

Amendment  
To  
Covenants and Restrictions  
Foxmeadow, Unit 4

Ahpla, Inc, and Harold Eiland and Irene C. Eiland, his wife, caused to have recorded on February 1, 1989, certain Covenants and Restrictions of Foxmeadow, Unit 4, as recorded in Official Records Book 1209, pages 382 and 383 of the public records of Clay County, Florida.

WHEREAS, it is the desire of Foxmeadow Lake, Ltd., by Foxmeadow Lake, Inc., General Partner, successors to Ahpla, Inc., and Harold Eiland and Irene C. Eiland, his wife, to amend said Covenants and Restrictions, as follows:

DEFINITIONS

"Conservation easement" means an easement containing an area protected from all construction activities including clearing, dredging or filling.

"Wetland areas" are hydrologically sensitive areas which are identified as being inundated or saturated by surface or ground water with a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soils conditions.

"Surface Water or Stormwater Management System" means a system which is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, overdrainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system, as permitted pursuant to Chapters 40C-4, 40C-40, or 40C-42, F.A.C.

USE OF PROPERTY

Surface Water or Stormwater Management System

Clay County, a political subdivision, shall be responsible for the maintenance, operation and repair of the surface water or stormwater management system. Maintenance of the surface water or stormwater management system(s) shall mean the exercise of practices which allow the systems to provide drainage, water storage, conveyance or other surface water or stormwater management capabilities as permitted by the St. Johns River Water Management District. Clay County shall be responsible for such maintenance and operation. Any repair or reconstruction of the surface water or stormwater management system shall be as permitted, or if modified as approved by the St. Johns River Water Management District.

Areas within "conservation easement" shall be protected from all construction activities including clearing, dredging or filling.

Areas designated as wetlands shall be protected from all construction activities including clearing, dredging or filling.

Part of Lots 2, 5 and 6 of Foxmeadow Unit 4, as described in Schedule "A", attached hereto and made a part hereof, is hereby declared a "conservation easement" and shall be restricted from all construction activities as herein described.

AMENDMENT

Any amendment to the Covenants and Restrictions which alter the surface water or stormwater management system, beyond maintenance in its original condition, including the water management portions of the common areas, must have the prior approval of the St. Johns River Water Management District

ENFORCEMENT

The St. Johns River Water Management District shall have the right to enforce, by a proceeding at law or in equity, the provisions contained in this Declaration which relate to the maintenance, operation and repair of the surface water or stormwater management system.

ADOPTION & DEDICATION

This is to certify that Foxmeadow Lake, Ltd. by Foxmeadow Lake, Inc., General Partner, is the lawful owner of Lots 4 through 19, Foxmeadow, Unit 4. In witness whereof Foxmeadow Lake, Ltd., by Foxmeadow Lake, Inc., General Partner, has caused these present to be signed by Marvin E. Wilhite, President of Foxmeadow Lake, Inc., with authority of its Board of Directors, in its name and its corporate seal affixed this 9<sup>th</sup> day of August A. D. 1991.

Sign P. McLean  
Witness:

FOXMEADOW LAKE, INC.  
General Partner

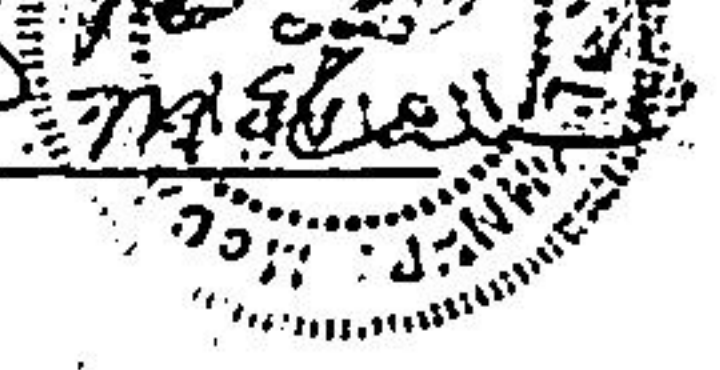
Susan Olesky  
Witness:

Marvin E. Wilhite  
Marvin E. Wilhite, President

State of Florida  
County of Clay

I hereby certify that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Marvin E. Wilhite, President of Foxmeadow Lake, Inc., a corporation under the laws of the State of Florida to me well known to be the person described in and who executed the foregoing dedication and who acknowledged before me that he executed the same freely and voluntarily as such officer for the uses and purposes therein expressed and that he affixed hereto the official seal of said corporation..

WITNESS my signature and official seal at Orange Park, in the County of Clay and State of Florida this 9<sup>th</sup> day of August A.D. 1991

Sign P. McLean  


My Commission Expires:  
NOTARY PUBLIC, STATE OF FLORIDA  
My Commission Expires July 17, 1995

This is to certify that Harold Eiland and Irene C. Eiland are the lawful owners of Lots 1, 2 and 3, Foxmeadow, Unit 4, have caused these present to be signed this            day of            A.D. 1991

Nancy L. Eiland  
Witness:

Harold Eiland  
Harold Eiland

Eric V. Eiland  
Witness:

Irene C. Eiland  
Irene C. Eiland

State of Florida  
County of Clay

I hereby certify that on this day personally appeared before me Harold Eiland and Irene C. Eiland, his wife, owners of Lots 1, 2 and 3, Foxmeadow, Unit 4, known to be the persons described in and who executed the foregoing dedication and who acknowledged before me that they executed the same freely and voluntarily as such owners for the uses and purposes therein expressed.

WITNESS my signature and official seal at the County of Clay and State of Florida, this 12<sup>th</sup> day of August A. D. 1991 1991.

Nancy L. Eiland

My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA  
MY COMMISSION EXPIRES JULY 17, 1995  
EXPIRES JULY 17, 1995



# MAP SHOWING SKETCH OF

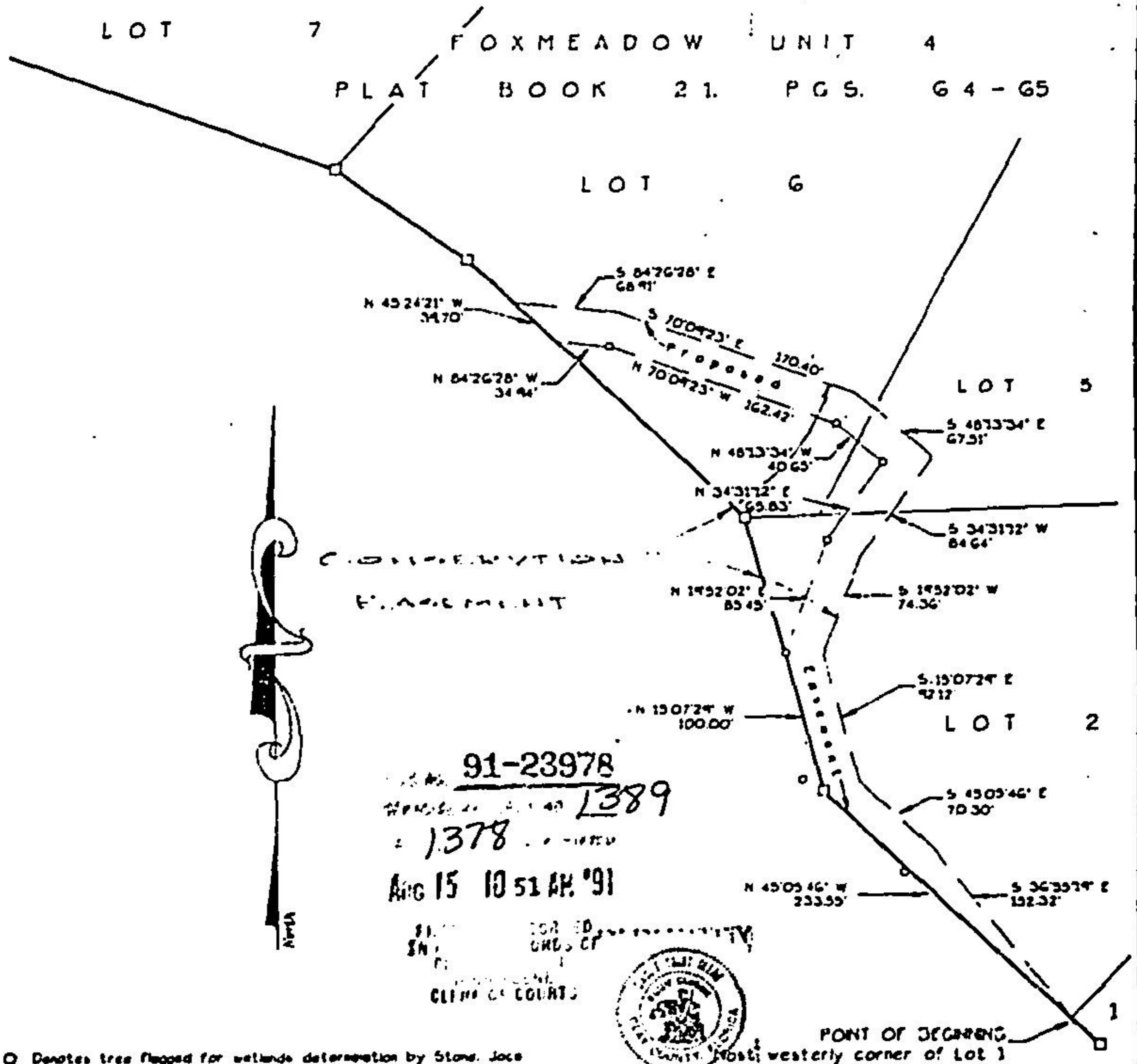
A proposed preservation easement covering a parcel of land consisting of a portion of Lots 2, 5 and 6, Foxmeadow Unit 4, Clay County, Florida, according to plat thereof recorded in Plat Book 21, pages 64 and 65 of the public records of said county, said parcel being more particularly described as follows:

Begin at the most westerly corner of Lot 1, said Foxmeadow Unit 4; thence on the boundaries of said Unit 4 run the following 2 courses: (1) North 45 degrees 05 minutes 46 seconds West, 233.55 feet; (2) North 15 degrees 07 minutes 29 seconds West, 100.00 feet; thence North 19 degrees 52 minutes 02 seconds East, 85.45 feet; thence North 34 degrees 31 minutes 12 seconds East, 65.83 feet; thence North 48 degrees 13 minutes 34 seconds West, 40.65 feet; thence North 70 degrees 09 minutes 23 seconds West, 162.42 feet; thence North 84 degrees 26 minutes 28 seconds West, 34.94 feet to said boundary of Foxmeadow Unit 4; thence on said boundary North 45 degrees 24 minutes 21 seconds West, 39.70 feet; thence South 84 degrees 26 minutes 28 seconds East, 68.91 feet; thence South 70 degrees 09 minutes 23 seconds East, 170.40 feet; thence South 48 degrees 13 minutes 34 seconds East, 67.51 feet; thence South 34 degrees 31 minutes 12 seconds West, 84.64 feet; thence South 19 degrees 52 minutes 02 seconds West, 74.36 feet; thence South 15 degrees 07 minutes 29 seconds East, 92.12 feet; thence South 45 degrees 05 minutes 46 seconds East, 70.30 feet; thence South 36 degrees 55 minutes 19 seconds East, 152.32 feet to the Point of Beginning.

Scale 1" = 100'

Certified to: Ahpla, Inc.

May 8, 1991



CONSERVATION  
EASEMENT

91-23978  
1389  
Aug 15 10 51 AM '91



- Denotes tree flagged for wetlands determination by Stone, Jace and Mahoney, Engineers, Orange Park, Florida
- Denotes Concrete Monument found with IB 1381 dec.

Bearings shown hereon are based on the record bearing of N 45° 05' 46" W for the southeasterly line of Lot 2, Foxmeadow Unit 4, according to plat thereof recorded in Plat Book 21, pages 64 and 65

This sketch does not represent an actual survey and was prepared for description purposes only, although field measurements were taken to locate wetlands flags.

I hereby certify that this sketch meets the minimum technical standards set forth by the Florida Board of Land Surveyors pursuant to Section 472.027, Florida Statutes.

*Harold T. Elard*  
HAROLD T. ELARD  
FLORIDA CERT. NO. 2518  
J.M. ARD AND ASSOC., INC.  
LAND SURVEYORS  
615 BLANDING BOULEVARD  
ORANGE PARK, FLORIDA