation Unit Two, as recorded in Plat Book 37, pages 18, 19, 20, 21, 22, 23 and 24 of the public records of said county), a distance of 900.00 feet to the point of curvature of a curve to the left, concave Westerly, and having a radius of 550.00 feet; thence Northerly around and along the arc of said curve and continuing along said Westerly right-of-way line of Brannan Mill Boulevard, 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 to a point situate in the northerly terminus of said Brannan Mill Boulevard and a point situate in the northerly boundary of Brannan Mill Plantation Unit One, as recorded in Plat Book 37, pages 11, 12, 13, 14 and 15 of said public records; thence Northwesterly and continuing around and along the arc of said curve and along said northerly boundary of Brannan Mill Plantation Unit One, 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, continuing along said northerly boundary of Brannan Mill Plantation Unit One and the Westerly prolongation thereof, a distance of 480.00 feet to the Point of Beginning; thence continue North 77 degrees 30 minutes 42 seconds West, 180.98 feet; thence northwesterly, on the arc of a curve concave northeasterly and having a radius of 855.00 feet, an arc length of 213.08 feet to the west line of the South 1/2 of the Northwest 1/4 of aforesaid Southeast 1/4, said arc being subtended by a chord bearing and distance of North 70 degrees 22 minutes 20 seconds West, 212.52 feet; thence on last said line, run North 00 degrees 04 minutes 24 seconds West, 39.30 feet; thence southeasterly, on the arc of a curve concave northeasterly and having a radius of 1270.00 feet, an arc length of 407.35 feet to the Point of Beginning, said arc being subtended by a chord bearing and distance of South 68 degrees 19 minutes 23 seconds East, 405.61 feet.