

Prepared by and Return to:
Christene M. Ertl, Esq.
Ansbacher Law
8818 Goodbys Executive Drive #100
Jacksonville, Florida 32217

**FIRST AMENDMENT OF THE
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS
FOR
ROYAL POINTE**

This First Amendment of the Declaration of Covenants, Conditions, Restrictions, and Easements for Royal Pointe ("Amendment") is made this 29th day of September, 2017 by Larmac Development, LLC, a Florida limited liability company ("Developer") having an address of 752 Blanding Blvd., Suite 110, Orange Park, Florida 32065.

RECITALS

A. The Developer, and/or its successors and assigns, has executed and recorded that certain Declaration of Covenants, Conditions, Restrictions, and Easements for Royal Pointe, which is recorded in Official Records Book 2806, Page 356, of the public records of Clay County, Florida, as amended or supplemented ("Declaration"), thereby submitting all of the real property described in the Declaration to the terms thereof;

B. Article 10, Section 10.8(a) of the Declaration, provides that the Developer may amend the Declaration upon the terms provided therein, including, without limitation, to perfect, clarify or make internally consistent the provisions therein.

NOW THEREFORE, the Developer hereby amends the Declaration as follows to perfect, clarify and make internally consistent the provisions of Article 5, Section 5.11:

1. Article 5, Section 5.11 shall be amended as follows:

~~Strikethrough~~ – denotes deletions from current text

Underline – denotes proposed additions

5.11 **Fences.** No fences, except as may be required by law or government regulations may be erected without prior written approval of the Developer except for fences which (i) comply with applicable zoning, (ii) do not interfere with Easements, (iii) are 6 feet in height measured from the surface of the ground, (iv) made of natural wood, ~~(v) that is unpainted or painted with the same color as the exterior of the dwelling located on the same Residential Lot as the fence,~~ (v) made of beige vinyl material (intended to give the appearance of natural wood or similar thereto) and (vi) are not located closer to the front of the subject Residential Lot than the dwelling measured from the front boundary line of the Residential Lot to the nearest portion of the dwelling. With respect to corner Residential Lots only, the restriction in §5.11(vi) will not apply; however fences may not be constructed closer than 20 feet to any property boundary line.

The Owners of any Lot which borders a Pond or Retention Pond must erect and maintain fencing as required and of the type and height prescribed in the Planned Unit Development Order for the Subdivision issued by Clay County. These requirements supersede the provisions of the previous paragraph. In general these requirements require (i) the installation of green chain link (with open unobstructed mesh) fencing along the edge of the Pond or Retention Pond; (ii) each Owner to tie the fencing on their Lot to the fencing on the adjacent Lots so as to create a continuous barrier around the Pond/Retention Pond; and (iii) fences located closer than 20 feet to any Pond/Retention Pond be 4 feet in height measured from the surface of the ground.

4. Effective Date. This Amendment shall be come effective upon its recordation in the public records of Clay County, Florida.

IN WITNESS WHEREOF, the Developer has caused this First Amendment to the Declaration of Covenants, Conditions, Restrictions, and Easements for Royal Pointe to be duly executed as of the date written above.

Sign and sealed
in the presence of:

LARMAC DEVELOPMENT, LLC, a Florida
limited liability company

Chyan Newman
Printed Name: Chyan Newman

By: Lawrence D. Nichols
Lawrence D. Nichols, Manager

Sandy D. Dwyer
Printed Name: Sandy D. Dwyer

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 20th day of September, 2017, by Lawrence D. Nichols, as the Manager of Larmac Development, LLC. Such person did/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}

Trish Daniels
Signature of Notary
Trish Daniels
Name of Notary

