

Prepared by and return to:

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Jacksonville, Florida 32202
066916/0106



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Clerk of Courts
Clay County, FL
FEE: \$28.50

**SUPPLEMENTARY EAGLE HARBOR
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, LIMITATIONS AND EASEMENTS**

(Adding Brookstone and Eagle Watch)

(Reserved for Clerk)

This Supplementary Eagle Harbor Declaration of Covenants, Conditions, Restrictions, Limitations and Easements ("Supplemental Declaration") is made the 30 day of September, 1998 by **EAGLE HARBOR AT FLEMING ISLAND JOINT VENTURE**, a Florida joint venture (the "Declarant"), with respect to the real property described as follows (the "Property"):

All that real property located in Brookstone at Eagle Harbor, according to the plat thereof recorded in Plat Book 32, pages 15-22 of the public records of Clay County, Florida; and

All that real property located in Eagle Watch at Eagle Harbor, according to the plat thereof recorded in Plat Book 32, pages 23-31 of the public record of Clay County, Florida.

WITNESSETH:

WHEREAS, the Declarant entered into the Eagle Harbor Declaration of Covenants, Conditions, Restrictions, Limitations and Easements recorded in Official Records Book 1461, page 896, public records of Clay County, Florida, as supplemented by that Supplementary Declaration of Covenants, Conditions, Restrictions, Limitations and Easements recorded in Official Records Book 1651, page 1519, public records of Clay County, Florida (collectively, the "Declaration"); and

WHEREAS, the Declarant is the Class E Member and desires to amend the Declaration to annex the Property pursuant to Article III, Section 4 of the Declaration;

NOW THEREFORE, the Declarant declares as follows:

1. Annexation of the Property. In consideration of the agreements and obligations of the Declarant, and pursuant to the provisions of Article III, Section 4 of the Declaration, the Declarant hereby declares that the Property and any portion thereof shall be held, transferred,

sold, conveyed and occupied subject to all covenants, restrictions, elements, charges and liens, and all other matters as set forth in the Declaration, which Declaration, as so limited or modified, shall run with the Property and shall be binding on all parties having any right, title, or interest in the Property or any portion thereof, their heirs, successors and assigns.

2. Designation of the Property. The Declarant hereby designates the Property (less and except the roads and tract as shown in the plats for the Property) as a Single-Family Parcel.

3. Consent and Joinder. Richard R. Dostie, Inc., a Florida corporation, and RDC Real Estate Management, Inc., f/k/a Coppenbarger Homes, Inc., a Florida corporation, have purchased land within the Property prior to the execution of this Supplementary Declaration and by their signatures below hereby consent to and join this Supplemental Declaration for the purpose of subjecting that portion of the Property owned by them to this Supplemental Declaration.

4. Effect. The Declaration shall remain in full force and effect to the extent it is not inconsistent herewith, as fully as if the terms of this Supplemental Declaration had been included in the Declaration at the time of its execution. This Supplemental Declaration shall be binding upon and shall inure to the benefit of the parties hereto, their respective successors and assigns forever.

5. Definitions. All capitalized terms used herein and not defined herein shall have the meaning assigned to such terms in the Declaration.

6. Counterpart Execution. This Supplemental Declaration may be executed in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute the same instrument.

IN WITNESS WHEREOF, the parties have caused this Supplemental Declaration to be properly executed by their respective duly authorized representative and recorded in the public records of Clay County, Florida.

[The remainder of this page is blank intentionally.]

Signed, sealed and delivered
in the presence of:

EAGLE HARBOR AT FLEMING ISLAND
JOINT VENTURE, a Florida joint venture

By: Northwest Crossings Corporation,
its general partner

Mary M. Tucker
Printed Name: MARY M. TUCKER

Robert D. Magnusson
Printed Name: Robert D. Magnusson

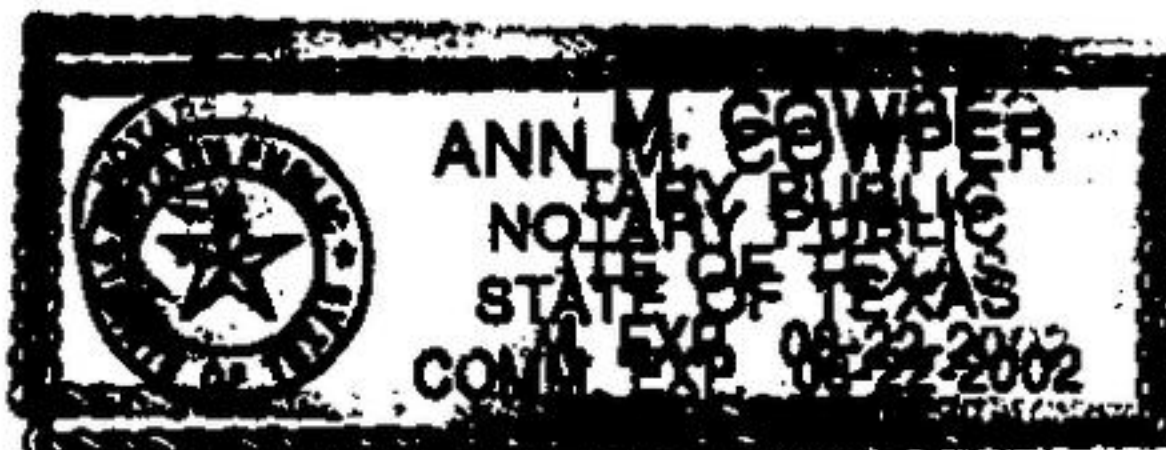
By: E. H. Daniels, III
E. H. Daniels, III, Vice President

STATE OF TEXAS
COUNTY OF HARRIS

The foregoing instrument was acknowledged before me this 29th day of September, 1998, by E.H. Daniels, the Vice President of Northwest Crossings Corporation, a Delaware corporation, as General Partner of Eagle Harbor at Fleming Island Joint Venture, a Florida joint venture, on behalf of the corporation which is acting on behalf of said joint venture. Such person did not take an oath and: (notary must check applicable box)

- ☒ is/are personally known to me.
☐ produced a current Florida driver's license as identification.
☐ produced _____ as identification.

{Notary Seal must be affixed}



Ann M. Cowper
Signature of Notary
Ann M. Cowper

Name of Notary (Typed, Printed or Stamped)
Commission Number (if not legible on seal):
My Commission Expires (if not legible on seal): 8-22-02

123

By: East West Partners of Jacksonville,
Limited Partnership, a Virginia
limited partnership

By: East West Partners of
Jacksonville, Inc., its
sole general partner

Brenda J. North
Printed Name: BRENDA J. NORTH

By: RS Arrowsmith
Roger S. Arrowsmith, President

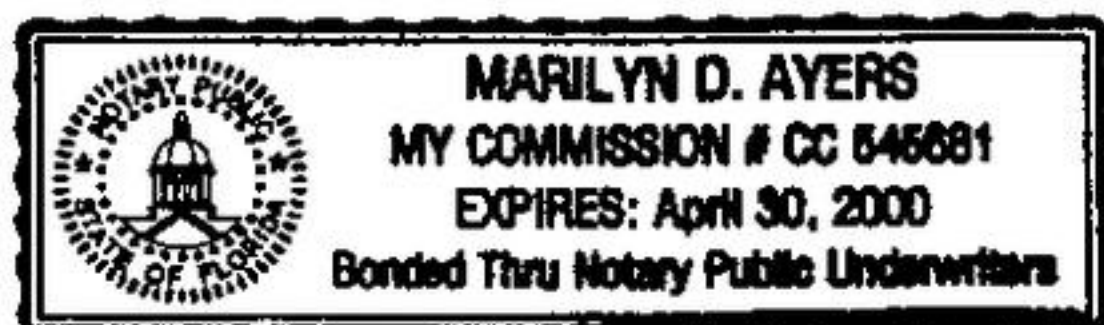
Diane L. Danek
Printed Name: Diane L. Danek

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing instrument was acknowledged before me this 30 day of September, 1998, by ROGER S. ARROWSMITH, the President of East West Partners of Jacksonville, Inc., a Virginia corporation, as General Partner of East West Partners of Jacksonville, Limited Partnership, a Virginia limited partnership, as General Partner of Eagle Harbor at Fleming Island Joint Venture, a Florida joint venture on behalf of said corporation which is acting on behalf of said limited partnership which is acting on behalf of said joint venture. Such person did not take an oath and: *(notary must check applicable box)*

- ☒ is/are personally known to me.
☐ produced a current Florida driver's license as identification.
☐ produced _____ as identification.

{Notary Seal must be affixed}



Marilyn D. Ayers
Signature of Notary

Name of Notary (Typed, Printed or Stamped)
Commission Number (if not legible on seal):
My Commission Expires (if not legible on seal):

Consented to and joined by:

RICHARD R. DOSTIE, INC., a Florida corporation

Wade Brown, Jr.
Printed Name: WADE BROWN, JR

By: [Signature]
Name: BRUCE A. LINGERFELT
Its: VICE PRESIDENT

Steven G. Rule
Printed Name: STEVEN G. RULE

STATE OF Florida
COUNTY OF ~~Florida~~ Duval

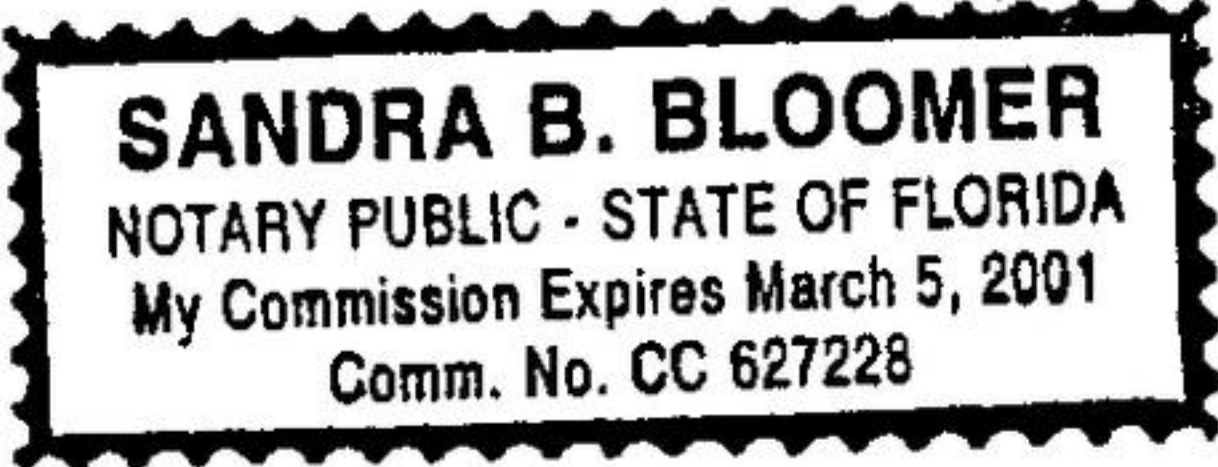
The foregoing instrument was acknowledged before me this 30th day of September, 1998, by Bruce A. Lingerfelt, the Vice President of Richard R. Dostie, Inc., a Florida corporation, on behalf of said corporation. Such person did not take an oath and: (notary must check applicable box)

- ☒ is/are personally known to me.
- ☐ produced a current Florida driver's license as identification.
- ☐ produced _____ as identification.

{Notary Seal must be affixed}

Sandra B. Bloomer
Signature of Notary
SANDRA B. BLOOMER

Name of Notary (Typed, Printed or Stamped)
Commission Number (if not legible on seal):
My Commission Expires (if not legible on seal):





RDC REAL ESTATE MANAGEMENT,
INC., f/k/a Coppenbarger Homes, Inc,
a Florida corporation

Jean Coppenbarger
Printed Name: Jean Coppenbarger

By: Ronnie D Coppenbarger
Name: Ronnie D Coppenbarger
Its: Pres

Ida Lou Stephens
Printed Name: IDA LOU STEPHENS

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 30th day of September 1998, by Ron Coppenbarger, the President of RDC Real Estate Management, Inc., a Florida corporation, on behalf of said corporation. Such person did not take an oath and: (notary must check applicable box)

- ☒ is/are personally known to me.
☐ produced a current Florida driver's license as identification.
☐ produced _____ as identification.

{Notary Seal must be affixed}

Cynthia D. Holsenbeck

Signature of Notary

Cynthia D. Holsenbeck

Name of Notary (Typed, Printed or Stamped)

Commission Number (if not legible on seal):

My Commission Expires (if not legible on seal):

