

3  
Prepared By and Return To:  
Matovina & Company  
2955 Hartley Road, Suite 108  
Jacksonville, FL 32257

SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR SPENCER'S PLANTATION

This Supplemental Declaration is made by Foxchase at Orange Park, LLP, a Florida limited liability partnership, ("Declarant") with respect to the real property included within the plat of Spencer Plantation Unit Two, as recorded in Plat Book 47, Page 43, et. seq., of the current public records of Clay County, Florida. Spencer Plantation Unit Two is hereinafter individually and collectively referred to as the "Annexation Parcel".

WHEREAS, All of the lands shown on the plat of Spencer Plantation Unit One (according to the plat thereof recorded in Plat Book 45, Page 13, et. seq., of the current public records of Clay County, Florida) have been subjected to the Declaration of Covenants, Conditions and Restrictions for Spencer's Plantation, as recorded in Official Records Book 2402, Page 1482 of the current public records of Clay County, Florida.

WHEREAS, pursuant to Exhibit "C" of the Declaration, Declarant may, without the joinder or consent of any Owner, amend the Declaration to submit all or a portion of the additional property described on Exhibit "D" to the Declaration to the terms and provisions of the Declaration.

WHEREAS, the Annexation Parcel is included in the Spencer's Plantation Subsequent Phases described on Exhibit "D" to the Declaration.

WHEREAS, Declarant is desirous of annexing the Annexation Parcel to the Property and subjecting the Annexation Parcel to the terms and conditions of the Declaration.

NOW THEREFORE, in consideration of the terms and conditions of the Declaration and this Supplemental Declaration, Declarant hereby agrees;

- 1) The Annexation Parcel is hereby annexed to the Declaration and shall be held, transferred, conveyed and occupied subject to the easements, restrictions, covenants, terms and conditions of the Declaration in the same manner and to the same extent as if the Annexation Parcel had been subjected thereto in the Declaration.
- 2) Each of the platted lots included within the Annexation Parcel shall constitute a Residential Lot and Property as such terms are defined and used in the Declaration.

3) Except as otherwise specifically defined herein, any term used herein which is defined in the Declaration shall have the same meaning in this Supplemental Declaration as in the Declaration.

IN WITNESS WHEREOF, Declarant has executed this Supplemental Declaration this 12<sup>th</sup> day of July 2005.

WITNESSES

FOXCHASE AT ORANGE PARK, LLP

Sharon A. Hudson  
Print Name SHARON A. HUDSON

Gregory E. Matovina  
By: Gregory E. Matovina  
Its: Managing Partner

Jocelyn Douglas  
Print Name: Jocelyn Douglas

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July 2005 by Gregory E. Matovina (being personally known to me) as Managing Partner of Foxchase at Orange Park, LLP on behalf of the corporation.

Sharon A. Hudson  
Print Name: SHARON A. HUDSON  
My Commission Expires: \_\_\_\_\_



SHARON A HUDSON  
My Commission # DD 268213  
Expires: Dec 11, 2007

MORTGAGEE CONSENT

The undersigned Bank of America, N.A., a national banking association, the holder of a mortgage recorded in Official Records Book 2254, Page 0017, of the public records of Clay County, Florida, joins in the execution hereof for the purpose of consenting to the Supplemental Declaration of Covenants, Conditions and Restrictions for Spencer's Plantation.

Signed, sealed and delivered  
in the presence of:

BANK OF AMERICA, N.A.

Bonnie L. McKenzie  
Print Name: Bonnie L. McKenzie  
Crystal R Davis  
Print Name: CRYSTAL R DAVIS

G. Ross McWilliams  
By: G. Ross McWilliams  
Its: Senior Vice President

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 12 day of July, 2005 by G. Ross McWilliams, being personally known to me.

Tina R DeLong  
Notary Public

 Tina R DeLong  
My Commission DD287851  
Expires April 02, 2008