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Prepared By and Return To:
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Newton & Almand
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Jacksonville, Florida 32257



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John Keene
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Clay County, FL
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**SECOND AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR RIVERBEND**

This Second Amendment to Declaration of Covenants, Conditions and Restrictions for Riverbend is made on the date hereinafter set forth by HUTSON LAND COMPANY, INC., a Florida corporation, hereinafter referred to as "Declarant".

W I T N E S S E T H:

WHEREAS, Declarant has previously recorded the Declaration of Covenants, Conditions and Restrictions for Riverbend which was recorded in Official Records Volume 1446, page 2001, of the current public records of Clay County, Florida as was subsequently amended (the Declaration); and

WHEREAS, in the Amendment to Declaration of Covenants, Conditions and Restrictions for Riverbend recorded in Official Records Book 1466, page 2116, public records of Clay County, Florida (the "First Amendment"), Declarant established a conservation easement over all areas designated as Wetlands (the "Conservation Easement") on the plat of Riverbend as filed in Plat Book 24, pages 36, 37, 38, 39 and 40, public records of Clay County, Florida (the "Plat"); and

WHEREAS, the Amendment provided that the Conservation Easement could be amended only by written instrument duly recorded in the public records of Clay County, Florida, and executed by the Declarant and the St. Johns River Water Management District ("SJRWMD"); and

WHEREAS, the SJRWMD agrees to release certain portions of the lands encumbered by the Conservation Easement by the Declarant establishing a new line outlining the areas subject to the revised Conservation Easement and by the Declarant obtaining a modification to permit no. 12-019-0006M which provides mitigation that replaces

the conservation easement mitigation in permit no. 12-019-0006M;
and

WHEREAS, the Declarant desires to amend the Declaration to redefine the areas encumbered by the Conservation Easement because certain lots were rendered unbuildable by the location of the original Conservation Easement and because of concerns about negative secondary impacts to the areas to be released by future owners of lots; and

WHEREAS, in exchange for the release of certain areas from the conservation easement and modification of the permit no. 12-019-0006M to allow said release, Declarant shall convey to the SJRWMD a conservation easement on portions of Tracts 38 and 40, Harbor Island Unit One, a plat recorded in Plat Book 28, pages 37 thru 46 inclusive, in the public records of Clay County, Florida; and

WHEREAS, Declarant desires to reserve additional easements over portions of certain lots shown on the Plat, i.e. Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 69 and 70, and Declarant is the fee simple owner of said lots.

NOW, THEREFORE, Declarant hereby amends the Declaration and the SJRWMD, by its execution hereof, consents to and joins in this instrument to amend the Declaration as follows:

1. All of the lands lying inside of the line labeled "New Wetlands Line" on Exhibit "B" attached hereto are and shall remain subject to the all of restrictions and provisions of the Conservation Easement as established in the First Amendment to the Declaration.

2. Those areas which were previously designated as Wetlands but are not located within the area outlined by the New Wetlands Line shown on Exhibit "B" are hereby released from the encumbrance of the Conservation Easement.

3. Declarant hereby reserves unto itself, its successors and assigns, a perpetual, alienable and releasable drainage easement over, under and across portions of Lots 7, 8, 9 and 10 as more particularly described on Exhibit "B" attached hereto.

4. Declarant hereby reserves unto itself, its successors and assigns, a perpetual, alienable and releasable easement along portions of Lots 11, 12, 13, 14, 15, 69 and 70 for rear lot water treatment swales as more particularly described on Exhibit "B" attached hereto.

5. Except as specifically amended herein, all terms and provisions of the Declaration including the Conservation Easement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, this amendment has been executed as of the 10 day of November, 1995, by Declarant and by the St. Johns River Water Management District.

Signed, sealed and delivered in the presence of:

HUTSON LAND COMPANY, INC.

Judy Spurlock

By: [Signature]
DONALD P. HINSON
Its President

Judy Spurlock
John Gessner
John Gessner

ST. JOHNS RIVER WATER
MANAGEMENT DISTRICT

Sandra Bertram
SANDRA BERTRAM

By: [Signature]
Its Chairman

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 10 day of November, 1995, by DONALD P. HINSON, the President of HUTSON LAND COMPANY, INC., a Florida corporation, on behalf of the corporation. He is personally known to me.

Deborah H. Dunbar
Notary Public, State of Florida
DEBORAH H DUNBAR
My Commission CC289891
Expires May 25, 1997
Bonded by ANB
850-852-5878

STATE OF FLORIDA
COUNTY OF Putnam

The foregoing instrument was acknowledged before me this 5th day of November, 1995, by PATRICIA NARDEN, the CHAIRMAN of the St. Johns River Water Management District. He/she (☒) is personally known to me; or () produced _____ as identification.

Patricia C. Schultz
Notary Public, State of Florida
PATRICIA C. SCHULTZ



Scale 1" = 80'



L10	N 06°10'0" E	20.54
L11	S 35°24'22" W	41.75
L12	S 56°21'28" W	7.01
L13	N 56°21'28" E	18.71
L14	N 44°29'27" E	24.34
L15	N 35°14'00" E	56.05
L16	S 67°46'00" W	13.03
L17	S 44°32'19" W	23.07
L18	S 34°55'42" W	17.25
L19	S 02°53'36" E	16.83
L20	S 26°20'50" W	12.45
L21	S 32°52'53" W	15.02
L22	S 36°18'56" W	22.63
L23	N 32°50'43" E	29.56
L24	S 16°37'44" W	26.67

EXHIBIT "B"



Eiland & Associates, Inc.

615 Blanding Blvd. Orange Park, Florida 32065
Phone (904) 272-1000 Fax 272-5443

Harold T. Eiland
President

Eric V. Eiland
V. President

OR BOOK 1577
PAGE 0557

Legal Description for D. W. Hutson

An easement for rear yard treatment covering the following described parcel of land:

All that part of Lots 11, 12, 13, 14 and 15, Riverbend, Clay County, Florida, according to plat thereof recorded in Plat Book 24, pages 36 through 40 of the public records of said county lying adjacent to, and 5 feet northwesterly of, the following described wetlands line:

Commence at the northwest corner of said Lot 11; thence on the southwesterly line thereof, run South 05 degrees 22 minutes 16 seconds East, 129.43 feet to the Point of Beginning of said wetlands line; thence North 20 degrees 52 minutes 04 seconds East, 31.17 feet; thence South 61 degrees 02 minutes 07 seconds East, 23.31 feet; thence North 48 degrees 38 minutes 51 seconds East, 29.09 feet; thence continue North 48 degrees 38 minutes 51 seconds East, 9.83 feet; thence North 76 degrees 59 minutes 00 seconds East, 30.11 feet; thence North 54 degrees 21 minutes 09 seconds East, 37.83 feet; thence North 65 degrees 05 minutes 06 seconds East, 6.63 feet; thence North 13 degrees 27 minutes 51 seconds East, 1.89 feet; thence North 54 degrees 21 minutes 09 seconds East, 53.60 feet; thence North 41 degrees 05 minutes 11 seconds East, 92.15 feet; thence North 33 degrees 38 minutes 27 seconds East, 44.20 feet; thence North 35 degrees 29 minutes 22 seconds East, 41.75 feet; thence North 58 degrees 21 minutes 28 seconds East, 7.01 feet; thence continue North 58 degrees 21 minutes 28 seconds East, 18.71 feet; thence North 44 degrees 29 minutes 27 seconds East, 24.34 feet; thence North 35 degrees 14 minutes 00 seconds East, 58.05 feet to the end of said wetlands line.

Also, all that part of Lots 69 and 70, Riverbend, Clay County, Florida, according to plat thereof recorded in Plat Book 24, pages 36 through 40 of the public records of said county lying adjacent to, and 5 feet southeasterly of, the following described wetlands line:

Commence at the most southerly corner of said lot 69; thence on the southwesterly line thereof run North 63 degrees 45 minutes 17 seconds West, 100.00 feet to the Point of Beginning of said wetlands line; thence North 16 degrees 37 minutes 44 seconds East, 26.69 feet; thence North 32 degrees 50 minutes 43 seconds East, 29.58 feet; thence North 36 degrees 18 minutes 56 seconds East, 22.63 feet; thence North 32 degrees 52 minutes 53 seconds East, 15.02 feet; thence North 26 degrees 20 minutes 50 seconds East, 12.45 feet; thence North 02 degrees 53 minutes 36 seconds West, 16.83 feet; thence North 34 degrees 55 minutes 42 seconds East, 17.25 feet; thence North 44 degrees 32 minutes 19 seconds East, 23.07 feet; thence North 67 degrees 46 minutes 00 seconds East, 13.03 feet to the end of said wetlands line.

Exhibit B



Eiland & Associates, Inc.

615 Blanding Blvd. Orange Park, Florida 32065
Phone (904) 272-1000 Fax 272-5443

Harold T. Eiland
President

Eric V. Eiland
V. President

OR BOOK 1577 PAGE 0558

Legal Description for D. W. Hutson Co.

An easement for drainage purposes covering the following described parcel of land:

All that part of Lot 7, Riverbend, Clay County, Florida, according to plat thereof recorded in Plat Book 24, pages 36 through 40 of the public records of said county lying adjacent to, and within 5 feet of, Lot 8 of said Riverbend.

Also, all that part of Lot 8, Riverbend, Clay County, Florida, according to plat thereof recorded in Plat Book 24, pages 36 through 40 of the public records of said county lying adjacent to, and within 5 feet of, Lot 7 of said Riverbend.

Also, all that part of Lots 8, 9 and 10, Riverbend, Clay County, Florida, according to plat thereof recorded in Plat Book 24, pages 36 through 40 of the public records of said county lying adjacent to, and within 10 feet of, Indian River Drive.

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Exhibit B