

2 1050

This Instrument Prepared by
and Record & Return to:
Robert A. Ford, Esquire
3030 Hartley Rd., Suite 200
Jacksonville, FL 32257



Book: 1452
Page: 2088
Rec: 05-03-93
12:14 P.M.
File# 9312886
John Keene
Clerk Of Courts
Clay County, FL

**SECOND AMENDMENT
TO
COVENANTS AND RESTRICTIONS
FOR HIBERNIA OAKS**

THIS SECOND AMENDMENT TO COVENANTS AND RESTRICTIONS FOR HIBERNIA OAKS is made this 22nd day of MARCH, 1993, by **HIBERNIA OAKS JOINT VENTURE**, a Florida general partnership (hereinafter "Developer").

W I T N E S S E T H:

WHEREAS, Developer has caused to be recorded in the public records of Clay County, Florida, certain Covenants and Restrictions for Hibernia Oaks (the "Covenants"), which Covenants are recorded in Official Records Book 1313, pages 551 through 564, of the public records of Clay County, Florida, as amended by First Amendment to Covenants and Restrictions recorded in Official Records Book 1402, page 1072-1074, of the public records of Clay County, Florida; and

WHEREAS, the Covenants contemplate that Developer may modify the Covenants if said modification conforms to the general purposes and standards of the Covenants (as therein defined); and

NOW, THEREFORE, Developer, for itself and its successors and assigns, finds the amendments herein contained to be beneficial to the owners of lots affected by the Covenants, and to conform to the general purposes and standards of the Covenants, and therefore does hereby amend the Covenants, as follows:

1. The following paragraph 37 is added to the Covenants:

"37. WELL LIMITATION; WATER AND SEWER RIGHTS.
Kingsley Service Company, or its successors or assigns, has the sole and exclusive right to provide all water and sewer facilities an service to the Land. No well of any kind shall be dug or drilled on any of the Lots, or tracts, to provide water for use within the structures to be built, and no potable water shall be used within said structures, except potable water which is obtained from Kingsley Service Company, or its successors or assigns. Nothing herein shall be construed as preventing the digging of a well to be used exclusively for use in the yard or garden of any Lot, or to be used exclusively for air conditioning; however, the location of said well must be approved by prior written consent of the Developer and the local Health Department. Kingsley Service Company is hereby granted and has a non-exclusive, perpetual and unobstructed easement and right in and to, over and under the Land as shown on the plat thereof for the purpose of ingress, egress, installation and/or repair of water facilities. Developer reserves the right to convey to Kingsley Service Company all easements required to provide water facilities and service to the Land."

2. Except as herein modified, the Covenants continue in full force and effect.

IN WITNESS WHEREOF, this Second Amendment to Covenants and Restrictions for Hibernia Oaks has been executed by the Developer the day and year first above written.

Signed, sealed and delivered in the presence of:

HIBERNIA OAKS JOINT VENTURE, a Florida general partnership

By: THE WOOD DEVELOPMENT COMPANY OF JACKSONVILLE, General Partner

[Signature]
Witness
Charles Atkinson
(Print Name)

By: [Signature]
James Ricky Wood
President

(SEAL)

[Signature]
Witness
MARY L. HAWKINS
(Print Name)

By: [Signature]
BOB ALLIGOOD
General Partner
By and through his attorney in fact, James Ricky Wood, pursuant to Power of Attorney dated AUGUST 18, 1991.

[Signature]
Witness
Charles Atkinson
(Print Name)

[Signature]
Witness
MARY L. HAWKINS
(Print Name)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 22nd day of March, 1993, by James Ricky Wood, as attorney in fact for BOB ALLIGOOD, and as President of The Wood Development Company of Jacksonville, a Florida corporation, being the General Partners on behalf of HIBERNIA OAKS JOINT VENTURE, a Florida general partnership. He is personally known to me, or has produced _____ as identification, and did (did not) take an oath.

[Signature]
Notary Public, State and County Aforesaid (Signature)
"OFFICIAL SEAL"
Serena Peterson
My Commission Expires 2/5/96
Commission #CC 178129
Name of Notary Public _____
(Typed, Printed or Stamped)
My Commission Expires: _____