

THIRD ANNEXATION OF DECLARATION OF COVENANTS,
RESTRICTIONS AND EASEMENTS, AS PREVIOUSLY
ANNEXED AND MODIFIED FOR CEDAR BEND QUADRUPLXES
(LOTS 1 THROUGH 11, INCLUSIVE, CEDAR BEND, UNIT 2,
ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT
BOOK 18, PAGES 12 AND 13)

THIS THIRD ANNEXATION is made this 9th day of August,
1983, by Developers Three, Inc., a Florida corporation, and R. L.
Johnson Construction Co., a Florida corporation, herein collecti-
vely referred to as the "Developers".

1. Original Declaration and Previous Annexations and Modi-
fications of Declaration.

On April 28, 1982, the Developers made the original De-
claration as recorded in Official Records Book 667, page 682 of
the public records of Clay County, Florida. That Declaration af-
fected title to Lots 1 through 8, and 29 through 36, Block 2,
Cedar Bend, according to the plat thereof recorded in Plat Book
17, pages 7 through 12 of said public records. Subsequently, by
instrument dated October 8, 1982, and recorded in Official Records
Book 690, page 409, as re-recorded in Official Records Book 697,
page 401, the original Declaration was annexed and modified.
That annexation and modification affected the lots subject to the
original Declaration and Lots 9, 10, 11, 12, 23, 24, 25, 26, 27
and 28, Block 2, Cedar Bend, according to the plat thereof recor-
ded in Plat Book 17, pages 7 through 12 of said public records.
Subsequently, by instrument dated the 3rd day of March, 1983,
and recorded in Official Records Book 712, page 269, the original
Declaration was made subject to a second annexation. By virtue
of that instrument, all prior lots were affected as well as Lots
13 through 22, Block 2, Cedar Bend, according to the plat thereof
recorded in Plat Book 17, pages 7 through 12 of said public records.

2. Cedar Bend Unit 2: New Plat.

After the second annexation described in the foregoing
paragraph, all lots in Block 2 of Cedar Bend according to the plat
recorded in Plat Book 17, pages 7 through 12 of said public records,
were made subject to completion of construction of the quadruplexes.

Therefore, the Developers proceeded to develop additional quadruplexes within the lands that have now been made subject to a new plat known as Cedar Bend, Unit 2, according to the plat thereof recorded in Plat Book 18, pages 12 and 13. The Developers are in the process of completing substantial construction of quadruplexes on Lots 1 through 11, inclusive, within that new plat. Therefore, they are desirous of imposing upon those lots in the new plat the terms and conditions of the Declaration as heretofore annexed and modified. That is the purpose of this instrument.

3. Annexation of Declaration and Application to New Plat.

The Developers hereby annex the Declaration as modified and twice annexed to the fee simple title to Lots 1 through 11, inclusive, Cedar Bend, Unit 2, according to the plat thereof recorded in Plat Book 18, pages 12 and 13 of the public records of Clay County, Florida. The application of the Declaration as previously modified and annexed to these lots shall be as follows:

- (a) The Declaration as previously annexed and modified shall affect the title to the lots in this new plat in the same manner as provided therein for the lots within Block 1 of Cedar Bend as contained within Plat Book 17, pages 7 through 12.
- (b) The provisions concerning the Clay County Multifamily Bond shall apply except as to those lots which have been expressly excluded from the Land Use Restriction Agreement as recorded in Official Records Book 740, page 211, of said public records.
- (c) At the time that the original Declaration was made and recorded, there was not a specific, express contemplation of the inclusion within its parameters of a new plat. Conversely, there was no specific exclusion. The quadruplexes which have been constructed on the lots in the new plat are substantially if not exactly similar to those which were constructed

within the first plat so that there is a harmony of design and use which deserves protection in the same manner as heretofore provided by the Declaration as modified. Therefore, it is the express intention of the Developers that the Declaration as modified be annexed to and apply to the lots in the second plat with mutuality of obligations and rights between all owners and beneficiaries in both plats. However, in the event that a court of competent jurisdiction should determine that such mutuality of obligations and rights does not apply as between the two plats, the provisions of the Declaration as modified shall survive and apply to the respective plats and there shall be mutuality of obligations and rights between owners and beneficiaries within the respective two plats.

- (d) The Developers specifically hereby reserve the right to add additional lands to the Declaration as modified and herein annexed where they are made subject to quadruplex developments that are substantially similar to these.

Executed the dates stated below:

Signed, sealed and delivered in the presence of:

DEVELOPERS THREE, INC.,

[Signature]

8/9/83
Date

By: *[Signature]*
Gerald R. Agresti, President

[Signature]
Witnesses as to Developers Three, Inc.,

R. L. JOHNSON CONSTRUCTION CO.,

[Signature]

8/9/83
Date

[Signature]
R. Lamar Johnson, President

[Signature]
Witnesses as to R. L. Johnson Construction Co.,

'Developers'

STATE OF FLORIDA)
COUNTY OF CLAY

The foregoing instrument was acknowledged before me by Gerald R. Agresti, as president of Developers Three, Inc., a Florida corporation, on behalf of that corporation. This 9th day of August 1983

My commission expires: 3/14/83 *[Signature]*

STATE OF FLORIDA)
COUNTY OF CLAY)

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The foregoing instrument was acknowledged before me by
R. Lamar Johnson, as president of R. L. Johnson Construction Co.,
a Florida corporation, on behalf of that corporation.

day of August, 1983

William Benedict Lepore
Notary Public, State of Florida

My commission expires: *3/14/84*



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RECORDS OF CLAY COUNTY, FLA.
James L. Carter
CLERK CIRCUIT COURT